

TUESDAY, 25TH AUGUST, 2015

The Parliament resumed at 9.30 a.m. pursuant to adjournment.

MADAM SPEAKER took the Chair and read the Prayer.

PRESENT

All honourable Members were present, except the honourable the honourable B. Singh, the honourable Ratu N. Lalabalavu, the honourable N. Nawaikula, the honourable A. Radrodro and the honourable M. Bulitavu.

MINUTES

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- Madam Speaker, I beg to move:

That the Minutes of the sitting of Parliament held on Monday, 24th August, 2015 as previously circulated, be taken as read and be confirmed.

HON. CDR S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE CHAIR

Acknowledgment of Visitors

MADAM SPEAKER.- I welcome all honourable Members to another sitting day.

I also take this opportunity to warmly welcome the Savusavu Catholic Women's Group and other members of the public joining us in the public gallery, and those watching proceedings on television, internet and listening to the radio. Thank you for taking interest in your Parliament.

Point of Order

I am allowing honourable Dr. Biman Prasad to raise his point of order because I allowed the honourable and learned Attorney-General to make some comments on this matter yesterday. However, I advise honourable Members that the Standing Orders and the Accepted Parliamentary Practice do not provide honourable Members with the capacity to correct statements of other Members.

The proper procedure is to do this by way of a substantive motion, which can then be properly debated. Therefore, once honourable Dr. Prasad has completed his point of order, I will not allow any further discussion at this stage. Honourable Members are free to raise this matter again by a substantive motion in the future. I invite honourable Dr. Biman Prasad to have the floor.

HON. DR. B.C. PRASAD.- Madam Speaker, I rise on a point of order to respond to the supposed corrections by the honourable and learned Attorney-General on the motion by Honourable Salote Radrodro on air transport.

The honourable and learned Attorney-General, Madam Speaker, made an assertion that I misrepresented what I said during the debate in July.

Madam Speaker, I maintain that every word I said is a matter of fact. In fact, Madam Speaker, what the honourable and learned Attorney-General has tried to do is, muddle through the explanation that I had provided with respect to the fuel surcharge. In fact, Madam Speaker, I believe that he wasted Parliament's time and all he got was a headline in the *Fiji Sun* today.

(Chorus of interjections)

HON. DR. B.C. PRASAD.- I do and I commend on

Madam Speaker, let me correct the honourable and learned Attorney-General once again. What I said was, that you got two domestic airlines operating and the issue was an exorbitant fare. The fact of the matter is that, one operator has fuel subsidy on only two subsidised routes; Suva to Ono-i-Lau and Suva to Gau return.

What the honourable and learned Attorney-General tried to say is that, there is a process for operators to apply for fuel subsidy, Madam Speaker. That is not the point I was making. The point I was making is that, as of today, one operator as compared to the other, only had fuel surcharge on two subsidised routes, whereas the other operator has fuel surcharge on all the routes.

What I was saying, Madam Speaker, is that if we want to promote competition and if we want to attract more domestic airlines to operate on the domestic routes, we have to find a business model or a formula. It is not about what the ATLB does, that is another matter. In fact, Madam Speaker, what I was suggesting is that, the Commerce Commission should actually look at the formula that ATLB uses and why there might be unfair competition. So, it was a fact about unfair competition, and that was what I said.

One last point, Madam Speaker, the honourable and learned Attorney-General has a habit of making personal attacks on Members, and in particular, to myself. He referred to my calibre. I do not think I need the honourable and learned Attorney-General to talk about my calibre, I leave it to the people of this country and to the thousands of students whom I taught over the last 28 years.

Another reference that the honourable and learned Attorney-General made, Madam Speaker, he referred to a failed NFP candidate. The language of "failed candidate", Madam Speaker, under this Constitution and under this Electoral process, is actually quite an insult because anyone who would have contested the Elections, until 2018, could actually become a Member of this Parliament, so no one is a failed candidate under this process.

The last point, Madam Speaker, just as a matter of correction, and this should be my advice to the honourable and learned Attorney-General is to find out who the real owners of the *Northern Air* are. He referred to 'a conflict of interest' and I think he should be the last person to lecture me on conflict of interest, Madam Speaker.

HON. OPPOSITION MEMBER.- Hear! Hear!

HON. ROKO T.T.S. DRAUNIDALO.- I rise on a Point of Order, Madam Speaker. It is also aspersion that was cast by the honourable Minister for Education yesterday. He made out that somehow I did not understand as a lawyer, the highest court of the land. Can I just refer the honourable Minister to what I said and what was written, nowhere did I talk about a court of law.

A court, Madam Speaker, is a designated place where the court of tennis ...

(Laughter)

There is the court of law which I know which is separate, and I did talk about separation of powers yesterday, Madam Speaker, and I could speak here for hours about jurisprudence.

MADAM SPEAKER.- Order!

HON. ROKO T.T.S. DRAUNIDALO.- As you know, Madam Speaker, I am not correcting anything by the attorney, I have lost hope in that direction, but that is the correction.

MADAM SPEAKER.- I think the Point of Order should have been made before the confirmation of Minutes because you were referring to yesterday's proceedings.

HON. ROKO T.T.S. DRAUNIDALO.- Well, I am making it now so that it is included in the *Hansard*, Madam Speaker, aspersions are not to be cast. You can do a law degree and then lecture me about the law.

MADAM SPEAKER.- Thank you, you may resume your seat.

We will move on according to the *Order Paper* today.

PRESENTATION OF PETITION

Petition by the Yavusa Navauvau

HON. V. GAVOKA.- Madam Speaker, I rise to table a petition by the Yavusa Navauvau, regarding a piece of land of some 4,286 acres known as Tovatova Black Back which is today a State land.

Madam Speaker, this land is part of where Vatukoula is today. It was purchased back in 1870, comprising some 8,000 acres. It changed hands a number of times and it is a fascinating history, telling us of how land has changed hands in the history of this country. This would be one that could be a wonderful example for people who study this subject. Madam Speaker, it changed for a number of times, including CSR in 1903 and the Western Mining.

However, today, Madam Speaker, 4,286 acres is State land. Part of the land now is where Vatukoula sits and it is freehold, and another part is Native lease. This State land of 4,286 acres, Madam Speaker, traditionally belongs to the people of Yavusa Navauvau and they have been asking Government since 2010 to have that returned to them in line with the Constitution which says that the land is no longer used, should be returned to the traditional landowners.

Madam Speaker, the Yavusa now numbers some 480. All they have today is 449 acres of land, so basically, one acre, one person. They need this land, Madam Speaker, to survive, to live on and it was theirs from the beginning. Now, we are asking the Parliament to convene an appropriate Committee to look into this matter and address this request by the people from the Yavusa Navauvau, Madam Speaker.

(Petition handed to the Secretary General)

MADAM SPEAKER.- Under Standing Order 37, I refer this Petition to the Standing Committee on Justice, Law and Human Rights.

QUESTIONS AND REPLIESOral QuestionsTaxi Drivers – Right to Appeal to LTA Board
(Question No. 178/2015)

HON. P. SINGH asked the Government, upon notice:

Would the Minister for Local Government, Housing, Environment, Infrastructure and Transport inform the House why public service drivers, particularly taxi drivers are being banned from driving for seven years by the Land Transport Authority if convicted for a criminal offence, which even includes a fine?

HON. P.B. KUMAR (Minister for Local Government, Housing, Environment, Infrastructure and Transport).- Madam Speaker, it sounds good when we say “seven years” but in actual fact, no drivers has been banned for seven years.

Madam Speaker, however, public service vehicle applicants, new or renewal, who were convicted with criminal records within five years from the date of application, have their application assessed on a case by case basis by the CEO. If the applicant is not happy with the decision of the CEO, he has all the right to appeal to the LTA Board.

Thank you, Madam Speaker.

HON. DR. B.C. PRASAD.- Can the honourable Minister then explain, Madam Speaker, if you have those kinds of variations, why can you not have a very clear rule which says, “alright, if you’re convicted, this is what is going to happen to you.”

Can I also say, Madam Speaker, that the case by case variation leaves room for interpretation by those who are looking at it and this is what PSV taxi drivers and licence holders are complaining about, that the decisions are not uniform, they do not know what is happening. So, can the honourable Minister consider or tell us whether he has any plans to have something uniform?

HON. P.B. KUMAR.- Madam Speaker, I think this is just a grandstanding because you must have read the *Fiji Sun* whereby I have stated that under the review, we are going to revisit this issue. Let me assure this august House that LTA is under review, and we are going to have a crystal clear policy whereby the staff and the ordinary citizens of this country know what the policy of LTA is.

HON. S.D. KARAVAKI.- Madam Speaker, a supplementary question; I thank the honourable Minister for his answer.

Madam Speaker, would the honourable Minister consider putting in place provisions to safeguard passengers, in particular, when a current PSV licensed driver is convicted of a criminal offence? Would the honourable Minister consider putting in a provision to provide safety for passengers, especially women who, probably will happen to travel alone in a cab for their own safety?

HON. P.B. KUMAR.- Yes, Madam Speaker, we will definitely consider that because that is also in the review.

HON. P. SINGH.- Madam Speaker, a supplementary question; would the honourable Minister explain to this House, how on earth did the CEO of LTA get such draconian powers to ban someone for seven years, even the Board does not have that power?

HON. P.B. KUMAR.- I have just said, Madam Speaker, that no one has been banned for seven years, and I will now invite the honourable Member if he has any evidence he can provide to me, I will definitely look into it. Provision is one thing and banning is another. He is talking about banning, Madam Speaker, and as I have said, no one has been banned for seven years.

MADAM SPEAKER.- I now give the floor to the honourable Salote Radrodro.

HON. S.V. RADRODRO.- Madam Speaker, first, I would like to take this opportunity to also acknowledge the presence of the Savusavu Women's Catholic League. *Ni sa bula re, ni bula sia.*

Increase in Violence against Women and Children
(Question No. 179/2015)

HON. S.V. RADRODRO asked the Government, upon notice:

Would the honourable Minister for Women, Children and Poverty Alleviation inform the House what programmes are in place to address the continuing increase in violence against women and children?

HON. R.S. AKBAR (Minister for Women, Children and Poverty Alleviation).- Madam Speaker, I rise to answer the question raised by the honourable Member and I thank her for this question as it is indeed an issue for us to address, with the continuing incidence of violence against women and children.

Madam Speaker, before I do that, I would also to acknowledge the women in the gallery and, of course, all the visitors who are present here this morning for this session.

This question actually requires a very detailed response to the various programmes we have, I will keep it short because later in the week, I will be delivering a Ministerial Statement on this.

Madam Speaker, the current programme that the Ministry has to combat the issue of violence against women and children, has already been discussed in this House but I will try to give the progress of these Programmes.

The first Programme which is the Male Advocacy Programme, this has been conducted to engage more men to become advocates for eliminating violence against women and children. In addition to this, we are now going to use the same principles of using male advocacy to establish a Public Service Male Champions of Change Network. This is a Programme that is planned for future and this Programme will target the male public servants to make personal commitments in their own lives, as well as in their working environment, to drive positive change for the elimination of violence against women and children in their own communities.

Further to that, the continuation of Zero Tolerance Violence Free Communities which we work with the local communities, including faith-based organisations and the male leaders and the Police Force. A progress has been made. So far, 27 communities have been committed to it, 39 have been declared and a further 21 communities are working towards being declared after completing the 10 phases of training and we hope to declare them by the end of this year. To further progress on the programme and to quantify its success, an expert has been hired under the Elimination of Violence against Women and Girls Taskforce, to review the programme and all its projects.

Further to that, another programme is the Implementation of the Child Help Line Policy that we have done with the toll-free number - 1325 and that is proving to be a success because on a daily basis, we receive calls from children, who try to report abuses and these calls are transferred to the Social Welfare Officers to look into it.

We also remove children from violence homes and put them into the State Care Residential Facilities, unless we find the home environment conducive for the child to go back.

Next month, our Elimination Of Violence Against Women Taskforce which is a coordinated taskforce between a number of agencies, including the Ministry of Health, the Fiji Police Force, the Police Force Sexual Offence Unit, Ministry of *iTaukei* Affairs, Department of Social Welfare, Fiji Women's Crisis Centre, Australian Department for Foreign Affairs and Trade, the Australian Aid Programme, Empower Pacific and Pacific Centre for Peace Building, will meet to work collaboratively to ensure best practices response by Police and other services when dealing with the Domestic Violence Decree.

Further to that, Madam Speaker, we have found out that sometimes because of financial dependency on their spouses, many women continue to suffer in silence, and this is where the Ministry's Livelihood Programme comes in place. We provide women with economic empowerment opportunities, income generating project, so that they will be able to deal with these situations as and when they arise.

The way forward, Madam Speaker, we are collaborating with the Secretariat of the Pacific Community Regional Rights Resource Team, known as SPCRRRT. They will be providing a country focal point officer and technical support for the implementation of the National Gender Policy through the provision of Gender Sensitization and Gender Mainstreaming Training within the Fiji Public Service.

The way forward also is to have more intensified awareness campaigns regarding the various laws we have and the assistance available, and we have started off by launching our programme to be used on the public service buses. Very shortly, we will be seeing a lot of public transport, especially buses, having these messaging. The messaging will be in print, audio and visual and in all languages, so that we are able to reach to all Fijians across whether they are on the mainland or whether they are on the islands.

Another way forward for next year is to have a similar facility for a domestic violence helpline like the child helpline that we have, and that is also in plan.

Finally, Madam Speaker, it is about our society's tolerance to this issue. If you want to continue to support these crimes happening by our own mindset or justify them wrapped into culture, family, traditional, religious beliefs, then this violence will continue. It is not a disease and there is nothing natural or right about it. Victims of these violence can never be blamed for their own victimisation, and violence against women and children is a choice and there is never any excuse for that. So, basically we are looking at and are appealing for a change in the mindset of all those within the community. We need to change our mindset, we cannot just isolate ourselves by saying; "It is not my business". So, violence against women and children is everyone's business and we appeal to all stakeholders to come on board and assist us fight this.

Thank you Madam Speaker.

MADAM SPEAKER.- Thank you, supplementary questions, honourable Salote Radrodro.

HON. S.V. RADRODRO.- Madam Speaker, can you allow me to say a brief comment, bearing in mind that the response was quite lengthy? This is just for a minute, a brief comment.

I thank the honourable Minister for citing that there is going to be an evaluation on the Zero Tolerance Violence Free Community. I would also like to request, I heard that the Male Champion Advocacy work is going to be undertaken to another level and may I request the honourable Minister that we start in this august House. Like with HIV AIDS, we have His Excellency the President as the champion for HIV AIDS. I request that maybe, the honourable Prime Minister or the honourable Attorney General could be that Male Champion for Elimination of Violence against Women and Children, to be able for us to commit to that high level of commitment that is needed to be able to effectively address this big, big problem that we face in Fiji.

Also I thank that the reports are coming in and I would like to requests the honourable Minister if the report that was undertaken by Fiji Women's Crisis Centre be tabled in this august House.

HON. M. VUNIWAQA.- Madam Speaker, Point of Order. We have been hearing this for over a minute now, please your supplementary question.

MADAM SPEAKER.- Honourable Member, you have already asked two questions anyway, but please give us the question that you want the honourable Minister to respond to.

HON. S.V. RADRODRO.- Madam Speaker, my question is; can the honourable Minister explain how will the Ministry undertake the Public Awareness Programme and all other Programmes, bearing in mind that your budget for Women's Plan of Action is only \$1 million and with the five thematic areas, you are only effectively looking at \$200,000?

HON. R.S. AKBAR.- Madam Speaker, I thank the honourable Member for raising those questions. There are two questions she raised; how are we going to go about with the Male Champions of Change Network and how are we going to coordinate the MPs regarding these?

We are already in the consultation process with our potential partner, to ensure that all MPs go through this Male Advocacy Programme. We are just awaiting confirmation from them so that we can begin.

Secondly, yes, I think we need very strong male leaders to be our champions but then we need to start. We do not need to identify one and all. It has to be all of us and all of us in our own way, can be champions of this change, wherever we are, in our community, in our workplace or wherever we interact with the people.

I think, Madam Speaker, the third one is about the awareness campaigns. So far, we have been able to work within the budget that we have been given and this is where we partner with relevant stakeholders, interested NGOs and the civil societies, as well as faith-based organisations that come on board and assist us to carry out this work.

HON. S. PATEL.- A supplementary question, Madam Speaker.

Madam Speaker, any form of violence against women and children is a shame and we have faith-based organisations in our country. I would like to ask the honourable Minister; how can the faith-based organisations help in preaching violence against women and children in our communities?

HON. R.S. AKBAR.- Madam Speaker, yes, that is a very valid point. We already have faith-based organisations working with us and I would like to commend the Methodist Church of Fiji for coming out very strongly and taking up a stand against this. We encourage and appeal to all the other faith-based organisations because they have more direct contact with the people, and preaching from the pulpits can

also be an effective medium of imparting the message that violence against women and children should not happen and will not be tolerated.

HON. V.R. GAVOKA.- Madam Speaker, I rise to ask a supplementary question.

Madam Speaker, in her reply, the honourable Minister identified that finances in the family contribute to violence. If you go back to Father Kevin Barr's recent article on this, he indicated that 30 per cent of people in Fiji live below the poverty line and 20 per cent barely make it over the poverty line.

Madam Speaker, it has been established that the minimum wage to survive in Fiji is \$165 a week. To help the honourable Minister with her work in this regard and as the minister responsible for poverty alleviation, is there anything in the FijiFirst's Manifesto to say, "To raise the minimum wage to \$165 a week"? That will help improve on this, Madam Speaker.

I forget, they did not have a manifesto in the last Elections but nevertheless, the honourable Minister can look into it.

(Laughter)

HON. R.S. AKBAR.- Madam Speaker, I think that question is irrelevant to the original question and I am not here to answer the question regarding FijiFirst Manifesto, but as the minister of the Government.

HON. J. DULAKIVERATA.- Madam Speaker, I thank the honourable Minister for her reply.

Madam Speaker, violence against women and children come in many forms. I would like to speak on the rapists because of the number of rapes that have been committed in the country, and the most recent one was the incident in Nakasi.

Madam Speaker, most of those rapists are serial rapists. They operate when the opportunity arises. So, can I ask the honourable Minister if they have a plan or they collaborate with other women groups to provide a database for all those rapists so that in the future, their identities, et cetera, are known to the public?

HON. R.S. AKBAR.- Madam Speaker, I apologise, I could not get what the question was but I believe that the honourable Member was asking for us to provide information about serial rapists on the network. Yes, that is something that we can look at and also, those information are normally with the Police Force, the DPP's Office and the Judicial. Of course, we can then look at other issues with regard to privacy. I mean, perpetrators do have privacy rights but definitely, we can look at that in the future.

HON. S.D. KARAVAKI.- Madam Speaker, I thank the honourable Minister for her answers to the questions. It is a very sensitive issue, Madam Speaker, because it touches the very fundamental of society, the families. I have heard the honourable Minister mention the removal of children from the homes when the environment is not suitable, where there is violence.

Madam Speaker, the honourable Minister may explain as to what arrangements do they have in place? Instead of being reactive to ensure that they prevent this kind of problem, what programmes do they have in place to ensure that the home environment is suitable because if they remove the child and mother, and they do not address the home environment, nothing will replace the homes? There is no institution that Government can set up to replace the homes.

HON. R.S. AKBAR.- Madam Speaker, I see that this question is generating a lot of interests and this shows that we are really serious about it, I mean, starting from this august House.

Madam Speaker, yes, removing the children from the homes is the last option. This is where we work with the communities, the gate keepers, and I have already mentioned the community leaders, religious leaders, et cetera, to ensure that we are able to prevent violence when it first starts or violence does not prevail within homes.

We have institutions where schools are used to teach that. We have the churches, the temples, mosques and, of course, we have community leaders. We have these advocacy programmes and awareness programmes going on. Sometimes, it is hard to change the mindset and this is where we really need to work positively, to change the mindsets of the people that the home should not be a place where violence prevails. That is a challenge.

HON. S.D. KARAVAKI.- What do you do?

HON. R.S. AKBAR.- We carry out awareness programmes and advocacy programmes.

HON. S.D. KARAVAKI.- Who carries out the programmes?

HON. R.S. AKBAR.- Our Social Welfare Officers visit homes and, of course, the *talatalas* and all the religious leaders.

(Laughter)

HON. RO T.V. KEPÄ.- Madam Speaker, I thank the honourable Minister for her responses. I believe from the honourable Minister's responses, she needs an increase in her budget from \$200,000 which is not enough, according to the plans that they have in place, I would support an increase in that Ministry's budget.

I also support the suggestion from the honourable Salote Radrodoro for the honourable Prime Minister to be the champion of women and children. I support that wholeheartedly, Madam Speaker.

(Laughter)

Madam Speaker, my question is; whether the honourable Minister has any plans in place, for example, like Neighbourhood Watch, where people are watching out for one another, in terms of many women who spend time alone and that is where a lot of sexual harassment takes place? We read in yesterday's paper from the Fiji Women's Crisis Centre, where there were 55 sexual harassment cases reported in the last 18 months, we can imagine how many more are not reported. So, I would think that having a Neighbourhood Watch in place for the women, might help the women and it would not impact so much on the honourable Minister's budget.

Also, for the schools, whether there is any training in terms of self-defence because we have so much NCDs, according to what the Minister for Health has been advising us in this august Chamber, we need some sort of self-defence training in place. So, I am asking the honourable Minister whether she has any of that in place.

HON. M. VUNIWAQA.- Point of order. State the question, Madam Speaker.

HON. RO T.V. KEPÄ.- That is my question, Madam Speaker, whether she has those training exercises in place and neighbourhood watch.

MADAM SPEAKER.- Honourable Member, I do not see it as a question because you have already answered your question. The setting up of the Neighbourhood Watch, I think that can be taken into consideration, and also that schools include self-defence, so the question has been answered.

I will now give the floor to the honourable Ratu Suliano Matanitobua to ask his question.

Amphetamine Drug Bust - \$100 million
(Question No. 180/2015)

HON. RATU S. MATANITOBUA.- Madam Speaker, first of all, I would like to congratulate the Nadroga Rugby Team for winning the Skipper Cup and RKS for winning the Deans Trophy in the Under 18 Grade.

Madam Speaker, my question is:

In respect of the recent \$100 million amphetamine drug bust by Fiji, New Zealand and Australian Police and Fiji Customs, can the honourable Minister for Defence, National Security and Immigration advise as to what measures it is taking to ensure those people responsible are investigated, prosecuted and convicted?

HON. CAPT. T.L. NATUVA (Minister for Defence, National Security and Immigration).- Madam Speaker, if I may continue, I would like to congratulate honourable Ratu Matanitobua for Namosi Rugby reaching the final in Nadi. Maybe, Naitasiri and Namosi need to combine to conquer Nadroga.

Madam Speaker, I would also like to correct a statement made by honourable Karavaki yesterday when he presented a motion on the Job Evaluation Exercise and stating that my office was not open for the people to come and see me. I have to mention here that my office is always open, in fact I have enlarged the waiting area to accommodate about 20 people and provide tea and water for them.

HON. GOVT. MEMBERS.- *Vinaka.* .

HON. CAPT. T.L. NATUVA.- At no time at all, had I closed my office to complaints on the Job Evaluation Exercise.

From the outset, it must be made clear that such offences as mentioned by honourable Ratu Matanitobua, contravene the Illicit Drugs Control Act of 2004. The Act has specific investigating provisions and penalties to deal with offenders.

Fiji's enforcement towards combating drugs had been intact especially due to the consolidation of the Police, Customs and Immigration with the Australian Federal Police and the New Zealand Police Force. The law enforcement agencies had foreseen the trend and the probability of occurring drugs trafficking into Fiji. Before it came through, they had already set up a system and that is what I responded to during a question asked by the honourable Gavoka on his 64th birthday. I mentioned that the Australian Federal Police Force were working together with the New Zealand Police Force and other nations to help this problem.

For this year alone, there were three seizures totalling 152 kilogrammes of cocaine, 50 kilogrammes of methamphetamine worth in excess of \$210 million. People are in custody at the moment, they are in court and I cannot give more evidence with regards to that. I can only say that the penalty is life imprisonment or \$100 million fine or both. So, we are looking after that when offenders are taken to task. I hope that it will reduce the number of consignments coming into Fiji.

MADAM SPEAKER.- Supplementary question, honourable Ratu Kiniviliame Kiliraki.

HON. RATU K. KILIRAKI.- Madam Speaker, what jurisdiction is in place in regards to the source of drugs that come into Fiji. As he has already enlightened us on the legal process in place in Fiji, whether Fiji has the jurisdiction to be able to take the source to task?

MADAM SPEAKER.- Thank you, honourable Minister.

HON. CAPT. T.L. NATUVA.- Madam Speaker, I failed to mention that investigation is also being conducted on where the drugs originated from. In fact, the \$100 million worth of drugs originated from Mexico. Investigations are also conducted in various places in order to arrest the culprits.

HON. RO T.V. KEPÄ.- Supplementary question. Madam Speaker, in speaking to the honourable Prime Minister about being champion of women, I overlooked to welcome women who are here in the gallery from Savusavu. *Dou bula vinaka.*

(Laughter)

Madam Speaker, my question is what sort of extradition agreement is there in place with 132 countries that are visa exempt from travelling in and out of the country, in terms of bringing justice to these people who are peddling drugs?

MADAM SPEAKER.- Honourable Minister.

HON. CAPT. T.L. NATUVA.- Madam Speaker, this is a new question, I can provide a written answer.

MADAM SPEAKER.- Thank you, a written answer will be provided to that question.

Child Labour and Trafficking in Persons Report
(Question No. 181/2015)

HON. S. PATEL asked the Government, upon notice:

Can the honourable Minister for Employment, Productivity and Industrial Relations comment on a recently released report by the United States Department about Fiji's Status as a Tier 2 member country, according to its Child Labour and Trafficking in Person's Report?

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE (Minister for Employment, Productivity and Industrial Relations).- Madam Speaker, I thank the honourable Member for his question.

For the information of this august House, the Government of Fiji initially ratified the United Nations Convention on the Rights of the Child in 1993, following which it established the National Coordinating Committee on Children. Furthermore, Madam Speaker, in 2002, Fiji ratified the International Labour Organisations Convention 182 of the Worst Forms of Child Labour and Convention 138 on the Minimum Age for Employment in 2003.

Madam Speaker, the National Coordinating Committee on Children has now become Fiji's Inter Agency Network, a taskforce which consists of ministries inspectorate officers – officers from the Fiji Police Force, the Director of Public Prosecutions Office, the Ministry of Women, Children and Poverty Alleviation, the Ministry of Education, out tripartite partners, the workers, the unions and employers and other non-government organisation such as ILO and UNDP, a forum which was initially established to

implement, advice, regulate and monitor the protection of our children under the UN Convention on the Rights of a Child.

Madam Speaker, the work of this taskforce towards the promotion and advocacy on issues pertaining to child protection has been further enhanced with Fiji's progressive labour reforms under the Employment Relations Promulgation, 2007 which complements the Health and Safety at Work Act of 1996.

Furthermore, Madam Speaker, the ability of the taskforce in its continued efforts to effectively deal with any cases of child labour, child abuse and child trafficking within Fiji and across our borders has been further strengthened with Government's enactment of the 2009 Crimes Decree which repealed the archaic Penal Code. Division 6 of the Crimes Decree provides the much-needed additional ethic administrative which rest the loop holes which prohibits human trafficking and most importantly it does not differentiate between child labour and sex trafficking. I believe, Madam Speaker, that the prescribed penalty of a maximum 25 years jail term and fines of up to \$400, 000 which can be imposed under the Crimes Decree for any offender are sufficiently stringent and commensurate enough to deter any would-be offenders against our children.

Madam Speaker, these provisions in the Crimes Decree are also in line with the requirements which are enshrined under Section 10(1) of our Constitution which clearly states that, and I quote "a person must not be held in slavery or servitude or subjected to forced labour or human trafficking."

Madam Speaker, I strongly believe that the existing provisions within our Constitution coupled with our recently enacted laws against child labour and trafficking which were highlighted in a report submitted by the Ministry to the US Department of Labour on 22nd January of this year, must have had a positive impact and undoubtedly improved Fiji's standing within the international and global community as an independent, democratic and responsible sovereign State, hence our elevation to a tier-two status member country according to a recently published US Child Labour and Trafficking in Person's Report; thank you.

MADAM SPEAKER.- Thank you. A supplementary question, I give the floor to Ratu Tikoca.

HON. RATU. I.D. TIKOCA.- Why is Fiji not a party to the 2000 UN Protocol and I probably have not heard you mentioning that and if it is so, has the Government budgeted adequate funds to implement the recommendations made in the 2014 Trafficking in Persons Report. Thank you Madam Speaker.

MADAM SPEAKER.- Thank you, honourable Minister.

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, I would like to acknowledge the question by the honourable Member. I believe that, that is a new question, I will come back to him in writing.

MADAM SPEAKER.- Thank you.

HON. RATU I.D. TIKOCA.- I am asking another supplementary question.

MADAM SPEAKER.- Sorry, you are allowed only one supplementary question.

I now give the floor to the honourable Vadei.

HON. A.T. VADEI.-Thank you, Madam Speaker. I thank the honourable Minister for his response on this issue. What I would like to ask is whether the honourable Minister or his Ministry have some framework to address this issue in our country?

MADAM SPEAKER.- Thank you, just before I give the floor, honourable Ratu Tikoca, he has mentioned that he will provide you with a written answer to your question.

I now give the floor to the honourable Minister.

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, going back to the question from honourable Vadei, whether we have the framework on the ground to address the problems. For the information of the august House, it seems that the promulgation of the PRP 2007, proactive and positive steps have been taken by the Ministry to improve our ability to monitor and implement policies to address the issues. For the information of the House, early this year I launched Tackle Two which is another phase of this proactive and positive programme that I am talking about. We are working very closely with the ILO and other NGOs to try and address this issue and I would like to acknowledge and thank the contribution from the other Government Ministries in this regard.

MADAM SPEAKER.- Thank you, the honourable Dulakiverata.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker, I thank the honourable Minister for his reply. My question is, what monitoring framework has Government envisioned or implemented to ensure that Fiji improves its status to Tier One. Thank you.

MADAM SPEAKER.- Thank you honourable Minister.

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, I have no doubt that as we progress and we improve our ability to address this issue, at some stage we will get to Tier One. Thank you.

MADAM SPEAKER.- Thank you, I now give the floor to the honourable Jilila Kumar.

Challenge Fund 2015
(Question No. 182/2015)

HON. J.N. KUMAR.- Madam Speaker, please allow me to say *bula vinaka* to the ladies from Savusavu.

Madam Speaker, my question is:

Can the honourable Minister for Local Government, Housing, Environment, Infrastructure and Transport explain to the House how the Challenge Fund 2015 has been utilised in terms of: Municipal Council, Beneficiaries and the Types of Project?

HON. P.B. KUMAR (Minister for Local Government, Housing, Environment, Infrastructure and Transport).- Madam Speaker, the budget allocation for the Challenge Fund is to assist the Municipal Councils' capital works and in some of the administrative matters. For the information of this august House, Madam Speaker, there are altogether 13 municipal councils in Fiji. For this year Madam Speaker, the Ministry for Local Government, Housing and Environment was allocated a budget of \$3 million for the Challenge Fund.

Madam Speaker, out of \$3 million allocated, a total of \$2.6 million was approved to carry out capital works such as market upgrading, upgrading of footpaths, children and senior citizens parks, installation of solar lights, multi-purpose hall and sports complex and purchase of compactor garbage trucks.

Madam Speaker, this Government grant has contributed to the development of our towns and cities and also indirectly strengthened the councils' financial position to implement new projects in our towns and cities. Small councils such as Rakiraki, Tavua, Savusavu and Levuka are not financially capable of carrying out such capital projects hence this type of grant will assist in the development, benefiting families in these respective towns and cities. Thank you Madam Speaker.

MADAM SPEAKER.- Supplementary question and I invite the honourable Ratu Sela Nanovo.

HON. RATU S.V. NANOVO.- Thank you Madam Speaker, I do thank the honourable Minister for the answer to the question asked. All I would like to ask the honourable Minister this morning is whether the request from all these municipalities were able to be accommodated within the \$3 million that was allocated for this year or are you thinking to increasing this from next year?

HON. P.B. KUMAR.- Very much, Madam Speaker, I have a surplus of \$400, 000 and I am still waiting for some projects to be submitted to the Ministry so that we can utilize that fund. Let me say that this fund is enough for the capital works that we need to carry out for the municipal councils.

MADAM SPEAKER.- Thank you. I now give the floor to the honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you Madam Speaker, that is wonderful news from the honourable Minister regarding the capex for municipalities.

Madam Speaker, Koromumu Hospital in Sigatoka was built in the 1960s and has no proper sewerage using a septic tank, dumping everything into who knows when. Will it be part of your plans going forward to develop a proper sewerage system for the Koromumu Hospital in Sigatoka or indeed the Municipalities of Sigatoka?

HON. P.B. KUMAR.- That project has got nothing to do with this challenge fund, but we will always take that in our programme as far as sewerage and water is concerned. That will come under the water and sewerage programme.

HON. S.V. RADRODRO.- Madam Speaker, I would like to ask the honourable Minister if projects like the construction of women's night shelters in markets can be included in that programme.

HON. P.B. KUMAR.- As I have just mentioned about the upgrading of markets, it will be of interest to me if she can mention which markets have no women's shelter, because I made a ministerial statement in the last sitting about this accommodation, and apart from Nausori (the new market), the other markets all have shelters.

MADAM SPEAKER.- For clarification purposes, I will give the floor to the honourable Radrodoro to answer that question.

HON. S.V. RADRODRO.- Madam Speaker, in referring to the women's night shelter, like in the Suva Market and the upcoming new market in Nausori, whereby women can spend the night and also look after their produce.

MADAM SPEAKER.- The question is, which of these markets do not already have night shelters for women? Are you able to name some markets?

HON. S.V. RADRODRO.- The new Nausori Market, Bailey Bridge Market, Navua Market and the Savusavu Market.

(Laughter)

MADAM SPEAKER.- Honourable Minister, a few markets have been mentioned – Savusavu, Nausori, Navua and Bailey Bridge Markets.

HON. P.B. KUMAR.- I am also considering Ba River, Rewa River.

(Laughter)

Madam Speaker, this is the only Government which has thought about providing night shelters for our women, no other Government has done that. I want to assure this honourable House that by the end of this year, Nausori will also have its accommodation setup.

HON. RATU I.D. TIKOCA.- Point of order. I want to correct you there.

MADAM SPEAKER.- What is the point of order, please?

HON. RATU I.D. TIKOCA.- The point of order is correcting him where he is stating that this is the only Government that has done that service.

HON. P.B. KUMAR.- Of course, it has.

HON. RATU I.D. TIKOCA.- It was not. Read, wherever you get it from, you will be correcting yourself.

HON. J. DULAKIVERATA.- Madam Speaker, I just want to ask the honourable Minister

MADAM SPEAKER.- Is it a supplementary question or point of order?

HON. J. DULAKIVERATA.- Supplementary question.

I understand that for the development of towns and cities, the budget is derived from the rates collected. Now that being a huge portion of the development, the road is being looked after by Fiji Roads Authority, this will leave a lot of finance for the Council to do its own developments. I wonder if it is still necessary to have this fund?

HON. P.B. KUMAR.- Madam Speaker, can I get it right from the honourable Member, is he opposing this challenge fund that we are assisting the municipal councils with?

If yes, then I will answer. I need to know from him, because this is very important for me.

MADAM SPEAKER.- Can you answer the question so that he can answer the supplementary question?

HON. J. DULAKIVERATA.- Yes, Madam Speaker, I thought that the Council is capable enough to look after its own developments because the ratepayers pay for the development of towns and cities and these funds could be better utilised elsewhere which needs assistance.

HON. RATU I.D. TIKOCA.- Now, you got it.

HON. P.B. KUMAR.- Madam Speaker, from last year, this Government had requested all the municipal councils to waive fees and charges for the small scale businesses. There was a loss of revenue there for the municipal councils. We have also not increased town rates for any towns and cities. So what I am trying to say is, he is talking about Fiji Roads Authority, you better go and check. The delegated powers

HON. P. SINGH.- When was the election?

HON. P.B. KUMAR.- What does elections have to do with challenge fund?

(Laughter)

This is the biggest problem with you.

HON. P. SINGH.- The ratepayers have the right.

MADAM SPEAKER.- Order!

HON. P. SINGH.- Leave it to the ratepayers.

MADAM SPEAKER.- Order! Order!

Please do not respond to frivolous interjections. Please continue with your answer.

HON. P.B. KUMAR.- I will not, Madam Speaker.

But let me say this that this Government will continue to assist municipal councils in terms of the challenge fund.

HON. RATU S. MATANITOBUA.- Madam Speaker, first of all, I want to thank the honourable Minister. With a single phone call, the road towards Navua Town was upgraded. Thank you, honourable Minister for that, for a job well done.

Madam Speaker, last year the honourable Prime Minister was supposed to declare Navua a town, maybe this year or next year. My question to the honourable Minister, if Navua is declared a town, can the market be relocated?

HON. P.B. KUMAR.- Firstly, Madam Speaker, the Navua District will be declared a town, let me make it very clear.

HON. OPPOSITION MEMBER.- You promised September this year.

HON. P.B. KUMAR.- You don't have to worry, we are going to work according to our plan.

(Laughter)

Without declaring Navua a town, work has begun, in terms of street lighting, footpaths, roads, and the concern raised by the honourable Member in terms of market and other facilities, definitely that will come in the scheme plan.

HON. RATU K. KILIRAKI.- Madam Speaker, may I seek clarification from the honourable Minister in regards to this challenge fund for the municipal councils. Where does the funding, if there is, for other centres that are not classified as municipal towns, like Korovou, where they can access this fund, or is there an allocation for those areas?

HON. P.B. KUMAR.- Madam Speaker, this fund is specifically designed to assist municipal councils. The Korovou Town that he has mentioned, I think it is through the Office of the Commissioner Central. They can apply at the Office of the Commissioner Central, if there is any project.

National Youth and Sports Conference
(Question No. 183/2015)

HON. A.A. MAHARAJ asked the Government, upon notice:

Can the honourable Minister for Youth and Sports inform the House on its plans to host a National Youth and Sports Conference this year?

HON. LT. COL. L.B. TUITUBOU (Minister for Youth and Sports).- Madam Speaker, I must thank the honourable Maharaj for that question. Before I answer that question, *dou bula re na wekaqu mai Savusavu*.

Madam Speaker, before I inform the honourable House of the plans, let me at the outset, provide a brief background of the event that transpired last year, the same forum that we will run this year.

The National Youth and Sports Conference was initially organised in 2014. With the theme “Strengthening Youth In Decision Making, Decision Making Process”, the conference, Madam Speaker, brought together youth leaders from around Fiji, to deliberate on cross-cutting youth issues affecting youths in Fiji and identify possible solutions with the stakeholders that were invited.

Madam Speaker, a total of 500 participants from across Fiji participated. Two hundred youths were from the Western Division, represented by the rural and urban areas and 100 youths represented the Eastern, Northern and Western Division respectively.

Madam Speaker, the conference also promoted culture and sports, where youths were able to link themselves to their respective cultures and appreciate participating in organised sports, as sports is becoming an initiative.

Madam Speaker, the conference culminated in recognising the important values youths play in contributing towards youth and sports developments by receiving awards.

Madam Speaker, the resolution reached as an outcome of the conference provided direction for my ministry in the development of programmes and activities that are relevant to better suit and address cross-cutting issues that were raised during this conference.

Madam Speaker, building on from the experience of the 2014 National Youth and Sports Conference, the Ministry of Youth and the Ministry in its Annual Corporate Plan decided that it will organise another National Youth and Sports Conference in 2016.

So, this year, Madam Speaker, the event has been scheduled for 14th to 16th of September at the Vodafone arena and the theme this year for the conference is “Empowering Youth to Sustain a Nation”.

My intention of this event, Madam Speaker, is to create a forum to dialogue and maximise youth participation whereby respective youths from different divisions around the thematic areas that has been proposed to them.

Application for interested youths were advertised on page 26 edition of the *Fiji Sun* on 2nd August this year.

Madam Speaker, these three days event will bring together approximately 300 youths from various divisions, affiliates of National Youth Council, Faith-based organisation, CSOs, youth coordinators, youth workers, youths in tertiary and key stakeholders from the different agencies - private and the public sector, and the UN agency. Youths coordinated the meeting, Madam Speaker, with relevant stakeholders and fund agencies have been meeting to organise this event.

All arrangements are in place with the advertisement made in the media regarding this event.

Madam Speaker, programmes include key note speakers and breakout sessions include youth markets, skill building workshops, cultural night, culminating in the youth awards.

Madam Speaker, funding is provided to support these youths. This is the money well spent, as this Government continues to contribute, not only to listen, but to act on the aspiration of the Fijian youths.

That is all and thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. I give the floor to the Honourable Samuela Vunivalu.

HON. S.B. VUNIVALU.- Thank you, Madam Speaker.

Before asking my supplementary question, firstly, I also take this opportunity to welcome the ladies from Savusavu.

Secondly, I would like to congratulate the Namosi Rugby Team for their tireless effort that in such a small rugby district, they managed to beat the Nadi Rugby team in the semi-final, the leader of the series and they were able to meet the champ Nadroga. Also, congratulation to the champ, the Nadroga team, but this Saturday, there will be a different game altogether.

(Laughter)

May you allow me, Madam Speaker, to elaborate a little bit further in regards to the self-leases.

MADAM SPEAKER.- Please can you just ask your supplementary question.

HON. S.B. VUNIVALU.- My question?

(Laughter)

Thank you Madam Speaker. My question is, can the honourable Minister inform the House, how many youths had participated in the National Youth and Sports Conference in 2014 and the distribution of youth representation across Fiji? Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. Honourable Minister.

HON. LT. COL. L.B. TUITUBOU.- Yes, there were 500 youths altogether, but last year, we ended up with 600 to 700 because we opened the door to youths in the peri-urban and urban areas and who were

not included in the one that we brought from the West and the three other divisions. So 600 altogether benefited from the conference in 2014. Thank you.

MADAM SPEAKER.- I now give the floor to the Honourable Ratu Suliano Matanitobua.

HON. RATU S. MATANITOBUA.- Thank you, Madam Speaker. I would like to thank the honourable Minister for the answers he has given this morning. My question is, can the honourable Minister enlighten the House, what would be the total estimated budget for this Conference? Thank you.

MADAM SPEAKER.- Thank you. Honourable Minister.

HON. LT. COL. L.B. TUITUBOU.- Thank you, Madam Speaker. I must thank the honourable Member for the question. The total expenditure for 2014 was \$200,000 and this year we will be expecting more and we are working around about \$300,000 to \$400,000. Last year, as I have mentioned the major donors were UNFPA, UNICEF, UNDP and the Fiji National Sports Commission and they are the main partners again this year.

MADAM SPEAKER.- Thank you. I give the floor to the honourable Anare Vadei.

HON. A.T. VADEI.- Thank you, Madam Speaker. I thank the honourable Minister for his response. What I would like to ask the Minister is, what sort of status of this sporting facilities in which youths that will be competing in this National Sports Day, the conditions, the quality and the status of developments taking place in those various youth groups in the various districts that they will represent. Thank you.

MADAM SPEAKER.- The question was really on the Conference, but the onus is on you honourable Minister.

HON. LT. COL. L.B. TUITUBOU.- Madam Speaker, I must thank the honourable Member for that question, but the three days conference will discuss cross-cutting issues brought up by youth clubs and youth leaders. If those points from youth clubs are brought forward, we address them simultaneously.

MADAM SPEAKER.- Thank you. We move on to the next item on the *Order Paper* and I invite honourable Salote Radrodro to ask her Written Question.

Written Questions

Free Milk and Free Weet-Bix Programme (Question No. 184/2015)

Hon. S.V. Radrodro asked the Government, upon notice:

Can the honourable Minister for Education, Heritage and Arts inform the House on:

- (a) What is the total budget for this programme and the total expenditure to date;
- (b) What are the names of all schools that have benefitted from this programme; and
- (c) Which schools are still awaiting the 'Free Weet-Bix' and 'Free Milk' and indicate the actions the Ministry will take to ensure these schools receive these by end of 2015.

HON. DR. M. REDDY (Minister of Education, Heritage and Arts). - Madam Speaker. I will table my answer at a later sitting day, as permitted under Standing Order 45(c).

MADAM SPEAKER.- Honourable Members, I reckon we can adjourn this sitting at this time to enable us to have refreshment.

The Parliament is adjourned for refreshments and we will meet again at 11.30 a.m.

The Parliament adjourned at 10.50 a.m.

The Parliament resumed at 11.25 a.m.

MADAM SPEAKER.- We now move on to the next item in today's *Order Paper*.

The honourable Minister for Agriculture, Rural & Maritime Development and National Disaster Management has informed me that he wishes to make a Ministerial Statement under Standing Order 40, I now call upon the honourable Minister to make his ministerial statement.

MADAM SPEAKER.- Point of Order!.

HON. ROKO T.T.S. DRAUNIDALO.- I wonder if notice was required to be given and if we were given it because we do not see them in the agenda

MADAM SPEAKER.- Thank you. Under Standing Order 40, Ministerial Statements can be given one hour before the start of the sitting and that was complied with in today's sitting.

Thank you. I now call upon the honourable Minister to make his Ministerial statement.

STATEMENT BY MINISTER

Prolonged Dry Spell

HON. LT. COL. I.B. SERUIRATU.- Thank you Madam Speaker, you are aware of the prolonged dry spell which is affecting parts of Fiji and which has been reported prominently in the news media. Frequent rain experienced in the past days is associated to the system currently affecting the country, where there can be rain but they are still well below average.

The latest update from the Fiji Meteorological office indicates that below average rainfall projected for the country will continue up to October.

Forecasts for the period from November to January 2016 anticipated that the system, Madam Speaker, will continue, with the mixture of high temperatures in some areas, while others will experience below normal temperatures.

Madam Speaker, due to the negative impact this could cause to the nation should it continue, it would be proper to brief this honourable House on the transitional weather forecasts, our responses to the current demands and the strategies that are being formulated to address the needs of Fijians, if it persists.

The extended dry spell, Madam Speaker, being experienced is associated with the *El Nino* events that occur about every four to five years and usually develop during the period from April to June and tend to reach their maximum strength during December to February, the following year. They typically last for 9 to 12 months, though in extreme cases they persist for up to 2 years. The last time Fiji experienced such a situation, Madam Speaker, was during the 1997 and 1998 period.

Perhaps, Madam Speaker, I should clarify the difference between an *El Nino* and the *La Nina* phenomena. The *El Nino* situation is the result of warming of ocean surface. Temperatures which is characterised by abnormally warm sea surface temperatures and changes in the distribution of rainfall, changes in the sea level pressure and the large scale atmospheric circulation, changes in the tropics.

In contrast *La Nina* is the opposite of *El Nino* which is characterised by enormously cold water in the central and east central equilateral Pacific. The system also results in changes in the intensity and distribution of rainfall and changes in the patterns of sea level pressure and the atmospheric circulation.

The *La Nina* is also referred to as the Pacific Cold Episode. It should be noted that the effects and impacts of the two systems can be very similar and both systems are the main sources of year to year variability in weather and climate for many areas of the world, but they can do alternate in an irregular cycle.

Madam Speaker, the dry spell in the tropical Pacific Ocean has been continuing since January 2015 and Fiji has been experiencing below average rainfall during this period. Considering the current conditions and predictions from the Fiji Meteorological office, Fiji is likely to experience rainfall deficiencies during this dry season up to or beyond December.

The weather forecast predicts that there will be below average rainfall for the rest of this year, with the period up to September and October, as possibly the worst months. The same situation was also encountered last year but rain came earlier than predicted. I am sure we are all praying that the same happens this year.

Madam Speaker, below average rainfall has been felt since January and reports have been received on the drying up of water sources and they are experiences of water shortage of water in areas around the Western Division, Northern Division and the maritime islands, and I will now go into the details.

Madam Speaker, from January, through collaboration with the Water Authority of Fiji, my Ministry, the Ministry responsible for disaster management in Fiji has been providing emergency water to areas in the Central Division, including Cautata Village and the *Tikina* of Namara in Tailevu, and to Nuku Secondary School in Serua.

Madam Speaker, whilst the Water Authority in Fiji is responsible for the provision of emergency water to reticulated areas, my Ministry is responsible for the provision of emergency water outside of those areas. It must be noted, however that we have adopted an integrated approach to ensure that everyone, regardless of where they live, are provided with water.

In the Western Division, which is the worst affected so far, emergency water has been delivered to the whole of the division albeit sporadically to areas from Ra to Nadroga and Navosa.

The maritime areas in the division, to which water has been carted include Ratu Lalabalavu High School in Malolo, Solevu Health Centre, Mamanuca Primary School, Yanuya Primary School, Yanuya Nursing Station and our approach is to provide water first of all to schools and health facilities, to ensure that our children continue to go to school and similarly that health services is not negated in any way.

The provision of water to villages and communities are just as critical Madam Speaker. To-date, emergency water has been provided to villages in about all maritime islands in the Western Division, including Vatulele, the Malolo and Mamanuca groups and Yasawa group.

We are grateful to the Ministry of Infrastructure and Transport for making available the Government budge *Sigavou*, that has been carting water to the maritime areas in the West.

Madam Speaker, the effect of the drought in the Northern Division has been equally distressing to the communities. Macuata has been the worst affected province in the North but areas in Bua and Cakaudrove are also affected.

Schools in the division that have been provided with water include Dogotuki District School, Naigigi Primary School, Tabia Primary School, Tabia Central College and Kelikoso District School. Villages and communities in the Northern Division, Madam Speaker, where emergency water has been

provided include Dreketi Lailai, Nagata, Valebasoga, Qelemumumu, Boca and Matai Labasa settlements, Naqumu and Nakanacagi villages and the Wainikoro Government Station in Nadogo.

Madam Speaker, the maritime areas in the Northern Division, including Yadua in Bua and the islands of the Macuata coast have also been provided with water. Again, we acknowledge the Ministry of Infrastructure and Transport for the provision of the Government barge *Vunilagi*, that has been carting water to the maritime areas of the North.

As for the Eastern Division, Madam Speaker, Batiki in the Lomaviti Group has been provided with emergency water. Indications are that other areas in the Eastern Division, especially in the Lau group will shortly require the provision of emergency water.

Madam Speaker, as at yesterday, the total funds expended by the four divisions in the emergency water amounts to \$362,011.34. The breakdown are as follows:

1)	Western Division	-	\$176,950
2)	Northern Division	-	\$145,703.34
3)	Central Division	-	\$ 13,924.07
4)	Eastern Division	-	None
5)	Headquarters	-	\$ 25,433.93

For the information of this august House, Madam Speaker, the funds that are spent at headquarters are for the purchase of pipes and fittings required for the delivery of water, especially to the maritime areas, where many lengths of pipes are required to convey water from the barge to shore.

You will note, Madam Speaker, that the Eastern Division has received no allocation so far. The reason being, we had utilised a scheduled trip of the government barge *Vatulawa*, to deliver water to Batiki. These costs, Madam Speaker, do not fully reflect the cost incurred by the Minister of Infrastructure and Transport in relation to the deployment of barges to cart water, and the costs borne by Water Authority of Fiji in relation to the provision and refilling to water trucks and the barges.

In essence, therefore, Madam Speaker, the bulk of the costs incurred is utilised for the purchase of water tanks, the hiring of trucks for water cartage and of course, fuel and associated costs, where government trucks are utilised for water cartage. There were instances where private barges were hired when government vessels were not available.

The total budget allocated to my Ministry for the provision of emergency water, Madam Speaker, is \$350,000. This has been exhausted as at 21st July, hence a request was made to the honourable Prime Minister who approved the utilisation of funds amounting to \$475,857.25 from his Disaster Relief and Rehabilitation account for the provision of emergency water. So far, \$12,011.45 has been utilised from this fund, leaving a current balance of \$463,845.80, which I expect to be utilised in no time, as the drought situation intensifies.

The anticipation, Madam Speaker, is that, requests for emergency water will increase daily, if the situation persists. The Divisional Commissioners to enhance their state of preparedness had established their divisional taskforces, comprising of key agencies within their divisions, to consolidate efforts and to develop strategies to counter the situation, with a primary objective to allay undue burden on the people resulting from the dry spell and this will remain Government's priority.

This too, Madam Speaker, was the ground rule laid down by the honourable Prime Minister, when he was briefed on the current weather situation by key agencies, including the Fiji Meteorological Service, Water Authority of Fiji, Department of Mineral Resources, the Fiji Electricity Authority, the Ministry of

Agriculture and the Ministry of *iTaukei* Affairs and the Ministry of Rural and Maritime Development and National Disaster Management on 3rd July, 2015.

The message from the honourable Prime Minister was clear and it was the people's needs that will be paramount and no complaints on the non-provision of water will be tolerated. This has been and will continue to be the guiding principle in our response to the current dry spell. Madam Speaker, we also acknowledge our partners, the honourable Prime Minister being a key advocate for Climate Change and its effects to Fiji and of course, in the country is discussing various ways and means in which India, Thailand and our other partners can assist us particularly, when it comes to Climate Change and disaster risk reduction and management.

The Mitigation and the Prevention Committee, Madam Speaker, of the National Management Council has also met and agreed to continue to monitor the situation. It is also discussing ways to support the divisions, should there be a need. Additionally, Madam Speaker, the clusters have also been meeting and are updated on the dry spell. The three clusters that have been mobilised are those for the Food and Security and Livelihood, Education and Shelter. They are also discussing strategies to mitigate the effects of drought in their own thematic areas.

The two other critical clusters that will be activated are the WASH – WASH, Madam Speaker, is for Water Sanitation and Hygiene and that for Health. Madam Speaker, due to the nature of the disaster such as droughts, multiple sectors will be affected and critical sectors like food, security, education and the livelihood of people together with economic sectors like Sugar, Agriculture and Livestock, hence their need will be placed as priorities. As the Ministry responsible for Disaster Management, Madam Speaker, we have been conducting regular meetings within our Ministry to consolidate reports from various sectors, divisions and clusters and will continue to do so in order to maximise the impact of early response efforts.

The Ministry has also prepositioned its resources, especially in the Western Division and the Northern Divisions to facilitate upcoming needs on water issues. These includes water tanks, water pumps and implement generators should there be power failures. It would be appropriate at this juncture, Madam Speaker, to acknowledge the support of the Government of New Zealand through its Aid Agency, the New Zealand Aid, in strengthening the disaster preparedness and response capacity at the National Disaster Management Office. Between 2014 and 2015, Madam Speaker, the New Zealand Government provided assistance to the NDMO for the upgrade of the national and divisional emergency operation centres, training and awareness, including the procurement of two 10,000 litre mountable water tanks which are currently being used to deliver water to drought affected areas in the West.

In July this year, Madam Speaker, the New Zealand Government has communicated its assistance to the NDMO again for the period 2015–2016, which will include the supply of 10 by 1,000 litre towable water tanks, another 10,000 litre mountable water tank with a truck and a portable water quality test kit and laboratory. The total value of the assistance is F\$913,000.

Madam Speaker, the assistance of the Government of New Zealand is timely and will help in many ways to bring relief to the unfortunate citizens who are in some ways affected by the current dry spell and of course, help in our response to future occurrences.

Madam Speaker, may I therefore, place on record my deep appreciation and that of the government to the government and the people of New Zealand for their kind assistance.

To prepare our communities, Madam Speaker, we have activated the integrated rural development machinery to communicate to the people on the onset of the *El Nino* situation and the possible impacts should it become full blown. We have therefore, relayed the message to the communities, quite apart

from the news media, through the District Advisory Councillors and the *turaga ni koros, the mata ni tikinas*, the Ministry of iTaukei Affairs is helping greatly in this regard. While the situation may progress towards a critical stage, Madam Speaker, we have opted to adopt a proactive approach to ensure that the live hoods of Fijians are not disrupted unduly.

Madam Speaker, the response from key agencies within government, especially the Water Authority of Fiji, the Fiji Electricity Authority, the Fiji Meteorological Department, the Department of Mineral Resources and the Ministry of Agriculture, Education and Infrastructure and Transport have been extremely positive. Their combine efforts will remain essential, in the event the situation worsens, where response will need to be strengthened and of course, it will be remiss of me not to acknowledge the efforts of the four Divisional Commissioners and their teams, and my team at the Ministry of rural and Maritime Development and National Disaster's top management who had been working tirelessly to see that all emergency water needs are addressed expeditiously.

Madam Speaker, government's commitment is complimented by the presence of disaster clusters and with various non-government and civil society organisations who work with our Ministry during preparedness and emergency situations not only that they deal directly at the sub-national and community level, they have been instrumental in supporting the work of divisional commissioners and their teams.

Madam Speaker, we realise the importance of monitoring, evaluation, coordination and collaboration in such a situation. This, we will continue to invest in, to ensure that responses are relevant and appropriate at government and non-governmental levels. We have been, Madam Speaker, and we always be proud of the resilience of Fijians and we will again be calling on their innovativeness and reliability to make certain that in the worst case scenario, we remain upbeat as a people and a community. But in saying that, Madam Speaker, Government remains committed to ensuring the protection of the livelihoods of all Fijians in any situation and that they continue to be provided with the basic necessities of life which includes water.

Madam Speaker, I thank you for your indulgence.

MADAM SPEAKER.- I now give the floor to the honourable Leader of the Opposition or her designate.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. I have been asked to reply on behalf of SODELPA regarding this threat that is here and looming in a big way. We all remember 1997, Madam Speaker, with that drought that virtually devastated everything that we had built up at that point and set the country back in many ways. Let me, at the outset, applaud Government for taking this proactive step in enhancing the resources of the country to meet this threat that is brought about by this phenomena called *El Nino*.

Madam Speaker, we would just ask from this end that this takes on a level of urgency that we set up a proper structure that includes everyone in this country to have dialogue on this matter. It is not a time to be politicking, it is not a time to be shutting down dialogue, it is a time to bring everyone together and contribute to what is developing here. As you know, Madam Speaker, if I can digress a bit, remember in the *Bible*, Joseph saw the famine in Egypt and he made plans and the Egyptians survived those drastic famine during the period and this is what is happening today. We would like to be part of that in a big way. We would like to be part of the dialogue which should be opened up. We should be part of the preparation, Madam Speaker.

Let me just highlight a few points and we need to be focussing on. The first one is food security. Can we identify the types of food items that will be affected here and make plans to ensure that it is readily available to our people. It could come to a stage where these food supplies are not available locally, we

may have to import from overseas. So, it is now time to talk to the importers overseas, it is now time to make sure that there is foreign reserves in our finance, to enable us to meet these imports. I mean these are the types of issues that we need to look into as a community, as a people.

Madam Speaker, we need to raise the profile of this threat to our people. I know the community is doing some work but let us highlight it in a big way through the media, through television, through the radio, through print media – tell our people this is coming. Let us be prepared for it. We remember that so-called threat in 2000 called the Y2K. Remember that computer issue, Madam Speaker. We were also well prepared for that Y2K threat but it became a non-event but we were prepared. Let us follow that, Madam Speaker. Let us ask the Government to include us from this side of the House to be part of this because we want to do it as a people. This could set us back in a very big way, we also talk to our people at the ground level on what their needs are. We are talking about carting water into the maritime zone. Do we have enough tanks, have enough boats? Can we start acquiring boats from abroad to make sure that we can carry this across?

We hear about the cluster of water catchment areas of tanks. I think every community in Fiji must have adequate catchment area – tanks supply to them to help them during this period. I know it is happening, Madam Speaker, but let us do it as a people, we can overcome this and in the next couple of months, we will look back and say, that was our finest moment. That we became one and addressed the drought, the emergency that could set us back because as a people, leadership reached across the aisles, we stood together as one to address this issue.

That, Madam Speaker, is the contribution from our side. Again, I say, let us do it as a people. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. I now invite the Leader of the National Federation Party or his designate to have the floor.

HON. DR. B.C. PRASAD.- Thank you, Madam Speaker. First of all, let me thank the honourable Minister for his detailed update on the threat, the looming impact of the long drought that we see in this country right now. I also thank the honourable Minister for laying out in the short term the strategies and some of the plans that they have been able to put in place to deal with the emergency that might arise out of the drought that we are experiencing at the moment.

Madam Speaker, if I can offer some suggestions both for the short to medium term and also for the long term because climate change variability and extreme weather patterns is going to be a feature of our experiences in this country in the future. As a country and we know that the honourable Prime Minister has taken the leadership on the whole issue of climate change. From 2016, when you look at the Sustainable Development Goals, the 17 Goals, in particular Goal No. 13, which talks about taking urgent action to tackle climate change but also tackle the impact of climate on various sectors of our economy and the lives of our people.

That, Madam Speaker, suggests that we need to have both short to medium term proposals and plans, as well as long term plans. In the short term, Madam Speaker, I take you back to the drought in 1997/1998 and in fact, the government at that time and I thought that at the time, it was a very good programme. I know the honourable Gavoka talked about food security, I think the biggest impact of drought will be on agriculture and can I suggest to the government that they look at a national crop rehabilitation programme and allocate a certain amount of money within the 2016 Budget. Perhaps, allocate some funds even this year, to ensure that a good national crop rehabilitation programme is put in place. That, Madam Speaker, I think will address several issues within the agriculture sector and I think the Minister has pointed out aspects of that rehabilitation plan that he has already put in place. In the long

term, Madam Speaker, I think it will be beneficial as a country for us while we go ahead and look at Sustainable Development Goals from 2016, is to have a special agenda, a programme, a budget to address all the 17 Goals, some goals maybe more urgent, may need priority. For that, I think we need to look at a national plan and I am sure that the National Development Plan that is being formulated at the moment, will have some very good strategies for that.

For the medium term and perhaps, that could translate into the long term as well, Madam Speaker, we need to look at that because of the regularity of the extreme weather patterns and climate change invariability and its impact, especially on the agriculture sector, we may need to look at a national crop insurance scheme, we may need to look at other measures that may mitigate and allow the communities to adapt to this extreme weather patterns in the future.

The final point I want to make, Madam Speaker, is, as part of the long term strategy, we need to perhaps build up a natural disaster fund which can be a continuous strategy to ensure that funds are always available in cases of emergencies and disasters.

Thank you, Madam Speaker.

MADAM SPEAKER.- We move on to the next item in the *Order Paper*.

RESUMPTION OF DEBATE ON THE SUGAR INDUSTRY (AMENDMENT) BILL, 2015

HON. A. SAYED-KHAIYUM.- Madam Speaker, I move:

That a Bill for an Act to amend the Sugar Industry Act (Cap 206), Bill No. 18 of 2015, be read a third time and do pass.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker, yesterday when this Bill was put under Standing Order 51, I know quite a lot of issues were raised already on this particular Bill, but just to reiterate, the Sugar Industry Act, Cap 206, generally makes and provides for the administration of the sugar industry and also establishes the Sugarcane Growers Council. As highlighted yesterday, there were a number of issues that faced the Council, including those that politicises the sugarcane industry.

The function of the Council is to ensure the protection and develop the sugar industry as stated in the Act, in the interest of registered growers.

As it stands, Madam Speaker, Section 32 of the Act says that it should be of 38 members from each of the cane growing sectors. However, in 2010, Cabinet had in fact endorsed the proposal to reduce the number of members to the Council.

The Bill proposes to amend the composition of the Council, Madam Speaker, to reflect Cabinet's decision in 2010, so the members are reduced and indeed now lays out in the Bill a specific manner in which Council members would be appointed. As the Bill points out, there will be two representatives from each of the three cane producers association.

These Cane Producers Association, Madam Speaker, are democratically elected by active cane farmers. Yes, Madam Speaker, it was raised yesterday that they were formed initially for the fair trade but nonetheless, of course, the Cane Producers Association now is a representative body that of course,

can deal with the other issues pertaining to cane growers, and this is what this Bill proposes that the Council now consists of two from each, then therefore, six, two of the Divisional Commissioners (Northern and Western) and of course, the representative from the Ministry of Sugar.

The Bill also, Madam Speaker, proposes the dissolution of the Sugar Commission of Fiji. This Commission has not been in function since 2010 and also, the dissolution of the Board of Directors for the Council, in an effort to refine the sugarcane industry, to streamline it and get rid of the bureaucracy.

As I highlighted yesterday, Madam Speaker, it used to cost about \$1.2 million to actually run this Commission. That Commission, notwithstanding its absence from the sugarcane industry landscape, has not meant that the sugarcane industry has come to a halt. In fact, Madam Speaker, we have figures now that demonstrates that at least even if you go back in the past three years, the sugarcane output has increased from 1.5 million tonnes to 1.8 million tonnes last year, and the sugar production also increased from 154,000 tonnes to 226,000 tonnes. More importantly also, Madam Speaker, is the TCTS (tonnes of cane to tonnes of sugar). In other words, the total amount of cane that it takes to produce the total amount of sugar.

So the higher the sugar output from the total amount of canes crushed, obviously is better because it is a lot more efficient, used to be 10, in 2014, it was 8.1.

So the efficiency has increased, Madam Speaker. I know honourable Members from NFP are always geared up towards the sugarcane industry and I believe, they see that as their own constituency, now given the absence of the Labour Party. But, Madam Speaker, we urge this august House to look at the sugarcane industry overall and what is the impact of the Bill. We are here to discuss the amendments to the Bill, what does it propose?

Madam Speaker, I would also like to highlight that what used to happen was the Council used to levy the farmers per tonnes harvested and that levy was collected (this is provided for under Sections 51 and 52 of the actual Act) and they would use that funds to run the Council. So, irrespective of what the budgetary requirement was, a levy was charged.

For example, sometimes it was levied at 38 cents a tonne, or 44 cents a tonne, or 39 cents a tonne, so Madam Speaker, what we are proposing also that now the farmers do not have to pay any levy whatsoever.

HON. GOVERNMENT MEMBERS.- *Vinaka*. Hear, hear!

(Applause)

HON. A. SAYED-KHAIYUM.- This would be a huge relief, Madam Speaker, to the farmers and the Government of Fiji will pick up the administrative costs of running this Council.

Madam Speaker, but it means they have to financially prudent. They have to give a budget. They simply do not just levy the farmer and \$600,000 made. Maybe, the cost of running the Council maybe \$200,000 but they are collecting from these poor farmers \$600,000, so it will again bring about financial discipline. The Council needs to have a budget and we intend to, obviously provide for this from next year's budget.

Madam Speaker, again we can see the whole rationale behind these reforms that are being brought about. The rationale, Madam Speaker, is to streamline the sugarcane industry, the rationale is to ensure

that there is far less burden on the farmers who have always balanced

HON. A.T. VADEI.- Using taxpayers' money.

HON. A. SAYED-KHAIYUM.- Madam Speaker, really very interesting comments are coming from the other side but I will address you.

Madam Speaker, the reality is this, that these reforms, obviously regularises those appointments, but it is part of the wider sugarcane industry reforms. We already have an existing law that looks at the overall structures within the sugarcane industry, so as the honourable Minister for Agriculture highlighted, for example about the mitigating climate change impacts.

For example, we talked about food security, getting seeds. By the end of the day, you may have crop rehabilitation, but you need water for it. You need to get water to it, so do we have proper irrigation systems? Maybe, we have it at Lakena and various other places.

Do we have good irrigation systems in the Western Division because obviously droughts and these long spells of dryness will become a reality? We need to address that. We need to address issues like, for example, Madam Speaker, the railway system, and this is part of the reforms that are taking place.

The railway system, Madam Speaker, one can argue that for six months of the year is under-utilised or not even utilised. Maybe it is a means of carrying people, it is a means of carrying other goods and services, we need to utilise this. Obviously there are things like the gauge of the rail, whether it is actually appropriate a size to carry those types of things other than sugarcane, but this is overall part of the approach.

Madam Speaker, I urge honourable Members from the other side and I make a plea to them because this is good for the farmers. It allows them the representation, they will no longer be levied that they will be taken out from their hard earned dollars, their hard sweat, they will have their representation, there will also be some budgetary discipline that needs to be run and maintained by the Council, and it is taking up apolitical approach.

We hear the other side talking about bipartisan approach. Bipartisan approach is still a political approach, we need to take, Madam Speaker, an apolitical approach, a commercial approach, where we can bring all the stakeholders together, streamline our processes, the reality is the prices of sugarcane, as you know with the subsidised price that we have been getting from the EU, Madam Speaker, will go eventually, there will be some restructuring around that because of the world market prices. So we need to be a lot more robust. The sugarcane industry should not only be looking at producing sugar.

The reality is, Madam Speaker, those people who ran FSC, those people who ran government previously did not have the foresight. They, for example, did not believe in refining sugar. We have a ridiculous situation at the moment, where we produce raw sugar, but when other commercial entities who make biscuits, coca cola and what have you, when they need white sugar, we actually import it. It is a ridiculous situation. Obviously, you cannot flick your thumb and it will happen overnight. It takes a long-term vision, long-term goal. Unfortunately, we have to deal with legacy issues.

Unfortunately, we have to deal with the issues pertaining to non-renewal of leases. There is a lot of confidence that has been built around that so these are part of that overall reform, Madam Speaker. I urge that this House deals with it in that objective and apolitical manner. I see that there are some people who are quoted in the *Fiji Times* today, former politicians who have now come out of their woodworks and making comments, but the reality is, Madam Speaker, we need to focus on the future. We need to

focus on the future, we need to know how to incentivise the farmers, through this process they will have representation, through this process we will have a lot more financial discipline and we will have a lot more accountability.

Madam Speaker, I would like to reserve my comments for later on, and I open the floor for debate and I obviously support this Bill. Thank you.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker. At the outset, I wish to say that my small contribution this morning has been greatly assisted by stalwarts of the Party who have had a great association with cane growers and the industry itself. On that note, I have to first tell a few of my friends on the other side, “brace yourselves for what I am about to say”.

The Bill, Madam Speaker, is the sealing of a chapter of pain and tragedy for our cane growers which they have endured for the last eight years. Our cane growers struggled for dignity, justice and freedom which was given to them by the late Mr. A.D. Patel, the founder of our Party who negotiated the Denning Award which still forms the basis of the sharing formula of proceeds from the sale of sugar.

The late Mr. Sidiq Koya, former leader, who negotiated the Sugar Industry Act with the late Ratu Sir Kamisese Mara, the then Prime Minister, and Mr. Jai Ram Reddy, also our former leader, Madam Speaker, who during his leadership, led cane growers at a time when their future, both politically and economically in this country, was under siege as a result of the *coup* culture which began in 1987.

What we have here, Madam Speaker, is the most serious assault on cane growers. Already, the South Pacific Fertilizers, which is wholly owned by the growers, is controlled by Government, through a Chairman who is a government appointee and he is also the Executive Chairman of Fiji Sugar Corporation ((FSC). The Fertilizer Board has three members; the Chairman and another Board Member from FSC while the growers who own the company have one member, represented by the Growers' Council's CEO.

Madam Speaker, to talk about removing the levy, as though cane growers would not have an input into the payment of administration of this Council, cane growers are also direct and indirect taxpayers in this country. They pay for the administration that is being proposed here, so it is not as if the Government is doing them a favour by removing the levy. What they do want, Madam Speaker, is to have a direct say in the umbrella of governing body of the industry which they believe is their democratic right. Now, Madam Speaker, this Bill, we have heard since 6th September, 2013, since the promulgation of the 2013 Constitution on a new Fiji that is truly and genuinely democratic, practices and preaches equal citizenry, accountability and transparency, the opposite is the truth in this case. This is the height of dictatorship, Madam Speaker.

Cane growers have been reduced to mere pawns, battered from pillar to post and asked to pay through direct and indirect taxes again through the administration of an organisation that they have no say or control over directly. This is reminiscent of the days of CSR when the master imposed his will on hapless growers. It is telling the growers, “you just plant and harvest the cane, we decide what is best for you and you pay for our indecisions through your direct and indirect taxes, and you do not question what we decide on your behalf.”

One would have thought, Madam Speaker, that the Girit ended 99 years ago, but this Bill is enslaving growers into Girit once again. I know the other side is quick to argue that they have the mandate to bring policies in a democracy but democracy is not about using mandate to ride roughshod over people. Democracy is about wide as possible consultation and listening to the people. I ask, Madam Speaker, were the cane growers consulted about these changes that affected their livelihood and income? The answer is an emphatic “no”. All we have here is nonsense about de-politicising the industry but the

2013 Constitution gives everyone political rights, however the Government has decided that cane growers do not have this right and that they do not understand what democracy is about, that is why they cannot elect their representatives directly to the umbrella body; that is my contribution, Madam Speaker. Thank you.

HON. A. SUDHAKAR.- Madam Speaker, I will start by saying that the amount of work that the Bainimarama Government has done to salvage this ailing sugar industry is unmatched and it will never be surpassed. Right from salvaging the ailing sugar industry by propagating and ensuring that expiring land leases are renewed to the reforms in laws, the work done by the honourable Prime Minister and Minister for Sugar in the Bainimarama Government is unchallengeable, and that is the reason why we heard noises from the other side.

The reforms that are suggested and the reforms that this Bill hopes to achieve, Madam Speaker, is going to make the industry apolitical. A major problem that the industry faced throughout is the politicisation of the sugar industry and I will give an example in a while.

Madam Speaker, let me give a glaring example of how this industry was politicised. The Sugar Cane Growers Council used to have 38 members elected and 8 government representatives. In the 2001 Elections of the Growers Council, 21 seats were won by the National Farmers Union which was backed by the Fiji Labour Party, 16 seats were won by the Fiji Cane Growers Association (FCGA), backed by the National Federation Party and there was one Independent.

In 2004, 22 seats were won by the Fiji Labour Party backed by the National Farmers Union and 14 seats were won by the Fiji Cane Growers Association backed by the National Federation Party. The party in power was the then SDL Government which is now part of SODELPA. What they did, because the Labour Party was their predominant enemy and opposition, the SDL Government went to the extent of appointing a Fiji Sugarcane Growers Association candidate who had failed to win the elections back in the Council, giving the majority to the FCGA. That was the height of politicisation of the industry. The farmers elected, the National Farmers Union and this is the politicisation that this Government is wanting to remove.

(Chorus of Interjections)

MADAM SPEAKER.- We need to hear, the honourable Sudhakar.

HON. A. SUDHAKAR.- Thank you Madam. These are facts because my father also contested the elections of the Growers Council. The Farmers Union won but the Government appointed nominees who were the failed SCGA candidates and they were put back into power, and this is what we want to remove. What this Government wants to remove is the politicisation of the industry.

Madam, what this amendment hopes to achieve is this political mudslinging be taken out from the industry, and I am speaking as a the farmer too. I am also a cane farmer, for the information of this House, what will happen now, Madam Speaker is that the representative of the farmers who will be elected through their respective Cane Producers Association, each cane harvesting gang will appoint one representative who will be a farmer. If there are eight farmers in a gang then eight of them will elect one representative then all gangs or representatives together will appoint one sector delegate. So if there are twelve sectors in Ba, we will have twelve of those members as delegates to the Cane Producers Association but these sector delegates will also form part of the General Assembly. So this is a much direct approach, much direct farmer representation in their Council.

The Growers Council will instead of having politically-based elections, NFU, FSGA and others, it

will have farmers elections, farmers will chose their representatives who will then sit in the Association. Yes, as my honourable friend Viam Pillay stated the farmers themselves will be delegates. It is not that I did not know that. If you understand or listen to me properly, you will understand the system now. The farmer who is actually cultivating the cane will be a representative at the Grower's Council, General Assembly and they will have power to raise their voices instead of going through a political appointment backed by political parties which is an obvious reason why some people are making a big issue out of it, and then the farmer....

(Inaudible interjection)

Politics in the industry for the past 135 years have brought the industry to the brink of collapse. It is only that man there, sitting near the honourable Prime Minister who is salvaging the industry. Now the difference, again if you listen to me carefully you will see the difference.

Now, the farmers will be able to elect their representative, who will be farmers themselves without any political affiliation. When I move around my area, Madam Speaker, right from Ba all the way back to Ba through Tailevu and all over the cane belt, the basic question that I have been asked is, "why do the farmers have to pay levies to the Growers Council. What has the Growers Council done for us for so many years?"

Now, this amendment is going to give a huge relief to the farmers. The farmers have always questioned, "Why are we paying the Growers Council levies?" The answer is, "we will not be required to pay the levies anymore." This is a good news for all the farmers who are watching this through television, there used to be, as the honourable and learned Attorney-General and Minister for Finance pointed out, the average was about 38 cents per tonne. Now, a farmer who was harvesting about 200 tonnes of cane would be paying \$70 or \$75 levy for nothing.

Now, that money will be saved. He does not have to pay that anymore, then a total combine amount of about \$630,000 will be saved by the farmers of this country. That bill will not be written on the farmer's name anymore.

In conclusion, this amendment is going to have two-fold effects:

- 1) The farmers will have more direct representation in the Grower's Council, they will have a direct voice.
- 2) Politics will be out of this system and they will be saving. The money that the farmers can use to better utilise their farms and produce.

With those words Madam, I thank the honourable Prime Minister again for making the sugar industry apolitical. Thank you Prime minister and thank you Madam Speaker.

MADAM SPEAKER.- I now give the floor to the Honourable Prem Singh.

HON. P. SINGH.- Madam Speaker, at the outset let me just say that the Honourable and learned Attorney General mentioned that we are here to discuss the amendments to the industry and that is exactly what we are doing.

Madam Speaker, the manner in which the Bill is being rushed through this Parliament is nothing short of ambushing the cane farmers of Fiji. It is a Bill which seeks to disempower cane farmers back to subservience. It removes control of the Sugar Cane Growers Council and places it into the hands of, on

the one hand, an unaccountable and unrepresentative Cane Producers Association and civil servants on the other. The Cane Producers Association is not a true representative of the cane growers but a voluntary organisation registered under the Industrial Act.

Madam Speaker, this is the primary objective of the Cane Producers Association. They receive funds for any fair trade premiums and from sale of sugars and they disburse it according to the objectives of the association. I have knowledge about the Lautoka Cane Producers Association and I have a copy of their Constitution. It is not a truly representative body of the cane farmers. The delegates are elected by the harvesting gangs, and amongst the objectives of the Association is to administer fair trade premiums and to represent the interest of the Members of the Government of Fiji.

Madam Speaker, so it is a Government-controlled organisation, not an independent organisation controlled by cane farmers. All delegates then, Madam Speaker, elect a sector delegate to sit on the Association. There is no say by farmers because they did not vote. Farmers, Madam Speaker, growers all over Fiji, they would be happy to pay a levy provided they get the right to vote at the elections. We all know that our sugar buyers have announced that there will be no more fair trade premiums from next year. The Association is therefore a redundant body, that is now being handed millions of dollars of cash and assets, belonging to cane farmers without having earned it, and having no income of its own.

The Bill does not specify how the two Association representatives will be elected. Contrary to the honourable and learned Attorney-General's explanation, the Association assembly itself is an undemocratic, iniquitous and a dictatorial imposition with the delegate system consisting of delegates who are mainly all gang *sirdars*. In other words, the farmers on the ground have no direct saying in how the association is run and they will have no say in electing their representatives.

The appointment of Divisional Commissioners, Madam Speaker, this also goes to show the intervention of the Government in the industry. They are taking full control of the industry without a democratic process. Madam Speaker, there is nothing wrong with the existing system of the Grower's Council or the manner in which their elections are constituted. All that is needed is to conduct an election, to allow the board to resume functioning in a short time and you will see the change and growth in the sugar industry where the farmers are in control of their own institution but this Government has an obsession with the Sugar Cane Growers Council ever since 2006. The SCGC elections scheduled for 2007 were postponed through a Decree, promulgated following a Cabinet Decision in 2008 based on recommendation of the Regime's then Minister for Sugar, who ironically Madam Speaker, proclaims himself to be the voice of the farmers.

Madam Speaker, allow me to remind the House of the words of late Mr. S.M. Koya, who during the debate on the Sugar Industry Bill in June 1984, which was later enacted, described the act as a product of dialogue and negotiations that would help overcome problems of this nation and benefit the economy. Sadly, Madam Speaker, this vision of the late Mr. Koya is now being destroyed by those who do not have the intelligence of the industry.

Madam Speaker, accordingly I oppose this Bill and in so doing, I urge the Government to at least look at the plight of the farmers. They have suffered a lot, not only the last eight years for the many years before and the only way we can do this, is give them the right, Chapter 2 of the Constitution under Bill of Rights - give everyone those fundamental rights. In here, we have a group of growers, on the one hand, we give them the rights and on the other, through this promulgation, we are taking away those rights.

Madam Speaker, might I say is that the farmers toil the land, they sweat and they sell the sugarcane to the millers and get paid after 18 months. This is a very unusual situation for the farmers, Madam

Speaker, and I know if the debate should end very soon, the Sugar Cane Growers Council will be history, the Government will have complete control of the industry, the only stakeholders that will be left will be the growers. Might I say, all this is leading where?

This is a prelude to changing the Master Award and I would like to put the farmers on notice that the sharing formula in the Master Award, God forbid that it happens, that would not only dampen the spirits of the growers but through this undemocratic process, they will find their failure in their own selves. Thank you Madam Speaker.

HON. RATU I.D. TIKOCA.- Madam Speaker, the word 'apolitical' was mentioned quite often this morning by the honourable Members on the other side. Yesterday, Madam, every Bill that was submitted by the honourable and learned Attorney-General mentioned that it must not be referred to the Parliamentary Select Committee.

Madam Speaker, Parliamentary Select Committees is the most transparent committees that are functioning right now and that is actually orchestrating true democracy of this august House. Yet, those Bills came specifically underlining the importance that it must not be given. When a Parliament Select Committee sits, it invites people to contribute and yet, when it was tabled yesterday, that must not go through them. I must refer to them right now because that is not apolitical. What you are doing now is actually a dictatorial move.

Madam Speaker, under the proposed Sugar Cane Industry (Amendment) Bill, 2015, all the changes that had been done since 2009, including the dissolution of the Sugar Commission of Fiji, the disbanding of the Sugar Cane Growers Council Board and dissolving of the Fiji Sugar Marketing Company would be legitimised.

Madam Speaker, sugarcane growers from Ba and Tavua called on the Government on 31st July, 2015, and this was recorded in the *Fiji Times* that they wanted to choose their representatives on the Growers Fund and the Growers Council.

Also in the *Fiji Times* on 31st July, 2015, a prominent grower said, and I quote:

“...Government's view that the sugar industry was heavily politicised in the past was an accepted fact for every industry. Politics is everywhere, it's in *mandir* committees, it's in Parliament, it is a reality of life that industries will have politics. Every grower in the country wants election and instead of addressing the grower's concerns, the Government is trying to avoid the issue.”

This Bill, Madam Speaker, that has been fast-tracked in this august Chamber is an irresponsible exercise. The farmers, landowners and cane drivers do not have a say in it. Where is their voice in this Bill?

In the wake of Tate & Lyle's decision to cease buying sugar at a premium price starting this year in October, and this piece of legislation is not the right way forward. For the industry that is about to face a loss of \$25 million, turning it into a bureaucracy and heavily regularising is a bad policy. Madam Speaker, we need to unite the people and acts like this, will only serve to divide and create a bitter industry, where the farmers and stakeholders want one thing, and the Government enforces something else.

Madam Speaker, I do not support the Bill. Thank you.

HON. CAPT. T.L. NATUVA.- Madam Speaker, I am a ginger and *dalo* farmer, so I hope that in

about five years' time we are going to be talking about ginger in this Parliament.

The honourable Ratu Tikoca mentioned that the Bill must not be deferred, Madam Speaker, but the amendment to the Act is necessary. There were also side comments from the other side about losing money. I want to reiterate what the honourable and learned Attorney-General mentioned, I quote:

“The Sugar Marketing Company and the Sugar Commission of Fiji had to be wound up and dissolved respectively in March and in August 2009 for two reasons:

- (1) Reduce industry overhead costs of \$1.2 million per annum being operating budget for both entities;
- (2) Because the Bainimarama Government felt that both entities did not add value to the industry, in that, FSM did not engage in any active brokage activity to secure the best sugar price on the market since the FSC had signed a long term sugar industry agreement in April 2008 with Tate & Lyle Sugars and it was a done deal. All it did was to co-ordinate industry activities and advise Government on industry issues requiring Government intervention.

Also, when they mentioned 'losing money', the termination of the 38 councillors resulted in the saving of \$250,000 annually to the Council.”

To end my small contribution, the elected persons are elected through a secret ballot by the sugarcane growers in their respective mill areas. The elected person has to be an active grower and is respected in the community that he resides in.

Last but not least, like all democratically elected governments, the future election will be based on similar grounds to that of a transparent electoral process.

I support the Bill, Madam Speaker.

SUSPENSION OF STANDING ORDERS

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- Madam Speaker, I beg to move:

That so much of Standing Order 23(1) is suspended so as to allow the House to sit beyond 12.30 p.m. to complete the debate on the motion before the House.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

RESUMPTION OF DEBATE ON THE SUGAR INDUSTRY (AMENDMENT) BILL, 2015

HON. F.S. KOYA.- Madam Speaker, I stand today to speak on this very important amendment Bill and I think from my personal perspective, I will also give a history lesson later on.

Madam Speaker, this amendment Bill will allow us to get rid of bureaucracy and politics from the sugar industry, and the Sugar Cane Growers Council, obviously after the amendments, can focus

on the key deliverables, which is the protection and development of the sugarcane industry.

Madam Speaker, these amendments are about streamlining processes and reducing industry costs, and allowing for effective decision making. As was stated in the amendments, there was a need to change the composition of the Sugar Cane Growers Council, to allow the Minister to appoint the Council and also so that the Chairman could reduce the membership to nine persons only. This makes it a more leaner, efficient and an effective Council where long term industry development decisions could be made.

Madam Speaker, any Council or Board is effective when key stakeholders are involved and are represented on it. Therefore, the amendments will allow for a more representative Council with the involvement also of Divisional Commissioners and growers, and the Ministry of Sugar representatives. This new structure, Madam Speaker, will, to a certain extent, insulate the Council from being made into a political football by unscrupulous politicians and union leaders, and this has gone on for far too long.

As the Minister responsible for Trade, Madam Speaker, I see the proposed Council working well and in co-ordination with the overall national development plans and policies of the Fijian Government, as outlined in the current consultations that are ongoing with the National Development Plan, the Sugar Cane Industry Action Plan and the Fijian Trade Policy Framework.

Madam Speaker, since 2007, the Fijian Government has put in place all efforts to bring the industry back to its former glory, and it has been working well for start with the improvements in the cane tonnage and sugar production each year, and the record payments to the farmers. Therefore, these amendments or further reforms are to make the industry more modern-responsive to the stakeholders, especially to the growers' needs.

Madam Speaker, just to put things into historical perspective, I hear the words of my late father being mentioned and also to the late A.D. Patel. Madam Speaker, the leaders of the National Federation Party today do not even compare. Madam Speaker, these two gentlemen were honourable men and there was a vast difference between them then and the leaders that we have now.

(Chorus of interjections)

Madam Speaker, what they did then for the sugar industry was required and was attributable to those particular times. We are in a different year, years, years have gone by since they were there, but there is one thrill amongst those two gentlemen, that maybe they do not even realise until today. What they did was they actually put their country first. They put Fiji first, every decision that was made with respect to the sugar industry, they actually put Fiji first.

HON. GOVT MEMBERS.- Hear, hear!

HON. F.S. KOYA.- It is not just me that is saying that. I am now actually uttering the words of the late honourable Ratu Sir Kamisese Mara and those words were uttered to me in person, that they put Fiji first. This is what needs to be done, the sugar industry needs to be revitalised, Madam, and sitting here and using the words of A.D. Patel and the late S.M. Koya but what they did was good for those particular times.

The current Government, Madam Speaker, has put in reforms and these lead towards the rehabilitation of the sugar industry and it remains a priority for Fiji in the medium to long-term. Traditionally, our major market has been the European Union for our raw sugar but the European Union

obviously has been pressing ahead with its plans to reform and something needs to be done. We may actually even lose out on European Union, if we do not reform ourselves and we must be in a hurry do so.

There were words being branded about us being dictatorial with all these stuff, it is not being dictatorial, Madam Speaker, not at all. These reforms are needed and they are needed quickly.

MADAM SPEAKER.- Please continue.

HON. RATU I.D. TIKOCA.- (Inaudible interjections)

HON. F.S. KOYA.- Madam Speaker, the only thing dictatorial here is their voice.

(Laughter)

Madam Speaker, as I said earlier on, this is something that is crucial to the sugar industry, as the honourable Minister for Industry and Trade, it is a necessary part of the reform process that the Government is taking up and I hold heartedly support this Bill. I really wish may be one day they will realise it that the name they take of those two honourable gentlemen if they follow their path, they would not be on the other side of the House.

(Chorus of interjections)

MADAM SPEAKER.- Thank you, I now invite the honourable Gavoka to have the floor.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. I wish to contribute to the dialogue on this today. At the outset, Madam Speaker, the contents by the other side that this will remove politics from the industry and they say once it was controlled by NFP, then Labour, now there is no more politics?

FijiFirst is now in control, Madam Speaker, can we just get away from this. Through this, there is no more politics because you are a political party and he said, "Put Fiji first". So, they are now in control of this, Madam Speaker, it is still political.

Let us just forget, Madam Speaker, all these legacy issues that come up. I was watching from this side when honourable Draunidalo was referring to comments made by those great statesmen, A.D. Patel and S.M. Koya, you should have seen the faces of the blue blood NFPs on the other side. They were trying to hide, Madam Speaker, they are on the wrong side of the aisles now.

HON. F.S. KOYA.- I am very proud to be here.

MADAM SPEAKER.- Honourable Members, may I remind you that we are really getting beyond the one hour that is given to us, please be seated.

HON. V.R. GAVOKA.- Madam Speaker, can we just move the focus from this and FijiFirst with its so called power. Can they really look at fixing this industry once and for all, by making sure that the land tenure for cane is properly structured?

Let me give an example, Madam Speaker. I was a cane farmer 20 acres, and economics on a 20 acre farm will not give me a return neither to my landowner. Let us look it differently, let us say the minimum size of a farm should be 100 acres, so that a farmer can grow cane, he can raise a bit of cattle, he can grow a bit more cash crops, that way the more he makes, the more his landowner makes. So, in

that way, you raise the standard of the economic development in those areas.

(Inaudible interjections)

This is what we need to do today, Madam Speaker, not the way of trying to politicise this, trying to control the industry, raise it to another level, Madam Speaker, and again we say, put it bipartisan committee in place, we can get people who are strong on the land to talk to the traditional owners, the same way we get ALTA, Madam Speaker. Going this way, Madam Speaker, is not going to get us anywhere, and I just love this; sugar has never been better.

Madam Speaker, under their watch, the production went below by 50 per cent. I do not know of any organisation that can say; “Wow, we used to have 10 and now we have five, give us applause.” This is FijiFirst, the packaging of their messaging, I got to give them credit. I used to be a marketing person, but now, these guys take the cake. I do not know anyone in Fiji who can package misleading information better than FijiFirst right now, Madam Speaker.

(Laughter)

Let me just plead with the leadership on their side. Change the focus; leave the industry alone; get a proper platform for the farmer and the landowner to grow its crops; and I tell you, Madam Speaker, the Western Division and Macuata should once again be blossoming with cane, together with subsidiary crops, cash crops - they can make that relationship stronger and raise the standard of living in this country, Madam Speaker. I am just going to beg people on the other side to forget about this Bill and re-look at it and bring something more worthy of this House to debate in the future. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you, I now invite the honourable Dr. Mahendra Reddy to have the floor.

HON. DR. M. REDDY.- Madam Speaker, after listening to the other side, I decided to summarise what they really want and what we want:

- 1) What they want is political parties to decide who will represent the farmers and the council. What we want is for farmers to decide who will represent them.
- 2) What they want is farmers to pay levy for the council. What we want is we do not want farmers to pay a single cent.
- 3) What they want is logical conclusion that farmers to get a lower cane price. But what we want is for farmers to get a higher price.
- 4) What they want is politics of the past to continue. What we want is to examine the contemporary issues that embrace reforms for the benefit of all - farmers, landowners industries in the country.
- 5) What they want is to keep the unnecessary institutions, costly and bureaucratic institutions, such as the Sugar Commission and the Sugar Marketing. What we want is to remove them and pass the savings to the farmers.
- 6) What they want is status quo to remain. What we want is that status quo is not an option, we want to embrace reforms for the benefit of the investees, the farmers in the country.

Thank you, Madam Speaker. I support the Bill.

MADAM SPEAKER.- Thank you, I now give the floor the honourable Semesa Karavaki.

HON. S.D. KARAVAKI.- Thank you madam Speaker. It is just fitting, Madam Speaker, that the honourable Minister for Agriculture has made that ministerial statement before the debate on this one here because that tells us that there are various areas of life that we have no control over. It is God, Madam Speaker, ...

(Chorus of interjections)

... that controls at whatever strategy, at whatever arrangements, it will always come to failure, if we do not put God in His right place.

So, Madam Speaker, we have the Bill before us. As I look at this Bill, what I can see Madam Speaker, is a reform that brings in complete control to those who are putting this Bill forward. And my fear is this, Madam Speaker, because in this reform, they are putting in place a structure that is similar to the structure that is put into place when God sits in its place to lead. It is a theocratic structure, Madam Speaker.

If we see these Bills, we see that the Commission had been removed, and all the appointing authority has been vested with the Minister. Even when God makes the appointment, when He instructs His people to make appointments, He gives a criteria also, Madam Speaker, that those criteria must be followed because men cannot make the right decision of who to appoint, because if we do not allow that, Madam Speaker, then we are putting in our place where God sits. This is my fear, Madam Speaker that this Government is bringing in structure to exert control over all the avenues, all over everything that is happening and for that respect, Madam Speaker, they are taking over God's position and my fear is that, this country is going to the brim of collapse.

(Chorus of interjections)

I say this with great conviction, Madam Speaker, and I know my message is totally different. I have been convicted to give this message, Madam Speaker, because if this Government does not relook at the way it is going, then Madam Speaker, I am also convicted to say that the end of this Government is near. The end of this Government is near. I am not speaking on any other things happening, it is the conviction that I am given, Madam Speaker, to say this because if we see here, even the appointments, the power is only granted to the Minister to appoint certain people which are specified here.

Men cannot do that, you have to provide the criteria that must be consulted in the process of appointing, that is how God gives it. We are not given the authority, Madam Speaker, in any position of leadership. God has not allowed men to assume that, God only gives us the authority to make appointment based on values and criteria that comes from the goodness that God has given. Therefore, if we see here Madam Speaker....

MADAM SPEAKER.- Point of Order.

HON. S.B. VUNIVALU.- My point of order, it is seditious to say "end of Government is near". He should withdraw that statement.

MADAM SPEAKER.- Would you like to withdraw that statement before you continue?

HON. S.D. KARAVAKI.- What did I say Madam Speaker, that is seditious ?

(Laughter)

MADAM SPEAKER.- When you said that the “end of the Government is near.”

HON. S.D. KARAVAKI.- Madam Speaker, I am referring to all ways, what God always do. Madam Speaker, you understand, the stories that God puts kings and remove kings.

MADAM SPEAKER.- We have just one more minute, we will just give you that one minute before the right of reply.

HON. S.D. KARAVAKI.-Thank you Madam Speaker. Having said that, I plead to the Government that it must re-assess its reform process because in your hearts, in your minds, you will never be free because there always be a conviction because the right process is always there, Madam Speaker, and we cannot support that and for that reason, Madam Speaker, they should withdraw this Bill.

MADAM SPEAKER.- Thank you, in consideration of time, because one hour was approved by this House for this Bill and now we have just five minutes to give to the honourable Attorney General for his right of reply before we put the Bill to the vote. Sorry, but the time is up.

HON. A. SAYED-KHAIYUM.- Madam Speaker, again I rise in support of this particular Bill.

Madam Speaker, I would like to very quickly address all the issues that have been addressed by the other side. It is interesting to see how honourable Draunidalo, when she was reading out her comment on the Bill, forgot to change script that the levies will still be charged but they would not get representation. The fact is that the levies as we have mentioned, will not be charged, Madam Speaker.

The reality Madam Speaker, is this. No other agricultural sector in Fiji is so highly bureaucratised, no other sector; the *yaqona* farmers, *dalo* farmers, ginger farmers, poultry farmers, no one has a Commission, no one has a council, and no one levies fees on the farmers. They are still able to, Madam Speaker, be commercially viable. They are still able to sell their products, in fact increasingly more so, they are still assisted by Government. The reality is, Madam Speaker, to understand this, we need to go back as to how the sugar cane industry started. This country’s economic backbone was built on cotton, copra and then of course through CSR and then close relationship with the Colonial State, we then had the sugarcane industry that was formed.

In those days, Madam Speaker, as the colonial industry highlighted, some of those people have spoken as if heaven was on earth when the Colonial Government was around. The sugarcane industry was broken into three groups and I will mention the terms they used; Government were the Europeans, the settlers, the farmers were the Indians, the landowners were the Fijians. That is how it was seen, that is how it became so politicized, and that is why you have people like honourable Sidiq Koya, honourable A.D. Patel, all of these parties as they were then known as the Indian Parties, emanated from the sugarcane belt because that is how the industry was structured.

Today, we are all Fijians.

(Applause)

HON. A. SAYED-KHAIYUM : Today, we do not that level of politicisation. Today, we want to deal with the sugarcane industry from a commercial basis. They mentioned about the sugarcane industry

going down, why? Leases were not renewed in the 90s, vast tracks of Labasa, Vanua Levu cane production reduced by 50 per cent. Leases were not renewed because it was dealt with at a political level, it was seen as Mahendra Chaudhry being Prime Minister, how do we cut his feet? Do not renew the leases because the farmers were the Indians supporting then that is how it was seen. That is precisely the fact, Madam Speaker.

(Applause)

HON. A. SAYED-KHAIYUM: We are removing that and what we have pleaded to the other side was to view this from that perspective, not a single one of them from the other side has stood up and spoken about how no longer the levies will be charged, how no longer the Sugar Cane Commission will cost \$1.2 million. They have not talked about the removal of bureaucracy, they have not talked about the removal of the financial burden on the farmers and the industry. They have all gone on, they grabbed on to this, "Oh, we do not have elections anymore."

The Cane Producers Association has elections and they will be appointed by the farmers and Madam Speaker, I find it highly confusing that the honourable Karavaki, the Minister for Church, honourable Karavaki who himself was a key draftsman of the LTA Act. In the LTA Act, the Minister appoints board members and he says no one has the authority to appoint, how will Governments run? The Minister appoints board members, in this particular instance, Madam Speaker, the Minister's hands are tied. He cannot go and appoint - the Minister of Sugar - someone who is his relative or his friend or someone from FijiFirst, he has to appoint someone that has been elected by the Cane Producers Association. Two reps, he has got no choice.

Madam Speaker, he then has no choice in appointing the two Commissioners, they are bureaucrats. Then he has also no choice, Madam Speaker, in appointing a representative from the Ministry of Sugar, his hands are tied, he cannot appoint anyone. So, it is prescribed and that is the beauty of what this amendment seeks to do. We need to put it into context.

Madam Speaker, they spoke about the South Pacific Fertiliser (SPF) Company now the Chair of FSC sees that. No one mentioned the fact that Government has been subsidising SPF. Every year Government subsidises SPF. We need financial discipline to up to about \$9 million a year, should we politicise SPF too, shouldn't we have financial accountability, shouldn't Government have a say in that? Of course, it should.

They are simply making statements, they talk about democracy, but they themselves do not necessarily subscribe to it. We have members from the other side, honourable Ratu Tikoca, since he has been appearing in this House, he keeps saying, "You won't last six months, you won't last nine months". Where is he getting that from?

We have honourable Karavaki who has just said, "You won't last,". No one should last if they get voted out of the Elections. The Elections is what determines that, not any other means,

(Applause)

HON. A. SAYED-KHAIYUM : Nobody from the other side of the House, including the NFP have come out and made a valid statement on that. They go on about *coups* as if everything is because of the *coups*. Madam Speaker, it is interesting that some of those people who talk about the *coups* have a completely different position given 1987 and 2000; completely different position.

Madam Speaker, the reality is this, if you look at the amendments that are being proposed, they do not in any way undermine the sugarcane industry. There is talk about how we should have 100 acre farms, Madam Speaker, the reality has been from the CSR days, we had 10, 15 and 20 acre farms; that is the reality. Small farmer holdings, we are trying to get that to happen, we are trying to get the stakeholders and the landowners to agree to that. We are trying to get the cane farmers to do that, we have a sugarcane industry that has been built by cane cutters, we try and introduce mechanised farming, and those are the realities. Not many people want to cut cane anymore, they want to go and work in the tourism industry.

The sugarcane industry no longer contributes as much to the GDP as it did because the tourism industry now contributes about 35 per cent and other industries are now coming up. But the sugarcane industry is highly labour intensive. These are some of the hard core issues that the sugarcane industry needs to deal with, Madam Speaker, and this Bill, suffice to say, does not in any way adversely affect the sugarcane industry. It does not in any way adversely affect the manner in which an individual cane farmer would be able to carry out his or her functions as a farmer. It does not in any way adversely affect the economy nor that confidence that can be given to the sugarcane industry.

For those reasons, we support this Bill.

MADAM SPEAKER.- Thank you very much for that robust and very healthy debate on this Bill.

Question put.

Votes Cast:

Ayes	-	31
Noes	-	13
Not Voted	-	5
Abstained	-	1

Motion agreed to.

Bill reported without amendments, read and third time and passed. (Act No .of 2015)

MADAM SPEAKER.- Honourable Members, we will now break for lunch. May I remind the Members of the Business Committee that we will meet during lunch hour.

The Parliament is now adjourned until 2.30 p.m. as we break for lunch.

The Parliament adjourned at 1.00 p.m.

The House resumed at 2.30 p.m.

MADAM SPEAKER.- We will now move on to the next item in the *Order Paper*.

HON. DR. B.C. PRASAD.- Point of Order, Madam Speaker.

MADAM SPEAKER.- Point of Order.

HON. DR. B.C. PRASAD.- Madam Speaker, I rise under Standing Order 74, this is just a clarification and perhaps, the honourable and learned Attorney-General can clarify that because the clarification is absolutely important in relation to the Bill we just passed this morning, otherwise, if it is not clarified, we could be in a situation where the House could be misled. This is in relation to the amendment to the principle Act in the Sugar Industry Act, Section 51 says, “the council shall have the power to raise a general levy in each year to defer the administrative expenses of the council and of the Board of Directors”.

In the Sugar Industry Amendment Bill of 2015, Clause 26, Madam Speaker, it says, Section 51 of the principle Act is amended by deleting “and of the Board of Directors”. So, if you put a full stop there, Madam Speaker, it still remains that the Board has the power to levy whatever rate it feels appropriate onto the farmers or the growers. Thank you, Madam Speaker.

MADAM SPEAKER.- Can I ask the honourable and learned Attorney-General to clarify the issue?

HON. A. SAYED-KHAIYUM.- Madam Speaker, the honourable Leader of NFP is absolutely right, that provision still remains. It does not mean it will get done because it will actually be done through the subsidiary legislation. That is just the empowering provision saying that it may do that. If you look at the subsidiary legislation, which is part 20, authorised deduction from growers’ accounts. So, the actual authority is given through this particular provision to FSC to say to deduct from the source. So, it does not mean that the levy, just because Section 51 remains, that will actually be levied, just the authority to do so. What we are saying, given the undertaking, it will not get done because of the fact that government will be providing for the administrative running of those costs.

MADAM SPEAKER.- Thank you. I invite the honourable and learned Attorney-General, Minister for Finance, Public Enterprises, Public Service and Communications to have the floor.

RESUMPTION OF DEBATE ON THE SUGAR CANE GROWERS FUND (AMENDMENT) BILL, 2015

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker, I beg move that:

A Bill for an Act to amend the Sugarcane Growers Fund Act (Cap. 207) (Bill No. 19 of 2015), be read a third time and do pass.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, this particular amendment that we discussed yesterday, has actually two clauses to it and this is related to and feeds into the earlier amendment that has been approved by Parliament. The Sugarcane Growers Fund Act, Madam Speaker, provides for the establishment and management of the Sugarcane Growers Fund. The function of the Funds is amongst other things to provide loans to Sugarcane Growers for specific purposes. The Act also establishes the Board for the management of the funds subject to any direction by the Minister responsible for Sugar.

That is the current provision. The Board is responsible for the control and conduct of the affairs of the Fund.

The Bill proposes, Madam Speaker, to amend the composition of the Board, so that members of the Board and chairperson appointed by the Minister. Previously, you have the chairperson of the Sugar Commission being a Board Member and indeed a chair of this Fund. So, now because the Sugar Commission no longer exists, obviously we need to have somebody to replace that and that appointment is by the Minister responsible.

Madam Speaker, the amendment to the Act is necessary in order to regularise the appointing authority for the membership to the Board under the Minister instead of drawing members of the Board from the Sugar Commission and the Board of Directors of Sugarcane Growers Council.

Madam Speaker, it is obviously, again to get a better accountability and more streamlining of the processes and therefore, I recommend this amendment to Parliament.

MADAM SPEAKER.- Thank you. The Bill is open for debate. Honourable Dr. Biman Prasad.

HON. DR. B.C. PRASAD.- Thank you, Madam Speaker. You notice that I stood up first because I missed the opportunity in the last debate to contribute. Again, Madam Speaker, this brings to home the importance of what this side of the House has said about using Standing Order 51 to rush through Bills into Parliament, without letting it go to the appropriate Sector Committee.

Madam Speaker, as you would have noticed in the last debate, there were many people, many members from this side and from that side as well, who actually wanted to contribute to the debate. Unfortunately, we did not have time. Again Madam Speaker, this Bill to amend the Sugarcane Growers Fund, is another example of a Bill that needed more time, that needed more understanding, that needed more discussion and that needed the involvement of key stakeholders of that fund.

Historically, Madam Speaker, the Sugarcane Growers Fund is the fund of the growers. They owned that fund, nobody else. And historically, it was set up for a purpose Madam Speaker. I have heard many references from the other side, Madam Speaker, from yesterday, today that NFP is obsessed about the Sugar Industry. Yes, Madam Speaker, we are obsessed because the NFP was born out of the struggle of the Indian Sugarcane farmers in this country. We are obsessed with Sugar Industry because our leaders, were able to work with the landowners of this country and forge a partnership to build that industry. We are obsessed, Madam Speaker, because when the CSR left, we were producing about 2,000,000 tonnes of cane. When they left, within three years, with local people and the late Ratu Sir Kamisese Mara said that at that time because the local staff wanted the same terms and conditions, and he said; "You will get it, but you need to produce more sugarcane in this country", they did it, and the sugar industry flourished.

Madam Speaker, today we heard that the Sugar Industry is doing very well from 2006, we have 3.2 million tonnes of cane, and we now have 1.8 million. I acknowledge what the honourable and learned Attorney-General said that there has been an improvement from 1.5 million in 2003 to 1.8 million.

Madam Speaker, the NFP is not opposed to reform. The NFP is obsessed about the sugar industry because compare it to what we have heard that the contribution of the sugar industry towards the GDP has declined, but we all know and the honourable Prime Minister is on record, saying this and he is right that more than 200,000 people in this country, Madam Speaker, still depend on the sugar industry.

It is a very important industry and tomorrow if this industry collapses, we will close Tavua, Rakiraki, Ba and Lautoka, Madam Speaker, because we do not have alternatives. A lot of the industries,

a lot of the economic activities depend on the sugar industry and this is why we talk about the importance of having dialogue.

Dialogue is not a bad thing, Madam Speaker, dialogue might be a slow process and our leaders, past and those who are alive; Mr. Harish Sharma, Mr. Jai Ram Reddy, they are proud of NFP's position today because they believe that we stood the test of time because we stood by the principles. I can understand why some of my colleagues on the other side would not vote for the NFP because they have chosen to move on the other side out of political expediency, so that is their choice.

That is why, Madam Speaker, we are obsessed about the sugar industry, we have a reason to be obsessed, the people of this country, this Parliament must be obsessed with the sugar industry because sugar industry is still very, very important.

I know the Honourable Gavoka is bringing a motion to look at other industries because we are all fearing that riding roughshod on the farmers of this country, the growers of this country and today, Madam Speaker, they are not only Indo-Fijians farmers, there are *iTaukei* farmers, we maybe all Fijians today but are we ensuring that every Fijians right and democratic right and their participation in what they own and what they feel they should own and decide is respected. I do not think so, Madam Speaker. That is the point we are trying to raise when we talk about these Bills.

Madam Speaker, let me say this again that the sugar industry needs a reform, it is not as if the sugar industry did not see reforms over the last 20, 30 or 40 years. There is always reform, Madam Speaker. Right from the Denning Award and right to the Master Award and others. We had a much larger growers' council - 104, I think. Then we had 38, so the leaders of the industry had the foresight, they knew what was coming, they wanted to reform so there is no point for some of our colleagues on the other side to come here and start dishonouring the leaders of the past, who struggled, who fought the partisan environment and that is why we keep talking about a bipartisan approach to the industry.

We are not obsessed about having a bipartisan approach to resolving issues and as I have said before the NFP has always with respect to the sugar industry, encouraged dialogue and leaders of the past and some of the members are quick to invoke them actually believed in dialogue, and dialogue maybe a slow process but ultimately, the outcome could be better.

Madam Speaker, the specifics of the Bill again, this is a multimillion dollar fund and once again, what the Bill intends to do is to take it out of the hands of the growers, who have contributed right from the word go for the establishment of this fund and it is like taking away the custody of one's fund, wealth and putting it to the hands of somebody else. Again, when the learned Members from the other side talk about apolitical, politicization of the industry. Some of the provisions in this Bill, in terms of the appointments will ultimately lead to bigger and much messier politicisation of the industry.

Madam Speaker, I keep hearing this thing that we want to take politics out of the sugar industry. Tell me, Madam Speaker, what industry in this country does not have politics, whether you talk about ginger industry, kava industry, coconut industry or rice industry, there is always politics, politics defines what a country is.

If we adopt wrong politics, politics of dictatorship, politics of railroading, Bills without proper discussion, that is not the kind of politics we need in this country, more than ever before we need dialogue, discussion and compromises and this Bill, Madam Speaker, even though we passed one this morning, I urge the FijiFirst Government and all Members on the other side to think about this idea of engaging people.

I will just give an example. They talked about the fact that there was no levy, but the legislation that we passed still has provisions for imposing a levy on the farmers, that is the result of fast tracking Bills in this way. This was quite rightly said yesterday by the honourable Roko Tupou Draunidalo that we need to guard against this, if we really have to call ourselves a genuine democracy, a parliamentary democracy. I think we need to take this Bill back and I request the Government members, the FijiFirst Government to take this Bill back to the Sector Committee because the farmers out there, their struggle is not over. In fact, many of them are struggling today, many of them are worried about the use of sugarcane growers' fund. They are asking questions about how they can access this fund, they are asking questions about what sort of help they are going to get on the farms.

Madam Speaker, for Members on the other side to say that the sugar industry has done well under them, the facts do not show that. I mean from 3.2 million, we are down to 1.8 million, in fact we are down to 1.5 million in 2013 and we have gone to 1.8 million. Statistics do not lie and therefore, we need to look at this Bill, there is still time even though we passed one in the morning. Let us put this Bill back into the appropriate Standing Committee, let us give ourselves more time, let us invite the stakeholders and even from Government, policy makers, experts to look at this Bill and where does this Bill fit into the overall reform. I agree with the honourable and learned Attorney-General, that we need to diversify, we need to produce other things than just sugar but to do that, you still need to plant cane. You still need to have the cane on the farm and unless you address the grievances of the farmers but you cannot address the grievances of the farmers if you keep railroading Bills, changes to the institutions that they are used to, we will see a final nail into the coffin of the sugar industry in this country and we will all come to regret these decisions.

With those words, I oppose this Bill and I call upon the Government to reconsider its stand and maybe, take a break now and go back and think about it, and let us put it back to the sector committee. Thank you Madam Speaker.

MADAM SPEAKER.- I give the floor to the honourable Viam Pillay.

HON. V. PILLAY.- Madam Speaker, I was a rural advisory councillor for more than 20 years and coming from a sugarcane growing family and community, I fully support this Bill. I am a cane farming person and I know the positive changes that have taken place in the Sugarcane Industry. I live in Ba on a cane farm, I do not live in Suva and claim to be an expert in Sugarcane Industry like the leader of the National Federation Party (NFP). I am a real stakeholder and I fully support this Bill, Madam Speaker.

MADAM SPEAKER.- I give the floor to the honourable Josefa Dulakiverata.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker, please allow me to contribute to this Bill. Madam Speaker, it is unfortunate that every time we talk about the reduction of the sugar production, we always blame the non-renewal of sugar cane leases.

Madam Speaker, there is a lot of factors that contribute to the decrease in the sugar cane production. I have not seen a report to verify the area of sugar cane belt or the sugar cane belt, especially between the Nadi - Lautoka corridor that had been consumed by the industrial, commercial and residential subdivisions. These are first class cane land, flat, arable and highly productive. Secondly, the bridge in Sigatoka, Madam Speaker, which also runs with the rail leading to Kavanagasau, this was broken years ago, but has not been repaired. Kavanagasau, Madam Speaker, is a big cane growing area, flat, first class, arable land and produces a lot of sugarcane. But now because of the broken bridge, people do not find it any more economical to plant cane because of the distance. They have to take it by truck from Kavanagasau right up to Lautoka.

Thirdly, Madam Speaker, the number of part time farmers that do not fully develop their farms to the full potential. There is also a lot of absentee lessee that do not cultivate the land at all and leave it to friends and relatives who do other things, rather than plant cane for which the land had been leased for.

Madam Speaker, as we have heard from the Leader of the National Federation Party, the farmers have developed his farm over the years which now stands at millions of dollars. So, to try to take the responsibility from running their own affairs, it is a big ask.

Madam Speaker, this Bill, I might say, is similar to the decrees and actions of government, when it was a military regime which removed the *Bose Levu Vakaturaga* and changed the administration of the Provincial Councils. As a result, the BLV or the Great Council of Chiefs, the revered body of the indigenous community was dissolved. A whole set of changes in provincial administration, Madam Speaker, making government appointees, chairpersons of provincial administration has also caused disabilities, dissatisfaction and resentment, among the indigenous community. So much so, that we now see for example, the chiefs of Ba Province, a former NGO is to administer their own provincial development because they lack faith in the government controlled provincial administration.

Similarly, Madam Speaker, government decision to appoint a Cane Growers Council will not go down well with cane farmers. It will cause friction and bitter division and erode the farmers' confidence. This will be a dead hell for the industry.

With those words, Madam Speaker, I do not support this Bill. Thank you.

MADAM SPEAKER.- The honourable Praveen Kumar.

HON. P.B. KUMAR.- Madam Speaker, I rise to contribute to the Bill before us. My observation yesterday, we heard that it will be a very sad day if these two Bills are approved. Sad day for who, Madam Speaker? Sad day for the political parties, not for the farmers of this country. The reason why I am saying this, Madam Speaker, and why they are harping so much on this is because their survival is on these organisations. And time and again, the honourable Member, Dr. Biman Prasad has attacked us on this side. I really do not know what is his problem that was our choice, Madam Speaker.

HON. DR. B. C. PRASAD.- Political expediency.

HON. P.B. KUMAR.- Let me talk about how these organisations were functioning and how they were elected, it is very important. They are saying that we are talking too much about politics in Sugar, that is the truth. When the Growers Council election takes place, the political parties will back these organisations. Once they are elected, the nomination of a director from each sector will be a political choice. Once they are nominated, the chairman of the Board is also a political choice. We want to get rid of politics from sugar, simple as that.

(Chorus of interjections)

Madam Speaker, the difficulty that they have is because they are going around the country having meetings but the numbers is not there. They were using all these organisations, Madam Speaker, this is their difficulty and this is what hurts them. I have got all the information on what is going on there. But all in all, Madam Speaker, not only that, it is not a sad day, but I would say it is a very happy day for all the farmers. I am also a trustee of a farm in Ba, Rarawai Sector and I have been speaking to the farmers, I have been talking to the growers, they do not want politics in sugar. These are the same people who are preaching this during the campaign, but despite that they were voted out, Madam Speaker.

So, I would urge them to support this, so that we can take politics out of the sugar industry and the appointment that we are talking about that the Minister should have power, what is wrong with it? I read one article yesterday whereby a former politician said, that there should be consultation, but he forgets that when he was appointed as the Minister for Sugar, he was the first one to remove the government appointees in that Board. People think that we forget, but it is not that, Madam Speaker, I think the motion or this plan that we have right now is the transition from a multitude of sugar boards; councils, associations, unions and even more unions, with fractured representation of the stakeholders of this crucial industry, to a streamline representative and responsive body, Madam Speaker.

Madam Speaker, history shows that the best interest of the industry were not always best represented by the various bodies in the sugar belt. You do not start calling former leaders name now when you are in trouble. I know what you are talking about, honourable Dr. Biman Prasad. Let me not say much on that, otherwise you will be in trouble.

(Laughter)

Madam Speaker, the members that have been drawn are all elected members but despite knowing that, they are still saying that they are not elected, but they are elected. They are elected, drawn from a new wave of industry leaders who will best serve their interest across the sugar belts. They have already moved away from the politics of the past and they are. Representatives who have earned the recognition of reputable international organisations like fair trading. What else do they want? They are elected, a board that that will play fair, not dirty, as was the past practice.

Madam Speaker, I have been in this game, I know.

HON. OPPOSITION MEMBER.- What game?

HON. P.B. KUMAR.- Yes, I am honest about it, but let me tell you one thing.

(Chorus of interjections)

HON. P.B. KUMAR.- I was very surprised this morning when the president of the National Federation Party was talking about was, "I never see her during those times". Where was she?

(Laughter)

She was nowhere near and she wants to preach politics to us in the sugar industry.

With those comments, Madam Speaker, I support the Bill before the House.

MADAM SPEAKER.- I now invite the honourable Dr. Mahendra Reddy to have the floor.

HON. DR. M. REDDY.- Madam Speaker, I rise in support of the motion before the House. I will begin by saying that I noted an honourable Member from the other side saying that we are rushing through the Bill. Madam Speaker, unlike the honourable Members from the other side, we on this side do not have the luxury of time to wait and take as much time as we want. We have been elected to govern the country and that is what we are doing.

Madam Speaker, we are debating this Bill and the Bill talks about the manner in which the Board will be elected and appointed. All the discussions we have heard from the honourable Members on the other side, none of them spoke about what is wrong with this approach of appointing the Board. None of them. They spoke about issues like something to do with the landlord, the past leaders of NFP, the future

of the Sugar Industry, about the independence of the Sugar Industry those dependent on the Sugar Industry, the provincial administration, the Sugar Cane Growers Council, and they also talked about the previous Bill that we passed in the morning. However, none of them spoke about why there is a problem with Government appointing the Board.

Madam Speaker, let me tell them now, we are talking about a fund – the Sugarcane Growers Fund. We need to appoint people who have the expertise to manage the Fund. That is what the Government wants to do, to ensure that the management of the Fund is in the hands of people with expertise for the betterment of the farmers in this country. That is what we want to do, Madam Speaker, and none of them spoke about what this Bill is about and what is wrong with it. That is why I am saying that we want to appoint people who can manage the Fund for the betterment of the farmers in this country, whose funds are to be managed.

Thank you, Madam Speaker.

MADAM SPEAKER.- I now invite the honourable Bhatnagar to take the floor.

HON. V. BHATNAGAR.- Madam Speaker, first of all, we are all God-fearing people, Lord bless us all.

Madam Speaker, I also come from a farming family. I hail from Rakiraki where majority of the people are cane farmers and what I hear from the farmers is that, it has been a while since the same people have been looking after the Growers Fund. So, it is high time that the honourable Minister for the Sugar Industry take the reign into his hands and appoint an independent board to look after the Growers Fund, no politics involved. There will be transparency, efficiency, new ideas, and a vision to expand, support and extend proper service and guidance to the farmers.

For an efficient service delivery to the farmers, I see a need for the Bill to be amended, therefore, I support Bill No. 19 of 2015 to amend the Sugarcane Growers Fund Act.

MADAM SPEAKER.- I now give the floor to the honourable Roko Tupou Draunidalo.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Speaker, I was just a little bit alarmed because I did not check and I trust that when the honourable and learned Attorney-General says something in the House, that it is the absolute truth. I did not bother to check and read for myself when he was correcting me and casting aspersions on not crossing out the bit about the levy that it had been deleted, and we were told after lunch that in fact, it remains there in the law. On that point, Madam Speaker, and this will take me to the procedure that we were talking about yesterday and I just wish to highlight this; Section 47 of the Constitution and from there comes that part of the Standing Orders, where it says in Section 47(3), and I quote:

“A Bill may proceed more quickly than permitted by the standing orders if...”

and then it gives the two subsections there.

Madam Speaker, when reading the Constitution or any other law, you have to read it in totality and I am sure the honourable and learned Attorney-General will vouch for that. If you turn the page, Madam Speaker, it talks about regulations and similar laws. I just find it rather curious that in Section 50(2), it says and I quote:

“A person making any regulations which is a subservient law of an Act of Parliament, making any regulations or issuing any instrument having the force of law must, so far as

practicable, provide reasonable opportunity for public participation in the development and review of the law before it is made.”

Madam Speaker, if you compare and contrast those two subsections, somewhere in between is where most laws, including this one, should have gone. That is the point that I wanted to make, as my contribution to this part, especially now that we have heard after lunch that in fact, the levy that was mentioned to us to no longer be in the law is still very much there. Thank you Madam Speaker.

MADAM SPEAKER.- I now give the floor to the honourable and learned Attorney-General for his right of reply.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker, if I could just very quickly respond to the honourable Roko Tupou Draunidalo, her leader raises a point of order and she was not in Parliament. I have already addressed this issue, Madam Speaker, and the *Hansard* can speak for itself.

Madam Speaker, again, just getting back to the motion itself, I would like to highlight the fact that the amendments are essentially for the appointment of the members of the Fund. Honourable Members on this side have spoken rather practically and eloquently about the need to have these amendments and about the ramifications. Of course, it is not at all gloom and doom as presented by the other side of the House.

Without elaborating too much, Madam Speaker, the other side has made a number of assertions, you can see they are a bit conflicted also. The honourable Dulakiverata does not want to agree with the fact that because of non-renewal of leases, for example, cane production is almost halved in Vanua Levu. He said that there are other factors. Dialogue, of course, Madam Speaker, is being created. Dialogue is not between political parties but should be with the stakeholders which are the farmers, Fiji Sugar Corporation, all the other people that are involved in the actual growing of cane and they are the people who are the real stakeholders.

Madam Speaker, of course, just very briefly, because this will be the last time I will get to speak on this subject, as far as these Bills are concerned, reforming the Sugarcane Industry does require a lot of time. If you look at some of the mills that we inherited post 5 December 2006, some of them look like they are actually 18th Century Charles Dickens novel of Industrial England. Even if you drive past the Lautoka Mill for that matter, you will see parts of it are still hammered together by corrugated tin. This is how the mills are run.

People from various academics have written about how CSR made millions of dollars literally, and indeed, subsidise the Queensland operations of CSR from the Fijian Sugarcane Industry. Numerous articles have been written and how there was a lack of investment in particular, drawing towards Independence because they knew they were going to pull out. So, these are some of the factors that obviously have not been addressed; the various reforms that have failed, Madam Speaker.

Again, getting back to the Bill itself, the reality is that, what we are proposing here to have amended in the law, has actually been in practice since 2009. Therefore, Madam Speaker, it goes to show that this system is working. We are now simply regularising it, we are now streamlining the processes. I have not heard nor has some of the other honourable Members have mentioned (referring to Government members). no one has come out and said about streamlining the processes or about having transparent processes.

We can tell you numerous stories, anecdotal stories about how the funds were misused, depending on who was elected, who had the connections, how the funds were disbursed from the Sugar Cane Growers Fund. No one from the other side has spoken about it and asked “Are we going to have clear

guidelines? Are we going to have, Madam Speaker, clear guidelines as to how funds will be disbursed, and who will get it? What is the criteria? And are we going to have members that are going to be appointed by the honourable Minister who actually know about finance, who know about audit, unlike some people in this room who know about auditing, who know about finance. They are the real questions, Madam Speaker.

So suffice to say, Madam Speaker, these reforms will bring about a lot more accountability, obviously has representation and it will help us towards reforming the sugarcane industry.

Thank you very much and I move that this Bill be now accepted by this House. Thank you Madam Speaker.

Question put.

HON. P. SINGH.- Madam Speaker, on a point of order. I think there is some malfunction with the electronic voting because when I vote “no” it says “abstain.”

MADAM SPEAKER.- We will add your vote to the total number of votes cast, but let us know whether it is aye, no, or abstain.

Votes Cast:

Ayes	-	30
Noes	-	14
Abstained	-	6

Motion agreed to.

Bill reported without amendment, read a third time and passed. (Act No. of 2015)

**RESUMPTION OF DEBATE ON THE
TAX ADMINISTRATION (AMENDMENT) BILL, 2015**

HON. A. SAYED-KHAIYUM.- Madam Speaker, I beg to move:

That a Bill for an Act to amend the Tax Administration Decree 2009, Bill No 20 of 2015, be read a third time and do pass.

HON. LT. COL I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

MADAM SPEAKER.- I now call on the honourable Attorney-General, Minister of Finance, Public Enterprises, Public Service and Communications to speak on the Bill.

HON. A. SAYED-KHAIYUM.- Madam Speaker, as we have discussed the motion on Standing Order 51 yesterday, we did touch on a number of aspects of this Bill, so I would like to be very brief, again to recap what was mentioned yesterday.

We had given an amnesty in the budget for the first six months of this year, and then extended to 15th October this year, to give amnesty to those Fijians who have assets off shore and have not declared them. Should they declare them in this amnesty period, Madam Speaker, neither would there be any penalties that will be assessable to them, nor will they have to pay any fines, et cetera.

Madam Speaker, as we had mentioned yesterday, we already had \$17 million worth of undeclared assets now being declared. We have been told by the market that if we actually had this in law, transcribed

it in law, that we will have more people coming forward because a lot of people now have the appetite to come forward and declare this.

Madam Speaker, this Bill is obviously time critical because the amnesty period is about to come to an end, so if we have this enacted really quickly, it will have hopefully a rush of people who will come forward. We are obviously hoping for the best.

Madam Speaker, it will contribute to not just having FIRCA a good database in terms of the assets that Fijians own off shore, but also it will help contribute towards revenue generation for the State, which means those assets there may be accumulating income and is now accessible for income tax will now be assessable, going forward from January 2016.

I, therefore, recommend this Bill for this House to accept.

MADAM SPEAKER.- The Bill is now open for debate. I give the floor to honourable Dr. Biman Prasad.

HON. DR. B.C. PRASAD.- Thank you Madam Speaker, let me say at the outset that we would like to support this Bill. Having said that, Madam Speaker, I still want to make this general point that we have been making all along about Bills being rushed. On this particular one, Madam Speaker, if the honourable and learned Attorney-General could, in his right of reply, explain maybe a few other things.

Firstly, whether Fiji citizens who own assets outside of Fiji and are paying taxes there, some of them of course would be covered within the double taxation agreement. But in other cases, where there is no double taxation agreement, if they are paying taxes there, I think that is why some of them perhaps have been worried and I am assuming from the reading of the Bill, Madam Speaker, that would not be something that they would have to worry about.

So I think the tax liability would be after the declaration period has ended. So I was not too sure, Madam Speaker, as to how FIRCA is going to deal with those, so maybe the honourable and learned Attorney-General can explain that in his right of reply. Thank you, Madam Speaker.

MADAM SPEAKER.- I give the floor to the honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Madam Speaker, allow me to contribute to Bill No. 20 of 2015.

Madam Speaker, I rise to give my contribution to the Bill before us today. At the outset, this Bill whilst we acknowledge will curb tax evasion loopholes that are widely practised globally, it however, raises a number of questions which are for example; the description of foreign assets, namely given in the context of the Bill, what sorts of assets are we referring to, are these offshore or foreign deposits? Are these rented homes, hotels and other businesses such as restaurants, dairy shops, et cetera? What are we referring to here?

Madam Speaker, this Government has recently introduced the dual citizenship and as a result we have not only former citizens now able to regain citizenship in their country of birth but we now have a lot of foreigners like those from Sri Lanka, Canada and other Asian countries, to name a few, who now hold dual citizenships. Fiji, meanwhile, also has double taxation agreements with certain countries like Australia, New Zealand, United Arab Emirates, amongst others. How does this agreement impact those who may be covered under this double taxation and are paying the necessary tax in their host countries?

Madam Speaker, our citizens have the right to know what sort of taxation income the Government is expected to collect from this exercise. We must also ensure, Madam Speaker, that we are fair to those who wish to call Fiji their permanent homes, and they need to be fully aware of these kinds of policies that they will be expected to meet.

Tax evasion is a global problem and we certainly do not wish to condone that. Too much tax evasion has been occurring in the past and so in terms of transparency purposes, can we the citizens of Fiji be given the full names and listings through this august House, of those who are applying, not only for this amnesty, but also those who will be declaring their offshore assets?

I thank you, Madam Speaker for this Bill. I hereby, in its current form, do not support the Bill.

HON. P. SINGH.- Madam Speaker, I also rise to support this Bill.

Madam Speaker, I believe this is a very proactive action. It was long-overdue and one of the reasons why this money is floated overseas is because, since the events of 1987 and onwards, people have to do this. However, in any event, one of the issues that I would like clarified by the honourable and learned Attorney-General is in Section 6 of the Bill. I say this because my understanding is that the Bill provides a blanket amnesty to taxpayers who have assets overseas.

In Section 6(8), if an applicant is not granted amnesty under sub-section 4, he or she as soon as practicable, provide written reasons to the applicant for the refusal. What would be the grounds of refusal when you have a blanket amnesty?

Thank you, Madam Speaker.

HON. RATU I.D. TIKOCA.- Madam Speaker, the decision to provide an amnesty for citizens who have not declared their foreign assets or income with FIRCA, or the prudent actions to help increase the tax compliance net, it appears to favour the more affluent citizens, who remain to have foreign income and assets at the expense of the vast majority of local taxpayers who have declared all. I would like to ask the following questions:

- (1) What measures or amnesty will the Minister put in place for local citizens, who own or are operators of small businesses who have all declared their assets and liabilities but struggle to pay the double tax for the taxable year as well as the provisional tax for the current year along with late lodgement penalties?.
- (2) Surely, if you are willing to legislate the tax amnesty to encourage and entice those who fail to declare their true foreign assets and incomes and you are prepared to forgive all their tax liabilities from the past up to December, 31st of 2015, what relief will you devote to those taxpayers who did not pay on time and declare all their assets and incomes according to law?
- (3) According to the explanatory notes in 1.3, and I quote:

“Given the value of foreign assets declared so far, \$17 million is proposed that there be legal amendments made to the Tax Administration Decree, 2009, to encourage and entice more declaration” unquote.

The \$17 million accounts for just 3.8 per cent of the projected income tax collection of 2015 which is stated in the Budget Estimates of \$440.5 million but what of the law abiding taxpayers who account for 96 per cent of the income tax and have declared all assets and incomes?

What amnesty or measures will Government put in place to assist local citizens and small business operators who are made to not only pay their asset taxes for 2014, for example, but are also required to pay their 2016 tax in advance through the provisional tax requirements.

Then there are the late lodgement penalties as well as penalties for over assessing or under assessing tax?

- (4) Section 1(a) of the Constitution provides every citizen with equal rights. How does favouring our affluent citizens who fail to declare \$17 million while analysing local individual taxpayers and small business operators with an advancement of tax requirement and penalties, as I have outlined above, conform to equal citizenry? Where is the equality in this? Then there is an extra of tax refunds.

The Minister of Finance has a habit of grandstanding in this House about everything but as the Minister responsible for Finance, he cannot pay taxpayers their refunds, why not? You penalise taxpayers when they are late so they should be allowed to penalise you, not for refunding them when you should. This Government wants to try and make a lesson but I think it should look closer to the nitty gritty details of why you are allowing that to happen and then disqualifying those honest taxpayers citizens of this country? There are thousands of Fiji citizens who owed much more than some of us in refunds, which the Government cannot repay; why not we ask this?

Honourable Minister, we request that you must inform the nation as to what the total tax refunds is due and unpaid to taxpayers at this month. This raises questions of the nation's cash position because I understand that there is approximately \$150 million in un-presented cheques. That is a huge amount of un-presented cheques, what will happen if all cheques are presented today? How will you cover it?

I will only support this Bill if it were to be amended to incorporate an amnesty of our local taxpayers as well, thank you.

HON. A. NABULIVOU.- Madam Speaker, allow me to contribute to this Bill.

Madam Speaker, over the last several months, there has been widely publicised campaign by the Government to invite taxpayers to take advantage of an amnesty in respect of income derived offshore and not got to account for the purpose of Fiji Income Tax. For the whole range of reasons involving greed, fear, or ignorance, taxpayers have not disclosed this income. Unpalatable as it may be for honest taxpayers, who have probably disclosed their taxable income, they remain as unfortunate gagging for information, misinformed and the need for Government to properly manage the economy.

It is in the national interest to encourage individuals to reveal the extent of their concealed overseas capital and income so that proper and equitable measures might be put in place for the long term benefit for Fiji. Anecdotal evidence such as since the events of 1987, there have been many occasions when wealthy or politically well-connected individuals have removed funds out of Fiji, through fear about the future of the country.

The need for the insecurity has evaporated with the new Constitution and the Election of the Bainimarama Government in 2014. One can understand why people who are led to act in the manner of fear and insecurity, although it is very hard to condone.

Even before 1987, anecdotal evidence suggest that many well-connected businessmen were able to amass fortune outside Fiji through tactics such as transfer, pricing of goods through or from intermediate locations such as Hong Kong. This was a downright tax avoidance. In this, the accounting profession were well-known to have been conclusive and no doubt were handsomely rewarded. Even today, there are accountants promoting their services through the accessing of the amnesty provisions.

Some individuals did not even go through the pretence of legality in remitting funds offshore. Anecdotal evidence suggests that large quantities of currencies, both Fijian and foreign whilst physically

carried out of the country is in contravention of the foreign exchange laws. As I had mentioned, some of the businessmen involved and former politicians who helped them were able to build up fortune overseas even bigger than their fortunes in Fiji. For obvious reasons, they now have to conceal otherwise unexplainable offshore income and assets. Some of these are no doubt, well-concealed through elaborate arrangements contrived by high priced accountants and lawyers.

In building a new Fiji, we sometimes have to make unpalatable choices. On occasions, we need in the national interest to take a softer approach to conduct which may have been unlawful or morally reprehensible. It is time to rehabilitate some of Fiji's prodigal sons and encourage them to join with us in a constructive way in building a new Fiji, rather than leaving them constantly looking over their shoulders and seeking out new ways to conceal their true wealth and income for Fiji Authorities. As much as I hate to say it, it is better to forgive, provided we now get a full honest disclosure. Of course, if we do not get a full and honest disclosure then all bets should be off and these people should face the full force of the law, without the benefits of any amnesty or any mercy.

Madam Speaker, this is a carrot and a stick policy. The amnesty provisions are needed to provide the carrot to lead us straight back on to the correct path. If they cannot be led, then we will need to take more robust means to persuade them or punish them.

They are on notice, we know who many of them are, no doubt with further diligence we will be able to tackle the names of those who assisted them to break the law. We know that to be more effective, an amnesty portion needs to provide a proper legal framework for our revenue authorities to give a legally, effective amnesty in appropriate cases. Otherwise, no professional advisor can safely advise their clients to make a full disclosure of what might lead to very serious consequences. I have been deeply conscious of the need to strike a proper balance in the national interest, between punishing individuals for illegal conduct in the past, and moving on to build a better and more moral Fiji in the future.

A decisive factor for me is that it is better to bring out into the light the evils of the past so that they may be eliminated from our society in the future more than post-colonial Fiji as all we had a very short history but undoubtedly, it has a very long future. Madam Speaker, I commend this Bill.

MADAM SPEAKER.- Thank you, I will now give the floor to the honourable Attorney General for his right to reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. I like to just again of course recommend the Bill for this Parliament to adopt.

Can I just provide some clarification issues raised by the honourable Biman Prasad. If you look in the definition, it talks about the qualifying person. The qualifying person is a person who is a tax resident and a Fiji citizen. So, you have to be a tax resident and a Fiji citizen. So, therefore, there are some people, Madam Speaker, let me put it conversely, who are tax residence in Fiji but are not Fijian citizens. So, you could for example have an Australian living here, who may be paying tax in Fiji, but he is not a Fijian citizen. Therefore, we do not want to know what assets he has in Australia. We want to know about Fijians who are here and are paying and are tax residence in Fiji. Same way the issue by honourable Kiliraki about double citizenship, dual citizenship or multiple citizenship. You have to be a Fijian citizen and a tax resident in Fiji, obviously issues of double taxation is addressed by the DTA itself.

The tax period, Madam Speaker, if you look at subsection 5, it says for any tax period provided the tax period prior to 1st January 2016. Anything accessible prior to 1st Jan 2016, we have the amnesty takes care of that, going forward there is no amnesty. Regarding the issue raised by honourable Prem Singh about when the Commissioner may refuse, there are two things that come out of there.

One of that, for example, what if a person declares assets that may be proceeds from a criminal activity, so he or she cannot clean the assets through this process, this is why the discretion is there.

Now secondly, the provision also says, Madam Speaker, that the CEO of FRCA must provide a written reason as to why he at the moment is rejecting it, which also means that you have the ability to challenge his decision, you can seek a review of his decision. So this is why he has to give it to you in writing and therefore you can challenge it if you do not agree with it. There is a re-course for you too.

Madam Speaker, the honourable Tikoca raised another issue, I wish he had spoken, consulted his Opposition spokesperson for Finance before making those comments, which is honourable Biman Prasad. The issue, Madam Speaker, is not about giving something to the rich and making them even richer, in fact, we are trying to get the rich, this is what this amnesty is about. At the moment, we do not even know what assets they have. We do not even know how much money they have moved out of the country and believe you me and as honourable Prem Singh did highlight as well as honourable Nabulivou, there was a whole system of moving assets outside of Fiji. Indeed there are still some companies that operate in Fiji, that are engaged in transfer pricing. So, what they have, and let me give you an example of transfer pricing in the reverse. They may buy, for example, a tin of tomatoes from China for 20 cents, but that supermarket in Fiji does not buy it from Fiji. They buy it from a company they have created in New Zealand for 20 cents and then their New Zealand company sells that tin of tomatoes of 20 cents they bought from China to Fiji for probably \$2.00. Then they sell it on the supermarket shelves in Suva for maybe \$2.20 as you know I am only making 20 cents profit.

By then doing that, they have actually shifted the money out of the country and they have huge mark-ups. That is one of the ways that it has happened and these people are still tax residents in Fiji, with those proceeds they have bought assets in overseas countries. We are trying to get them because if we do not have this amnesty, we will never know and we will lose out on that revenue. So what the honourable Tikoca is insinuating is completely the reverse. If we are able to generate more revenue, obviously with that more revenue generated, we are able to carry out more development and guess who the development will be helping, the people at the lower end of the socio economic scale. He also fails to forget that the income tax threshold in Fiji, when the Bainimarama-led Government was appointed was \$8,600, anyone who earned more than \$8,600 had to pay taxes, starting at 15 per cent rate.

Today, the income tax threshold is \$16,000 almost doubled and starting at seven per cent. That is how we have helped people at the lowest socio-economic scale. Of course, there are other things like free medicine et cetera that have also supplemented their income. So, Madam Speaker, I think it is to draw about \$150 million un-presented cheques and again is the matter before the Public Accounts Committee that relates to the period from last year, I understand, of course I do not want to go into that as you know we have got a decision regarding that particular matter.

So, Madam Speaker, we have highlighted as Government on a number of occasions both in this House, outside this House, that there is a culture of dishonesty in Fiji. We need to address that. There are many people who do not declare things that they are supposed to declare, some people in this House already know about that. We want those people who are supposed to declare things to declare it all. You declare it all, you pay your taxes you go and make your money. You declare it all, you go and pay your income tax and you work. That is the deal, Madam Speaker, and this is why, Madam Speaker, that this Bill actually addresses that particular issue.

The last point I like to make about is giving the list of all tax payers et cetera, privacy laws prevent us from doing that. There is a particular provision regarding privacy. We do not know how much honourable Kiliraki pays or does not pay. I as Minister of Finance responsible for FRCA do not even know that, and that information needs to be protected and that is how the laws have been in most countries

they have that practice, Madam Speaker.

Lastly, I know sometimes people from the other side get excited about Australia and New Zealand. Australia had a similar provision regarding amnesty, about 18 months ago. From what I understand, they had something like \$6 to \$7 billion worth of assets were declared, that Australians had not declared themselves, that was offshore. So, in fact we got our impetus from that and we took that as an example which we have implemented and Madam Speaker, with this Bill now coming into effect, we will be able to hopefully get more people declaring their assets and generate more revenue for our country.

Question put.

Votes Cast

Ayes	-	33
Noes	-	10
Not Voted	-	7

Motion agreed to.

Bill reported without amendments, read a third time and passed. (Act No. _____ of 2015)

**RESUMPTION OF DEBATE ON THE
EMPLOYMENT RELATIONS (AMENDMENT) (NO. 2) BILL, 2015**

HON. A. SAYED-KHAIYUM.- Madam Speaker, I move:

That a Bill for an Act to amend the Employment Relations Promulgation, 2007, Bill No. 21 of 2015, be read a third time.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, as discussed yesterday, this amendment to the Employment Relations Promulgation essentially seeks to put into effect the public holidays that are to be included by deleting Section 64 and replacing it with a new Section 64, and the Bill puts in place the following holidays as public holidays:

- 1) New Year's Day;
- 2) Good Friday;
- 3) Easter Saturday;
- 4) Easter Monday;
- 5) Prophet Mohammed's Birthday;
- 6) National Sports Day;
- 7) Constitution Day;
- 8) Fiji Day;
- 9) Diwali;
- 10) Christmas Day; and
- 11) Boxing Day.

Madam Speaker, these holidays need to be gazetted as soon as possible by the honourable Minister for Employment, Productivity and Industrial Relations, so that all employers and employees alike are fully aware of the holidays that we are to have, and which will come into effect from next year.

Madam Speaker, this also regularises because we had the Queen's Birthday listed as a public holiday which we have not had for quite some time.

Madam Speaker, it does also bring into play two new public holidays. We've already had the National Sports Days as a public holiday but now it regularises that. The other public holiday is, of course, the Constitution Day which is to be on 7th September, the date on which the Constitution was promulgated, essentially to:

- 1) highlight the importance of the Constitution;
- 2) adherence of all Fijians to the Constitution itself;
- 3) to understand the Bill of Rights and various rights that are enshrined within the Constitution which all of us refer to; and
- 4) to bring about a lot of civic awareness on that.

Madam Speaker, I recommend that this Bill be adopted by Parliament.

HON. RATU K. KILIRAKI.- Madam Speaker, I would like to contribute to the debate on the Bill before this august House in regards to the Employment Relations Promulgation 2007.

Madam Speaker, it is of grave concern that I note the interesting inclusion of a Constitution Day as supposedly a new public holiday that is being proposed to be marked by Fijians as a new holiday in our calendar. We all know that the 2013 Constitution came into being without the participation of the people of Fiji. Even though we acknowledge that this Constitution has been used in the 2014 General Elections, thus resulting in our new parliamentary system, that is still a document that did not receive the support or voices of the people of this nation.

HON. GOVT. MEMBER.- Hear! Hear!

HON. RATU K. KILIRAKI.- This, therefore, begs the question as to how we can allow this public holiday to further make a mockery of a system of governance that is supposed to uphold the principles of democratic governance around the world. Constitutions are supposed to be the supreme law of the land. They are supposed to be amendable, yet we have a very oppressive Constitution that leaves us without almost an impossible task to ever be able to amend it. Even the entrenched provisions of the 2013 Constitution requires a 75 per cent national referendum of registered voters and a 75 per cent support of Members of Parliament which, Madam Speaker, to my mind, without doubt, is a joke. The same Constitution also encourages further *coups* to be held within it, is providing immunity clauses for the perpetrators of the 2006 *coup*.

Madam Speaker, I would strongly recommend to Government, to consider as a matter of respect, a show of genuine acknowledgment and as a matter of embracing the first citizens of this beloved nation, that we include a public holiday to mark the indigenous peoples day.

HON. RATU I.D. TIKOCA.-What's wrong with that!

HON. RATU K. KILIRAKI.- This could be marked when the world commemorates the World Indigenous Peoples Day on 9th August annually...

HON. RATU I.D. TIKOCA.- You're denying your own people!

HON. RATU K. KILIRAKI.- ...and we identify our own day.

Madam Speaker, New Zealand celebrates a similar day for the Maoris on 6th February every year. It is crucial, Madam Speaker, when the other races in this nation acknowledge and pay homage to the good heart and accommodating spirit of the indigenous people of this nation over the years. We must give them back something in return. Government has removed Ratu Sukuna Day, at least, this gives us an indigenous people's day.

Madam Speaker, I do not support the Bill.

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, I stand to support this Bill in my capacity as the Minister for Employment, Productivity and Industrial Relations. Initially as the Minister for Productivity, I was a bit concerned about the number of holidays that we are having, but after having widely consulted the stakeholders and after having discussed the issue with the honourable and learned Attorney-General

HON. RATU I.D. TIKOCA.- Who did you consult?

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, this is not a joke. With due respect to the honourable Member who had just spoken, we are talking about the Constitution of this land.

HON. RATU I.D. TIKOCA.- We were not consulted!

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, honourable Members on the other side of the House have very short memories. We all swore an oath of allegiance about a year ago in this House to support and uphold the Constitution,...

HON. GOVT. MEMBER.- Hear! Hear!

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- ...a Constitution which produces an environment ...

HON. RATU I.D. TIKOCA.- Not this Constitution of yours!

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- ...that allowed us to have a free and truly democratic Elections last year which brought you and I into this House. Without that Constitution, we would not be here. Let us acknowledge with gratitude and accept this Bill.

HON. RATU I.D. TIKOCA.- Don't you want to accept the indigenous today?

MADAM SPEAKER.- Honourable Minister, please do not respond to the interjections. You may speak on the Bill.

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, let me continue.

Fiji is now enjoying a prominent and elevated position within the global community because of the fact that we now have a Constitution that is inclusive, that resulted in the Elections and that resulted in the Government in place.

Madam Speaker, the reasons for the inclusion of a Constitution Day in the list of public holidays that we have, is to further confirm the commitment of Government in building a new and all inclusive Fiji. Furthermore, it gives prominence to our Constitution to create an awareness of the essential Constitution provisions afforded to all Fijians.

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, going back to the point I made, without the Constitution we would not be here, because of the fact that we had a successful Elections last year and the rest is history. So, all I urge now is my colleagues on the other side of the House to support this Bill, to remind today's generation and future generation of Fijians that we have a Constitution, that is inclusive and let me remind my colleagues on the other side of the House about the Preamble of the Constitution "we the people of Fiji."

Madam Speaker, I support this Bill in my capacity as the Minister for Employment, Productivity and Industrial Relations because I will have to table this in Parliament, and I will have to put forward the Gazette Notice through the Office of the Attorney-General to have this formalised. Thank you.

MADAM SPEAKER.- Thank you, I give the floor to honourable Dr. Biman Prasad.

HON. DR. B.C. PRASAD.- Thank you, Madam Speaker, I rise to contribute on this Bill. There are two reasons why I do not support the Constitution Day Holiday, Madam Speaker.

Firstly, Madam Speaker, Constitution Day has always been very divisive. The first Constitution holiday was imposed on the citizens of Fiji after the forced promulgation of the 1990 Constitution. Many of us in this country, including myself opposed that Constitution. In fact, there were people who were burning their Constitution while people were in Parliament, trying to change the Constitution.

Madam Speaker, a Constitution is a living document. We all know that this Constitution under which we had the Elections in 2014, under which we are here in this Parliament was imposed on the people of this country, and just like the 1990 Constitution was imposed on the people of this country, so has the 2013 Constitution.

Madam Speaker, that does not mean that the Constitution cannot be changed. Although the provisions in this Constitution for a change is so draconian, it is almost impossible, unless of course this House takes a consensus. At some point, Madam Speaker, I do hope that we will have an honest, open dialogue about this Constitution, the shortfalls in this Constitution, some of the provisions like Sections 173 and 131 on the President, and the role of the Military. These are national conversations, Madam Speaker, that we ought to have in this country.

Madam Speaker, that is why in fact when the SDL-Government abolished the Constitution Day in 2001, which was also there after the 1997 Constitution was enacted. I was actually quite happy because even under the 1997 Constitution, there were sections of people in this country who they did not like.

So, Madam Speaker, Constitutions will always have issues. There will always be people who will be aggrieved by certain provisions, who would want to change certain provisions, and as I said yesterday, Madam Speaker, institutions evolve, Constitutions evolve, legislations evolve along with formal institutions. When we talk about formal institutions, we talk about the Constitution, we talk about laws, we talk about regulations, we talk about policies, but there are a lot informal institutions, Madam Speaker, which work together with formal institutions, and sometimes formal institutions fail to deliver the outcome because the informal institution like norms of societies, value, the culture, the tradition, these are all very, very important informal institutions that define a country, that define a society, that define the relationship, with respect to how the formal institutions work.

That is why, Madam Speaker, instead of having a Constitution Day, I thought we should have continued with the National Youth Day. I would have thought that youths in this country need more attention and we could have made that a more meaningful day, by looking at how we can move ahead with programmes, with enticing youths into areas where we think they are important.

Madam Speaker, I would have thought that leaving the Constitution day aside, do not open that debate until we have collectively come together to have dialogue in this Parliament about the pros and cons of this Constitution.

Madam Speaker, the second point that I thought is very important in this country, we always recognise Ratu Sir Lala Sukuna, who was regarded as Fiji first statesman, who helped the formation of the NLTB, now iTLTB.

Madam Speaker, I read about him in primary schools do not worry honourable Prime Minister, I am moving on. We read about this man, a great statesman. Sometimes, Madam Speaker, I think it is important to keep in mind, history. History are originals. Do not remove all symbols of history. History can remain, in fact with modernity, with technology, history is being recreated. In fact, you can preserve history, preserve culture, preserve peoples ways of life, and in fact as the honourable Minister for Education would know, he is probably attending UNESCO meetings, he would understand the values of these things.

I would request Government to consider this, maybe not this time but in future to think about having a public holiday to mark Ratu Sir Lala Sukuna Day, rather than, having a Constitution Day.

Madam Speaker, Constitution Day is not going to create unity, it will remain a divisive issue because we all know that a lot of people in this country have strong views about this Constitution. We are here in this Parliament and I for one, Madam Speaker, and NFP has a record of doing this. We did not like the 1990 Constitution, we participated under that Constitution, we went into Parliament, we got that Constitution changed through dialogue, through consensus and that is why we are saying that having a Constitution Day as we had after the 1990 Constitution will keep these issues alive, will keep the divisiveness and it will not allow us to come together to have some honest dialogue.

Again, in conclusion, Madam Speaker, I urge the FijiFirst Government to think about dialogue, having a dialogue does not necessary mean that you are going to change everything, it is always a hard thing.

On that note, Madam Speaker, I do not support this Bill, partly because of the Constitution Day as a Public Holiday, which I do not like. Thank you.

MADAM SPEAKER.- Thank you, I now give the floor the honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. I also wish to make some commentaries on this Bill. At the outset, Madam Speaker, the Constitution Day will be an act of folly.

Madam Speaker, how can you celebrate a day for a document that took away the beloved Great Council of Chief (GCC) of the vast majority the people in this country? How can you celebrate a day that took away the entrenched legislation for the protection of the majority of this country? How can you celebrate a day that took away the scholarships that were given to the people in this country that help them advance and would help this country create some equality down the line? How can you celebrate a day, Madam Speaker, that has repealed a lot of laws that were in place, to protect a particular part of a community? How can you expect them to celebrate the day, it is going to be a day of mourning if it has to continue and if you decide to introduce it.

Madam Speaker, do not do it, I just appeal to the other side, do not do it because feelings are very strong against the Constitution. What they have lost is still very much raw in them, Madam Speaker, let us not do it. I would urge them because it could be a day when everyone turns up wearing black.

Madam Speaker, and as a leader, we are all leaders, let us wave the red flag, this is not a good idea. The Constitution for the vast majority of the people in this country is not something that they have received warmly, something they can relate to and something that they would wish was never part of this country.

Instead Madam Speaker, following from the suggestion by my colleague, Dr. Biman Prasad, Ratu Sukuna Day is much more important and much more relevant to this country. Let our young people, let the youth of this country, the future of this country, remember that act of generosity, that honourable act spearheaded by Ratu Sukuna to convince the land owners of this country to surrender their land into a trust to help build this country, the economy of this country, that is more meaningful to our people today and forever, Madam Speaker, for Fiji.

We spoke yesterday about the GDP of this country and now the \$8 billion, where does that rest? It rests on the resources of the people of this country who surrendered their resources on a national basis to develop this country. That is what we need to celebrate, not a Constitution, Madam Speaker, that is so divisive. It is divisive, Madam Speaker, do not do it. It would be a dereliction of duty on our part not to warn this because it will set us back. That day if we are not careful can be a day of mourning, people would be walking around like I said, wearing black or black arm bands to show that they are not celebrating a document that took away the rights that was enshrined in the Constitution in the past and that you believe was their birth right.

Madam Speaker, even today we are getting reports, traditional people in the village going to fish in their traditional fishing area, if they do not have a licence, the authorities confiscate their nets, their equipment, their catch, their boat, everything. Fishing in the traditional area, Madam Speaker, are we going to celebrate that? That in my *qoliqoli*, the honourable Minister for Lands said you have the right to fish there, but someone is now charging me the licence to go and fish there, are we going to celebrate this?

Madam Speaker, let me plead with the other side, come up with something better than this. Thank you, Madam Speaker.

MADAM SPEAKER.- I will now give the floor to the honourable Faiyaz Koya.

HON. F.S. KOYA.- Thank you, Madam Speaker. It is wonderful and interesting how the doom and gloom pictures get painted worse every day by the other side of the House, especially on a topic like the Constitution which is probably the most important document that this country has ever had.

Madam Speaker, giving warnings of wearing black arm bands and what is going to happen on this day, does not do us well and does not bode well. We are all Fijians and we need to respect this blue book because this is a very book that makes them sit there on this side, this is the very book that they pick up occasionally when they need to point out and open and use, Madam Speaker. This book, Madam Speaker, belongs to all Fijians.

HON. A. SAYED-KHAIYUM.- Madam Speaker, a Point of Order.

MADAM SPEAKER.- Point of Order.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the honourable Tikoca is now bringing ethnicity into it. He is now saying that this side of the House is not relevant because of a particular ethnic group not being predominant, or whatever, I do not know the numbers but this sort of conversation must stop, Madam Speaker. He is now basically getting into racial vilification, he is basically saying that a person in this House cannot as a Minister make a decision because he or she will only think and favour their own

ethnicity, that what he is implying, that is what he would have done if he was here and Madam Speaker, that type of behaviour needs to stop.

MADAM SPEAKER.- Thank you, I plead to honourable Members, please do not make racist remarks in this House and also all these interjections are getting a bit frivolous and is taking too much time, we do not have time for all these interjections. Please let the Member that is talking be heard, not only by ourselves but also by the people who are watching on TV and listening to the radio. Honourable Members, please be mindful of that. Honourable Minister, please continue.

HON. F.S. KOYA.- Madam Speaker, celebrating Constitution Day should be the most important and significant event for all Fijians. It is not just another public holiday, Madam Speaker, it is the day that marks the birth of a new Fiji.

Madam Speaker, the Constitution apart from being a paramount law of the country is a document that has for the first time established a common and equal citizenry, without denying anybody's individuality or culture.

Madam Speaker, we are all equal, no matter who we are or which religion we follow, Madam Speaker, it took the foresight and the courage of our honourable Prime Minister and the Fijian Government to break the shackles of hate and intolerance and create a new and modern Fiji through this very blue book, our new Constitution.

Madam Speaker, the principle of equality seems so simple, seems very simple, it is professed by every religion and yet was so untenable in Fiji - the Fiji of the past. Fiji of the past divided by selfish individual propagating religious racial intolerance and supremacy, be they the colonial masters or former politicians.

(Chorus of interjections)

HON. F.S. KOYA.- I am actually not listening to that Madam Speaker.

MADAM SPEAKER.- Thank you.

HON. F.S. KOYA.- We have a Constitution that protects a wide range of civil, political and socio-economic rights, Madam Speaker. All Fijians should proudly mark the day the 2013 Constitution was assented to, the day the foundation was laid to build a strong and prosperous nation, a new and modern Fiji, Madam Speaker. By having a public holiday to mark constitution day, we will also instil in our youth, in our younger generation, the importance of the Constitution. They do not want to know about the racial intolerance and the hatred, they do not, go ask some of the young people around Fiji.

Madam Speaker, it also makes them appreciate and respect the efforts that have been made by their parents, parents like us and grandparents, like you, Madam Speaker, to secure their future. Madam Speaker, I strongly support the motion to commemorate the Constitution Day with a public holiday and I will say one thing, all it is, is the celebration of I am a Fijian Day.

MADAM SPEAKER.- Thank you, I now give the floor to the honourable Ratu Suliano Matanitobua.

HON. RATU S. MATANITOBUA.- Madam Speaker, I am saddened and not surprised that the Government has published a list of public holidays that has done away with celebrating the lives of our most famous citizen like Ratu Sir Lala Sukuna. A high chief, a statesman and instead, this Government plans another imposition to get us to celebrate Constitution Day. Yesterday, Madam Speaker, when the

honourable and learned Attorney-General introduced this Bill for First Reading, when I went home, I was thinking, what is there to celebrate about this imposed Constitution?

HON. OPPOSITION MEMBERS.- Hear, hear!

HON. RATU S. MATANITOBUA.- Certainly this 2013 Constitution does not reflect the views and wishes of the people, it reflects the aims and objectives of the usurpers of our democracy in 2006.

HON. OPPOSITION MEMBERS.- Hear, hear!

HON. RATU S. MATANITOBUA.- This Constitution has not been endorsed by the people in any referendum that would validate it.

Lastly, any suggestion that the 2014 Elections results was a mandate for its acceptance is not valid.

Public Holidays should be opportunities to celebrate good things such as the life and service of past leaders and outstanding citizens. It should also be an opportunity to unify our people.

I recommend, Madam Speaker, that we replace Constitution Day with National Youth Day, to celebrate the youth of our nation in whom our future well-being is vested upon.

Madam Speaker, I do not support the Bill.

HON. RATU I.D. TIKOCA.- Madam Speaker, thank you for allowing me this moment. I was just going to raise something very important, that is why it is agitating inside us indigenous people. The Constitution designed only by the author who stated in his thesis the sunset clause for indigenous and that is happening. This Constitution will only be yours and not for this country.

Madam Speaker, I do not support, on behalf of all the indigenous people that are breathing today, the Constitution Day that is being proposed.

HON. A. NABULIVOU.- Madam Speaker, I rise with pride to speak in support of the measure to provide for a Constitution Day. Collectively, the citizens of this country have overwhelmingly embraced a new path for the future, a path not blocked by narrow interest groups or racial bigotry, a path where every citizen has exactly the same Constitutional rights and every citizen has an equal say in who governs this country and the road we take into the future.

We have earned ourselves the right to be proud of our country and what we can achieve together, if only we work together, with a single common purpose to advance the interest of Fiji and all its people. Central to all that is our new Constitution. It has served us well already, to give us our first true Government by the people, of the people and for the people.

Madam Speaker, it saddens me deeply to think even now there is a small misguided minority amongst us who cannot accept that but let us be strong and never allow stirrings and agitations by a minority ever to develop to the point where our Constitution is put under threat. That is why it is so important to reinforce the centrality of the Constitution to the common good of all people who call themselves Fijians.

By having a Constitution Day, we emphasise that centrality of the Constitution itself as the glue that holds us together with that common purpose. By having a Constitution Day, we remind ourselves never ever to slip back into the political mess of the past. By having a Constitution Day, we define our

national identity – that is to say, the values we collectively hold dearly and the way we want the world to see us. Madam Speaker, I want us to recognise the common good and worthy of all our brothers and sisters. I want this country to be a land of opportunity for all our children. I want this to be a place where exemplary performance and citizenship is encouraged and rewarded.

By having a Constitution Day, we provide an opportunity for national thanksgiving, each in his chosen way. At a national level, it gives us a suitable occasion to honour those who have contributed to our society in an outstanding way. We all love our sporting heroes but it is much more than that. There are many people who work quietly in the background helping others and asking nothing for themselves. These are our forgotten heroes who need to be recognised as well.

We should never allow Constitution Day to become debased by allowing it to be just another occasion for handing out further awards to the rich and privileged. We need to be proud of our Constitution and what it represents. All citizens must have the opportunity to participate in expressions of that pride. I do not minimise the importance of being able to hold successful democratic elections, but how wonderful it would be for every citizen, of every age and background in the villages and towns and cities of Fiji, and whether at home or overseas were to join in one large party every year so we can share our common pride, our common happiness and our goodwill for each other.

Many overseas countries have a national day where these sorts of values are shared and commemorated, for example, Independence Day in the United States of America and Australia Day in Australia which are both at face value commemorations of the early steps to nationhood, but at the heart of each is a written constitution which helped build those nations.

Constitution Day should not be seen as just another public holiday. In terms of national values, it will be the most important day of the year. True it may be that Constitution Day will be used for many purposes. No doubt it will provide a festive backdrop to important sporting events and a variety of nation building campaigns. But, Madam Speaker, it is my earnest prayer that Constitution Day will keep the flame of nationhood burning brightly and serve as a warning to anyone who would try to undermine the Constitution in any way.

Madam Speaker, I commend the Bill.

HON. S.V. RADRODRO.- Madam Speaker, thank you for this opportunity to contribute to the debate. At the outset, I state that I do not support this holiday as the Constitution Day. Madam Speaker, allow me to quote part of 1.3 of the Bill and I read, “This is to give more prominence to our Constitution and to create awareness on the essential Constitutional provisions afforded to all Fijians”. I ask, Madam Speaker, “Why are we raising awareness?” Again I ask, “Were we ever part of the consultation for the formulation of this Constitution?”

HON. OPPOSITION MEMBERS.- No.

HON. S.V. RADRODRO.- I wish we could hear the response of those who may be watching TV.

Madam Speaker, public holiday is a day we gather as families; nuclear families, extended families and friends and we are there to celebrate. But for Constitution Day, I ask, “What is there to celebrate?”

Also, Madam Speaker, I will ask the question, “Why was the Professor Yash Ghai Draft Constitution burnt?” I am only asking why. That Commission went out and undertook consultation. I remember attending, I think, two of the consultation processes. If you ask me about that Constitution, yes, I feel part of it because I was part of it right from the beginning. With this 2013 Constitution, I cannot relate to it because I was never part of its birth that we hear in this House.

Again, Madam Speaker, with the burning of Professor Ghai's Draft Constitution, I ask, who is accountable for the taxpayers money that had been used in that expensive exercise? Who is accountable, Madam Speaker? And if we can undertake consultation in that first phase with Professor Yash Ghai's Commission, why we could not do it for the 2013 Constitution? If we can do consultation like the Strategic Development Plan that has been undertaken right now, why not for the 2013 Constitution? Why are we stopping short there? Why are we not doing it? Those are the questions that we are asking. What is there to hide, or what is there not to share and yet now, it is going to be a holiday. Why are we making it a holiday, to raise public awareness because we do not feel part of it?

Madam Speaker, we feel we have been cheated of this process.

HON. OPPOSITION MEMBERS.- Yes.

HON. S.V. RADRODRO.- And here we are brought in to come and debate and vote for this public holiday which is like a culmination of this process which we have never been part of. It is a holiday or it is a process or it is an activity that has been brought in so we are made to be part of something, that we were never part of.

HON. RATU. I.D. TIKOCA.- That is dictatorial.

HON. S.V. RADRODRO.- Thank you honourable Tikoca, I was just going to say that. Is that Parliamentary democracy? There is only a few that says, only one voice I heard, that says no, it is not. That is why we are all keeping quite. Secrecy, is the worst enemy of democracy. So, why was that 2013 Constitution not taken to the people and why do we want to make it - be the People's Constitution now?

Madam Speaker, along those lines, I stand not to support the Constitution Public Holiday. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. I now invite the honourable Minister for Health to have the floor.

HON. J. USAMATE.- Madam Speaker, I must say that I am quite appalled by the tenor of the discussion that have taken place today. Quite appalled, for in the very first instance, all of us in this House have sworn by this Constitution. In the same breath, then you go and degrade the Constitution. There is a matter of integrity here. So, all of us that are Members of this House, if we swear by this Constitution, we should live by it, we should uphold the Constitution.

The other thing that is very important, there are two things that I like about this Bill. One, it talks about the need for sports. All of us in this House need to be fit, so we can have a healthy life. But the second thing, if there is one thing that will drive Fiji forward that will keep Fiji as a strong country, it is the principles that are embodied in this Constitution.

(Chorus of Interjections)

Madam Speaker with your intelligence, let me just read from the Preamble, in case people have forgotten what is in the Preamble of this Constitution. It says and I quote:

“WE, THE PEOPLE OF FIJI

RECOGNISING the indigenous people or the *iTaukei*, (that is me), their ownership of *iTaukei* lands, their unique culture, customs, traditions and language;”

It talks about all the ethnic groups in Fiji. All our rights are recognised here. There is no protection that we find in this Constitution are unlike any other.

(Inaudible interjections)

I am talking to you because I am *iTaukei* too. I have heard comments from that side, that says people on this side are not *iTaukei*. We are *iTaukei*. Your perception of *iTaukei* is not necessarily mine, that does not make your perception right or my perception right.

(Laughter)

If there is one thing that will hold this country together in the future, it is the principles that are in this Constitution. That is why we need a holiday for the Constitution, so we can see ourselves as one country. We respect all of our differences, we agree, we respect all of ourselves but at the same time, we see ourselves as one. That is why, Madam Speaker, we must have this holiday for the Constitution, so we can talk about it to our children, so they can understand that this the way forward. We do not want hatred, we do not want separation. Those are the things that will lead to the doom of this country. Thank you, Madam Speaker.

MADAM SPEAKER.- I now give the floor to the honourable Tupou Draunidalo.

HON.ROKO. T.T.S. DRAUNIDALO.- Madam Speaker, a lot of us on this side also do not support hatred and racial vilification. In fact, it is the generosity of our former leaders, including I did not want to mention his name for obvious reasons but the late Ratu Sir Lala Sukuna, including him and the other architects of the separate Fijian administration, which we have heard many times yesterday, how their generosity provided native land for the development of Fiji as a whole. I do not see how that can be an act of hatred or racial vilification. So, when the honourable Members from the other side are pointing fingers and saying that Members on this side support certain ideology and political philosophy that we are full of hatred or racial vilification, they must think of what has gone before and what that has contributed to this country. That is the 90 per cent of native land that has enabled development. We are not holding that over anybody to say because of that you must give us every say, of course not, Madam Speaker.

All the other communities that contributed as well, and we celebrate them and they were celebrated in previous Constitutions like 1970 and 1997. Constitutions in which I personally supported and I know my party had a big hand in both. And the 1990 Constitution, my party also rebuked it as a racist document and we stand by that today.

Madam Speaker, if we can rebuke such a document for being racist and disgraceful, why can we not say the same thing about another document that accords a culture which we do not agree with and that Madam Speaker is the *coup* culture.

(Chorus of Interjections)

Section 131, Madam Speaker, I will get to the part which I am sure the government will agree with later. But this is why I will not agree to celebrate a day that upholds Section 131 that gives the Military on the face of it, a bigger power than this House which contains the elected Prime Minister. I believe the elected Prime Minister should have much more of a say and sit on top of that Military which is beneath this House. I have said it so many times. I do not know how else we can say that we ...

(Inaudible interjections)

...why are they there, scared of their shadow, are they; Madam Speaker,

HON. GOVERNMENT MEMBER.- Your father was in the Military.

HON.ROKO. T.T.S. DRAUNIDALO.- Yes, and he was diametrically opposed to the politics of my mother in the house that I was raised. That institution overthrew the government of my step father in 1987, and in 2000 when my mother was Deputy Prime Minister. Things that I do not like to talk about, just to put into perspective when people throw my father's name in my face. A man who I loved deeply, who is no longer with us, but on politics we disagreed completely.

Madam Speaker, he represented that institution, which is here in Section 131.

Madam Speaker, I do not see why we should be, it almost like we have done this. Now, we will celebrate a day we can poke them in the eyes some more. I take a conservative view of the legality of this document. I know a lot who are on the liberal side of politics say it was imposed, it is not lawful. The 1997 Constitution remains as per the Court Of Appeal decision of 2009.

Madam Speaker, I take the conservative view of the law and it is ongoing and that is the law of the revolution, there are two parts. One is, a revolution is successful if two things happen very generally. One, those who have taken power are in control of all state facilities which happened very quickly, as it has in previous coups. The second, when the 50 per cent plus one, the majority of the country endorses the revolutionizing forces.

Madam Speaker, in the case law, it is being discussed that having general election is one of the evidences of endorsing revolutionizing force. So, Madam Speaker, in saying all that and through that conservative view of the law, this is the law, Madam Speaker but all I am saying is like 1990, the other side should be willing to listen to when we make suggestions for amendments for the betterment of Fiji, so that we do not endorse certain sections in here and my learned colleagues have spoken about it, Amnesty - Section 131.

These things, Madam Speaker, that we can dialogue on. I say these things because the other side keeps saying, "yes, we all swore to uphold this and somehow you are all being seditious by saying the things that you do" – we are not. As I say, I take a conservative view of the law and if this Bill passes, it will be a day of celebration for some, but I will like to rub it in to a lot of my fellow Fijians, "no do not be upset, you endorsed it because you endorsed the revolutionizing force." And that is what I told them when Yash Ghai came to carry out his Constitution Commission, not a very favourable point of view amongst my own colleagues at the bar because quite a few prominent ones did support Yash Ghai in what he was doing, and I said, "you go and do that and you will show the revolutionizing force that you are endorsing them." We did take steps to endorse and now we have come here, the honourable Prime Minister is here, but please, Madam Speaker, do not make us celebrate a day that will give the military another excuse to come and throw this House out. Thank you Madam Speaker.

MADAM SPEAKER.- I give the floor to the honourable Leader of Government in Parliament.

SUSPENSION OF STANDING ORDERS

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- Madam Speaker, I move:

That so much of Standing Orders 23(1) is suspended and so as to allow the House to complete the debates on the Government motions before the House.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

**RESUMPTION OF DEBATE ON THE
EMPLOYMENT RELATIONS (AMENDMENT) (NO. 2) BILL, 2015**

MADAM SPEAKER.- We have very little time left, so I am asking honourable Members who will be speaking on this Bill to be succinct.

I will now give the floor to just two more who are already on my list before the Right of Reply.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, different paradigms, we are defined by our paradigms, I choose to celebrate on the day, I am a proud *itaukei*, I am a proud Fijian.

(Applause)

We cannot be selective when we are talking about democracy. Democracy with certain characteristics have no nationalism, do you want a full democracy? This is about full democracy, Madam Speaker. The honourable Gavoka this morning tabled a petition on behalf of the people of Tavua, the landowners in Vatukoula yet he was quoting from this very Constitution – Section 27(2). I see my future as an *iTaukei* in this Constitution and that is why I choose to celebrate.

MADAM SPEAKER.- Lastly, I now invite the honourable Alvick Maharaj to have the floor.

HON. A.A. MAHARAJ.- Thank you, Madam Speaker, it seems like the other side of the House does not understand the importance of Constitution Day because they basically do not understand the Constitution itself.

It is very important to understand the Constitution first before you get to know the importance of the Constitution Day. This Constitution brings in true democracy, multiculturalism, it unites everyone and it recognises everyone as a Fijian. It is interesting to see honourable Members on my right talking about *iTaukei* indigenous Fijians (Indians) but when colleagues from my side speak, they say “Fijians”. We recognise everyone as a Fijian because this Constitution recognises everyone as a Fijian. It is for this reason, Madam Speaker, that we allow a day whereby each and every Fijian can celebrate this day, a day in which this Constitution came into place.

Our children will learn and be well versed with the Constitution and not fall prey to some unethical politicians who interpret the Constitution for their political gain. All Fijians can learn and interpret correctly and tell these politicians that they are wrong, “please go and read the full extract of the Constitution rather than reading a sentence and interpreting it in different way around.

Madam Speaker, I fully support this Bill.

MADAM SPEAKER.- I now give the floor to the Attorney-General to read his right of reply

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker, the debate of this particular Bill has taken a very different direction and the entire focus has been on the Constitution Day. Madam Speaker, a number of issues have been raised from the other side, as you have rightly pointed out, a lot of repetitions, but allow me to highlight some of the key important points as to why we are saying that

Constitution Day needs to be in place, but of course there is a lot of misinformation about it. It is very interesting with the honourable Biman Prasad talking about how he rejected the 1990 Constitution, and I think he mistakenly said that the 1997 Constitution was imposed also.

HON. DR. B.C. PRASAD.- I said the Constitution

HON. A. SAYED-KHAIYUM.- We will check the Hansard.

Madam Speaker, when he said that the 1990 Constitution was imposed, majority of the SODELPA people went very harshly quiet and only then when he mentioned about this Constitution being opposed and they also broke out into applause, because the reality is, Madam Speaker, most of them actually supported the 1990 Constitution, notwithstanding the fact that it had so many problems with it.

The honourable Kiliraki talked about the amnesty provision and saying that it actually advocates *coups*. He obviously has not read the Constitution. Madam Speaker, even the 1990 Constitution, even the 1997 Constitution had amnesty provisions for those who perpetrated the actions of 14th May, 1987. Those amnesty provisions continued through those Constitutions, those amnesty provisions continues through this Constitution and those amnesty provisions have been applied to the events of 5 December, 2006. But they accept 1987, they do not accept 5th December; double standards. Section 2 of the Constitution, Madam Speaker, says that no one can form a government other than in accordance with this Constitution. So how can honourable Kiliraki say that this Constitution now advocates for *coups*, he needs to read Section 2 of the Constitution.

The Constitution is the supreme law of the land of this country, Madam Speaker, we had at least 19 different consultations throughout Fiji. We had public submissions, public consultations from all the major centres, even in the islands of Yasawa, Taveuni and Kadavu. Consultations were held and over a thousand submissions were received. They failed to mention that but they also failed to distinguish that the 1990 Constitution never had such consultations. In fact, the provisions in the 1990 Constitution had the ability to override some of the Bill of Rights provisions in such a draconian manner, that is not present in this Constitution. They do not mention any of that because it suited them at that time. Their politics is very different.

Just because you have some overzealous official who may be imposing some fishing licence rules that should not be imposed, does not mean it is the fault of the Constitution. There are public servants who do wrong things all the time, it does not mean it is the fault of the Constitution, there is redress. They talk about the previous Constitutions, how the 1997 Constitution had the entrenched provisions notwithstanding those entrenched provisions, *itaukei* land was converted in Denarau, notwithstanding the entrenched provisions, *itaukei* land was converted in Momi; now they going “exchange”.

This Constitution does not allow exchange my friend, it does not allow for exchange. This is why we are saying that this Constitution protects *itaukei* land in eternity, not because some Minister decides, “let’s do a swap.” Notwithstanding the entrenched provision, Madam Speaker. That is what they are going on about. They do not know the facts. There is no provision, as I stated earlier yesterday, Madam Speaker, there is no provision in any Constitution that states that the landowners must get fair and equitable return. We have honourable Biman Prasad doing a Confucius thing about fair is not equitable, equitable is not fair. He needs to read the law about what is fair and equitable.

Madam Speaker, the reality is, they talk about de-constructing history. Honourable Biman Prasad maybe he talked about Ratu Sukuna Day, maybe he is currying favour to maintain his position as Chairman of Public Accounts Committee. But he did not, Madam Speaker, he talked about the historical events in this country....

(Chorus of interjections)

MADAM SPEAKER.- Point of order.

HON. DR. B.C. PRASAD.- Point of order, Madam Speaker. The honourable and learned Attorney General has a habit, a bad habit of casting aspersions. Yesterday he talked about calibre, today he talks about this. Madam Speaker, this kind of language and this kind of expression should not be allowed in this House.

MADAM SPEAKER.- What is your point of order?

HON. DR. B.C. PRASAD.- That is a point of order. That you are casting aspersions on my character. Do not do that.

MADAM SPEAKER.- I am sorry, I am not able to make a ruling on that because there has been a lot of casting or personalised issues that have evolved in the debates and we have allowed it, but please be more moderate in this. I will now ask the Attorney General to continue.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker, I said maybe, I did not say he did, I said maybe. He needs to listen, he needs to learn the English language, Madam Speaker.

Madam Speaker, he talked about de-constructing history and people who were important. He did not mention Girmit Day, 14th May, 1879, he did not mention maybe A.D. Patel Day, but he did not mention Pandit Vishnu Deo Day. How come he is only having selective de-construction of history? That is what I want to ask, Madam Speaker.

The reality is, Madam Speaker, that they are making a mountain out of a molehill. The reality is, Madam Speaker, they cannot accept the fact that this document actually addresses many issues that had been languishing in our political and constitutional history for a long period of time. The reality is, Madam Speaker, that this sets the foundation for all those issues that had been languishing and we can now move forward as a nation focussed on the developments of Fiji, not fighting over petty things that have been given a racial issue, an ethnic issue and religious issue. Everything is done along those lines. This Constitution gets rid of that. The young people of this Fiji, who predominately voted for FijiFirst are sick and tired of that. They are sick and tired of this kind of politics. They want development, telecommunications, they want water, jobs and electricity. That is what they want, Madam Speaker, and that is what this Government is focussed on.

Madam Speaker, every time we have this kind of discussions we are threatened, as honourable Usamate had pointed out – instability, that we are attacking someone's culture. Madam Speaker, we are not. The facts speak for themselves, every time we are given this instability threat and we have motions from the other side, as we see in the Order Paper, talking about why don't we go into this business, retirement villages, et cetera. Areh, how can you have it when you do not have any type of stability?

(Laughter)

HON. A. SAYED-KHAIYUM.: How can you have any of that business investment if you do not have stability?

(Applause)

HON. A. SAYED-KHAIYUM.: What is the point? How can you have that? You know you do not fling it over the air and say, “today we are going to have a new business”, but then the last few days you thought about threats and instability. You cannot pull it out of the air.

Madam Speaker, there was this issue, the honourable Ratu Tikoca is not here, he yelled out to me that he will see me outside later on. He talked about the sunset clause, Madam Speaker, he obviously has not read the thesis. He is absolutely incorrect, it is a misinterpretation. So, Madam Speaker, the reality is this, the Constitution is the supreme law of the land. Honourable Radrodro said, “What awareness”, there are many provisions within this Constitution, Madam Speaker, that honourable Gavoka referred to, to present his petition. There are many provisions about fair equitable distribution, there are many issues regarding socio economic rights which many people are unaware off. There are provisions regarding disabled persons, there are provisions regarding the rights of a child. When we have the Constitution Day, we can talk about this issues, as to how these rights are protected. We have essay writing competitions about these things. The children can get to know about it.

This is the reason why, Madam Speaker, we have the Constitution Day. Yes, it was right. The honourable Biman Prasad mentioned that we had a Constitution Day following the 1990 Constitution. The SDL Government got rid of it because they probably did not like the 1997 Constitution, but the reality is, it was there for 10 years. We must take a different approach to it, Madam Speaker. We cannot be antagonistic about everything. We must put our country first, Madam Speaker, and that is how all countries that are successful today, have been successful. Therefore, Madam Speaker, I urge that we vote in the affirmative for this Bill. Thank you.

Question put.

Votes Cast:

Ayes	-	30
Noes	-	14
Not voted	-	6

Motion agreed to.

Bill reported without amendments, read a third time and passed. (Act No of 2015)

SUSPENSION OF STANDING ORDERS

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- Madam Speaker, I beg to move:

That so much of Standing Order 46 is suspended so as to allow the Attorney General and Minister for Finance, Public Enterprises, Public Service and Communications to move his motion pursuant to Standing Order 131 and Section 145 of the Constitution.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

GOVERNMENT GUARANTEE – PACIFIC FISHING COMPANY LIMITED (PAFCO)

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Order 131 and for the purpose of Section 145(1) of the Constitution of the Republic of Fiji, I move that:

Parliament approve a new Government Guarantee with a ceiling of \$11,320,241 in favour of the Australian and New Zealand Banking Group Limited to enable PAFCO to access financing from ANZ.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Government Guarantee with a ceiling of \$11,320,241 in favour of ANZ Group is sought from this honourable House to allow PAFCO to enable access financing from ANZ.

By way of background, Madam Speaker, PAFCO is a 99.58 per cent Government owned company which operates a Tuna Loin Processing and Canning Factory in Levuka, Ovalau and a trading office in Laucala Beach, Suva.

In May 2014, Madam Speaker, Kramer Ausenco, consulting engineers undertook an assessment of PAFCO (Pacific Fishing Company Limited). This assessment was jointly commissioned by PAFCO and Bumble Bee Seafoods LLC of the United States of America. Bumble Bee is PAFCO's strategic partner and is one of the leading seafood suppliers in the world. The findings of the assessment ascertained, an estimated sum of \$15,327,988 of refurbishment works is critical for PAFCO to upgrade its facilities.

The current Government guarantee, Madam Speaker, - PAFCO has an existing \$4.1 million guarantee cover in favour of Westpac Banking Corporation Limited which was granted in April, 2014. On PAFCO's request for an additional loan facility for its capital upgrade works, Westpac has advised that they will not be able to offer this new facility but ANZ has stepped in, and indeed increased the funding available.

In order to fund the capital improvements recommended in the Report, PAFCO is negotiating with ANZ to refinance its Westpac facility and obtain financing from ANZ in the amount of \$11,320,241. This includes FJD\$6 million to pay for the capital improvements recommended in the Assessment Report. The residual value of \$5.32 million is intended to cover for the ANZ overdraft facility. In addition, Bumble bee has given an undertaking to provide an interest-free loan of US\$5 million to PAFCO for the remainder of the amount required to upgrade PAFCO facilities.

Madam Speaker, you would also have noted that in the 2015 Budget, Government also facilitated a \$9 million loan to PAFCO to put in place new cold storage facilities because the cold storage facilities at PAFCO had deteriorated to such an extent.

Madam Speaker, PAFCO is the primary driver of economic activity in Ovalau and indeed supports the livelihoods of many Fijians, indeed about a thousand Fijians who directly work at the facility and indeed within the Lomaiviti Province. PAFCO has an annual turnover in excess of \$25 million with direct employment, as I mentioned, over a thousand jobs. This translates to more than \$100,000 on a weekly basis in the form of wages and transport costs.

PAFCO is the largest tuna processing plant in Fiji with a capacity to process 120 metric tonnes of raw tuna per day. Most of the tuna landed in Fiji is processed at the PAFCO plant. Many fishing entities and boat owners are relied upon the operation of the factory for their businesses. The majority of the business community in Levuka depends on salaries and wages paid by PAFCO to its workers who then spend in those businesses in Ovalau.

PAFCO has to operate under some very stringent OHS and Food Safety Regulations and it is audited by approximately 12 overseas and local agencies on an annual basis because, Madam Speaker, as you will know that the loins are in fact exported to the US market under very stringent FDA compliance issues. If the upgrade works are not carried out, PAFCO is in danger of not passing one of the audits which could result in the closure of the facility. Madam Speaker, this had also happened back in 2011 when we were able to rescue the situation, but it now needs a long-term and projected investment to be able to ensure that this does not happen for a long period of time. By refinancing with the ANZ, PAFCO is transferring its current borrowings with Westpac to ANZ. Preliminary analysis shows that ANZ has offered an interest rate of 4.5 per cent which translates into a substantial interest rate savings of 1.5 per cent for PAFCO.

The new Government guarantee acts as a surety for PAFCO, Madam Speaker, and is intended for the proposed facilities with the ANZ, with the total sum, as I had mentioned. Of the amount brought from ANZ, FJ\$6 million will be channelled towards the required capital refurbishments with the balance of \$5.32 million, this is to fund working capital operations.

PAFCO's Financial Performance from 2011 to 2013, showed that the company recorded a net profit of \$1.4 million in 2013 compared to a net loss of \$4.3 million in 2011. More importantly, PAFCO's liquidity, profitability and leverage ratios had showed marked improvements in 2013. This is reaffirmed by a return on equity of 8 per cent as opposed to a negative 26 per cent in 2011. Moreover, PAFCO's profitability levels significantly improved over the three year period as the NPAT margin Return On Investments and ROE were all positive in 2013, a direct result of the profit achieved for the same financial period.

In terms of the liquidity requirements, Madam Speaker, the overdraft facility will assist with the overall working capital, the support of PAFCO, this in turn will assist to cushion the cash flow gaps caused by the seasonality of PAFCO's revenue flows, as you know, subject to the supply of fish which has been a challenge in the past.

What is the impact of PAFCO loan facility and Government guarantee exposure? Madam Speaker, as at 31st March, 2015, total government guaranteed debt stood at \$758.2 million, against a total guarantee ceiling of \$988.6 million, this is equivalent to 8.7 per cent GDP. In other words, Madam Speaker, we have given a guarantee of \$988.6 million but at the moment, \$758.2 million of that was utilised.

As of 31st March, 2015, \$2.68 million is recognised as PAFCO's existing guarantee debt in relation to PAFCO's facilities with Westpac. As part of the refinancing, the Government guarantee in favour of Westpac will be released. So we have to release the guarantee from Westpac and move it across with the increased guarantee to ANZ. The approval of the proposed \$11,320,241 guarantee in favour of ANZ for the benefit of PAFCO will result in an additional exposure of \$8.6 million, as far as PAFCO is concerned. This will slightly increase the Government's guarantee exposure to 8.8 per cent of GDP.

Madam Speaker, the bulk of the Government guarantees that we have at the moment which is the \$758.2 million, essentially rests with FEA where Government guarantees, this goes back to the 1990's period and some even beyond that, of \$337.6 million. The next highest of Government guarantee for debts is FSC of \$157.5 million. The next highest, Madam Speaker, is FDB of \$144.7 million. The fourth

one, Madam Speaker, is Housing Authority of \$78.6 million. All these, Madam Speaker, combined, bring about \$600-700 million of the total \$758 million exposure that we have.

The current policy, Madam Speaker, states that the Government will only provide guarantee in exceptional cases and with a guarantee fee. With due regard on the economic importance of PAFCO and the huge backlog in its capital upgrade, it is imperative that Government provides the guarantee. However, PAFCO will have to pay a guarantee fee of 0.75 per cent annually based on a drawn down credit, so whatever drawn down credit that is guaranteed they have to pay an annual fee of 0.75 per cent.

Madam. Speaker, as part of the Government guarantee covenants, PAFCO will be required to provide quarterly service report on its capital upgrade works and the financial performance of the company. This guarantee, Madam Speaker, was approved by Cabinet on the 24th August.

Madam Speaker, also as a matter of interest for the Members of Parliament, the total Government debt as of 2014 was \$4.0832 billion and as a percentage of GDP, it is 50.8 per cent that was of last year. We expect the total debt as percentage of GDP this year to decrease to below 50 per cent, somewhere around about 49 per cent as we have stated previously.

Madam Speaker, I urge that this House approve this guarantee. It will help facilitate the continuation of PAFCO as a leading exporter, it will ensure that over a thousand people will continue to be employed in the Lomaiviti Group, in fact it is the only major business contributor to that part of Fiji, and we obviously want it to continue. Government has already, as we said, provided \$9 million loan to PAFCO to have a new and cold storage facilities. We hope too at the moment, we are having some discussions with PAFCO as to how we can get more tuna loins to come into the factory, and I recommend this, Madam Speaker, for the approval of Parliament.

HON. DR. B.C. PRASAD.- Thank you, Madam Speaker, I am very pleased that the learned Attorney-General and the honourable Minister of Finance, from the last guarantee that he sought from Parliament, this time around he has provided very good additional information with respect to the total current exposure of Government guarantee. He has given figures on the debt level for last year and projected for 2015.

I agree with him, Madam Speaker that PAFCO is a very important public enterprise. I can tell you that in my other capacity, I used to have very good discussions with the Chairman of PAFCO and I think we have in him a very good Chairman who is determined to reform the enterprise, make it work and I think the capital expenditure that is required, to me, Madam Speaker, makes a lot of sense because Bumble Bee is the conduit through which a lot of the export takes place. Obviously Madam Speaker, we have got a niche market for our tuna. I think it is good for the tuna industry that we support this capital expenditure to address the aging infrastructure and other aspects of the factory itself.

Madam Speaker, we believe that the fishing industry, apart from what PAFCO does, apart from the export of tuna, there is a lot of potential for coastal fisheries as well. The Ministry of Fisheries, I know, has talked about their own plans and maybe we should look at this in totality when we are looking at our national plans.

So with those, Madam Speaker, I do support this guarantee by Parliament, I think the investment in my view is for a good purpose.

MADAM SPEAKER.- Thank you, I give the floor to the honourable Ratu Kiniviliame Kiliraki.

HON. RATU. K. KILIRAKI.- Thank you, Madam Speaker. Firstly, I would like to say that this side of the House fully supports the motion because it impacts on the socio economic livelihood of Ovalau

and Lomaiviti. PAFCO goes back to the 1960s and 1970s when the Japanese were mostly involved with the fishing in the Pacific Ocean. Now, Japan has phased out from fishing because the younger generation are not able to be enticed to go fishing as they live their islands for five to six months fishing in the ocean and their port was Levuka. At that time PAFCO had a joint venture with a Japanese fishing company, accessible to canning top priority tuna to John West in Europe.

So it has evolved from the 1960s and 1970s and you would remember that PAFCO was the central factory for IKA Corporation. That was a Government initiative in the 1970s and 1980s. Then the fishing industry evolved locally into long lining for the niche markets in Japan, Europe and America. So it has really developed the fishing industry in Fiji, as an economic contributor to the country as a whole. At that time only the Koreans and Asians were plying our waters and taking advantage of our resources and we are very grateful at this moment to the International EEZ for fishing in the country and being able to take ownership of our resources as we are currently enjoying at the moment.

PAFCO currently is a market for albacore tuna that is not exported to Japan for *sashimi* or even Europe for yellow fin tuna and big eye tuna. So albacore is processed in Levuka as tuna loins and is exported to America with Bumble Bee, as we understand.

Madam Speaker, PAFCO has had these facilities from the Japanese and is old. As we know that America is very strict on the food to reach their market as it has to be according to FTA qualification and as rightly said about the European market, there were audits all over Fiji for fishing companies, and they were not able to export to Europe through these stringent measures in place for the quality of Tuna to be access the European, American and Japanese market

So for PAFCO to be able to competitive, I support the motion and also for the upgrade of the facilities to international standard. The socio economic benefit for the local fishing industry in Levuka where it provides ice for the fishermen that ply the reefs in the Lomaiviti locality. With that enlightenment Madam Speaker, I support the motion on behalf of this side of the House.

MADAM SPEAKER.- Thank you, I now give the floor to the honourable Leader of the Opposition.

HON. RO T.V. KEPÄ.- Madam Speaker, I also support the guarantee before the House, I believe that it is a very good loan that we should support. PAFCO being the main employer in Ovalau and Lomaiviti, many, many people rely on PAFCO for employment in terms of educating their children and feeding their families. I remember back in those days when the late Ratu Mara, Madam Speaker, had just come back from London and was tasked by the Colonial Government at that time in the 1960s to be the negotiator with the Japanese company as Commissioner Eastern.

The tuna that is sold locally is very tasty, Madam Speaker, and it is even tastier overseas as had been alluded to by the speaker from our side, where it is being sold by John West Sainsbury's in London. It is something that we support on this side of the House and we also support if Government is able to expand the facilities there. It is getting to be very old and worn out and we just hope that in the near future the expansion can be brought about with PAFCO so that more people are able to be employed in Ovalau and Lomaiviti.

MADAM SPEAKER.- Thank you, I now give the floor to the honourable Tupou Draunidalo.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker, I will support the Bill, I just wanted to ask the honourable and learned Attorney-General for clarification. Whether any other bank in the market was bypassed in arriving at dealing with ANZ in this matter and whether this was the best deal for the Government in those terms. I ask this question because I did raise the issue at the time of the appointment because the CEO of this bank is also chair of PSC.

MADAM SPEAKER.- Thank you, I now give the floor to the honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. I rise in support of the motion like my colleagues.

Madam Speaker, I think it is also an opportune time to raise a few points about the finances of the country. This morning we were briefed by the honourable Minister Agriculture, Rural and Maritime Development and National Disaster Management about the *El Nino* and the drought that is likely to happen. We need to make sure we have enough funds, Madam Speaker, we still do not know what the effect will be on the economy of the country, in terms of revenue collection by Governments.

Madam Speaker, also over the last week or so there had been reverberations within the stock-market all over the world. China has been shaken very badly and it will have ramifications around the world; Australia and New Zealand. So it is a good time to be very careful about our finances. I know the guarantee is not a debt but it is a contingency, it behoves us, Madam Speaker to be careful at this time, given what we face today, that is, the looming droughts which will definitely cause I think some of the budget that the honourable Minister was indicating today is understated, I think it will cost a lot more. Just the uncertainty surrounding the world today, we need to be careful, that we do not over extend ourselves and find ourselves in a situation where we are insolvent in terms of our trading, especially to survive over the short term this year and next year until we understand what is actually happening.

I have asked my Chairman of the Economic Affairs Committee to ask the Reserve Bank if they could come and brief the Committee on what is happening in the stock-market all over the world. Just today, from opening time to lunch, the Chinese stock-market had dropped by another 6 per cent and it has been dropping like that over the last 10 days or so, and there is still five hours left of trading today. Madam Speaker, whatever happens in China affects the whole world. So that has to be a phenomena, we need to understand and move cautiously in terms of managing our finances. Thank you Madam Speaker.

MADAM SPEAKER.- Thank you, I will now give the floor to the honourable Attorney-General for his Right of Reply and to also make clarification as was requested.

HON. A. SAYED-KHAIYUM.- Madam Speaker, just very quickly the impact of the Chinese stock-market downturn, it was interesting at the CPA Conference, there was the Westpac Economist who was one of the leading economists at Westpac. He has been in the country for about four days, in fact at the CPA Conference his analysis was, the Chinese economy is very interesting, unlike, for example the US market and even the European market, where most of the wealth are invested in the stock-market. The Chinese actually invest in real estate. So substantial investments are held in real estate and substantial savings of the Chinese are actually held in savings because they do not have any social welfare et cetera, so they save a lot of money. A substantial portion of their income is saved and/or they buy a lot of properties. So, his analysis was that the impact of the downturn in the Chinese stock-market will not have such an impact as it would, say for example, the same level of downturn that took place in a US market, European market or NASDAQ and what have you. That was his analysis, Madam Speaker.

We do, of course know the real impact of it and obviously he knows better about the Chinese markets, Westpac obviously has traded with the Chinese.

Madam Speaker, also the other point to note about the most substantial downturn in world economy is the Global Financial Crisis (GFC) which Fiji actually went through in 2008 and 2009, but we survived. In fact, the economy has been growing, it was low initially, but now we have been in for the past three years, exceeding four per cent. The projected growth rate is, of course again four per cent. We believe the manner in which the economy is growing, it could even hit five per cent.

Of course, if we have a lot of talk of instability, or people trying to say that, that could have an impact. This is why it is very critical, Madam Speaker, that when you talk about the economy, when you talk about exposure, when you talk about investment, we need to be able to ensure that the investors, the businesses feel confident in the country. Madam Speaker, confidence comes through stability in the country, socio political stability, the economic stability, stability and consistency in Government policies. That is what all investors look for, Madam Speaker, and we believe that there is a right recipe on the ground and indeed, that is now translating into a lot of investments in Fiji.

As you know, Madam Speaker, the tourism growth rate, of course have surpassed that of the previous years, going back to the 2011 figures, we are in excess of about 10 per cent compared to the same period last year, but we are not resting on our laurels.

As the honourable Minister for Tourism would tell you, Madam Speaker, we need to open up a new markets. Yes, there is a reality that our huge dependence on the Australian and New Zealand markets of about 67 per cent is not a very good mix and that is what we are trying to change, that is why we are looking at the new markets.

So, Madam Speaker, the other issue that was raised of course, we like to thank all the speakers who are actually endorsing this particular guarantee, everyone knows it is good for Lomaiviti. The honourable Kiliraki gave a good historical background and so did the honourable Leader of Opposition about it and therefore it is more critical that we actually preserve it, as I had mentioned, we have got a cold storage facilities, Government has now lend \$9 million for new cold storage facilities which will further enhance the dilapidated state of the current facilities.

There is an issue raised about, insinuating that because the CEO of ANZ is also the chair of the Public Service Commission, therefore, PAFCO did not look anywhere else. We have a very capable Chairman as the honourable Prasad has just told us, and I can tell you, the Chairman of PAFCO who also been on the USP Council is going to leave no stones unturned to get the best rate for PAFCO and indeed for the Government.

Madam Speaker, I think to draw those kind of conclusions is a bit premature and perhaps a lack of understanding of the Government's issues that the Board actually adheres to.

Madam Speaker, all in all, I would like to thank all those who spoke in support of this guarantee. It will be good for PAFCO itself as an organisation and good for the economy of Ovalau and Lomaiviti, and of course, it will help position Fiji to indeed expand the operations in PAFCO and hopefully, even create more of a hub for Fiji to do more fish processing. Thank you, Madam Speaker, and I support this motion.

MADAM SPEAKER.- Thank you, given that the Opposition (both NFP and SODELPA) have spoken in support of the motion, I take it that there is no opposition to the motion and I thank you very much. The motion is therefore agreed to unanimously.

On the issue of suspending the Standing Orders to extend our time to enable Government to complete its Motions and Bills, it only applies to Government Bills and Motions. Therefore, as agreed to in principle by the Business Committee, the motions from the Opposition will spill over into tomorrow's Order Paper.

I thank you all very much for the debate today and for your presence. I wish you all a very good and restful evening in preparation for tomorrow's sitting.

The Parliament is now adjourned until 9.30 tomorrow morning.

The Parliament adjourned at 5.18 p.m.