

FRIDAY, 10TH JULY, 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 Minister for Foreign Affairs; the Honourable Minister for Youth and Sports; the Honourable Assistant Minister for Youth and Sports; the Honourable Minister for Women, Children and Poverty Alleviation and the Honourable Ruveni N. Nadalo.

MINUTES

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

That the Minutes of the sitting of Parliament held on Thursday, 9th July, 2015 as previously circulated, be taken as read and be confirmed.

HON. S. PATEL.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE CHAIR

Acknowledgment of Visitors

MADAM SPEAKER.- I warmly welcome all of you joining us in the public gallery and those watching proceedings on television, internet and listening on the radio. Thank you for taking interest in your Parliament.

Special Committee on Emoluments

For the information of honourable Members of the Special Committee on Emoluments, please note that as resolved in your Tuesday meeting, you will be meeting again this afternoon.

Meeting – Chairpersons of all Standing Committees and Special Committee

Honourable Members, I am also calling a meeting for the Chairpersons of all the Standing Committees as well as the Chairperson of the new Special Committee on Emoluments, to discuss the scheduling of Committee meetings. This meeting will be held in the Big Committee Room at 3.00 p.m. It is vital for the Chairpersons to attend so that we can confirm the timetable for Committee meetings to maximise efficiency.

DEFERMENT – TABLING OF STANDING COMMITTEE REPORT

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

That Parliament allows the Standing Committee on Justice, Law and Human Rights to table its report on the National Flag Protection Bill 2015 (Bill No. 4 of 2015) and the Coat of Arms Bill 2015 (Bill No. 5 of 2015) in the August Sitting.

HON. S. PATEL.- Madam Speaker, I beg to second the motion.

HON. A. SUDHAKAR.- Madam Speaker, the Parliament will recall that in the last sitting of this august House in May 2015, three important pieces of legislation or Bills were referred to my Committee, which is the Standing Committee on Justice, Law and Human Rights and these were the National Flag Protection Bill, 2015; the Coat of Arms Bill, 2015 and the amendment Bill on the Employment Relations Promulgation, which is Bill No. 10 of 2015.

Madam Speaker, my Committee, which sat for four weeks between the last sitting and this sitting, had attempted to complete all the Reports and review all the Bills. In fact, my Committee had to call public submissions on the National Flag Protection Bill, the Coat of Arms Bill and also the Employment Relations Promulgation (Amendment) Bill.

During the course of the submissions, we realised that there wouldn't be ample time to complete the review of the three pieces of legislation and prepare a report. Due to the urgency of the matter that involved the Employment Relations Promulgation (Amendment) Bill, and due to the gravity of the matter, we put forward the Employment Relations (Amendment) Bill as a priority, we called submissions and further submissions on that Bill and prepared the Report, and presented to the Parliament earlier this week on Wednesday.

Due to the shortage of time and the scarcity of resources that we had, we have not been able to complete the reports of the two other Bills, which I have mentioned earlier, the National Flag Protection Bill and the Coat of Arms Bill, and that is the reason why we are requesting this honourable Parliament's indulgence that we be given further time, and to table the report in August.

Madam Speaker, we have in fact called on the submissions, we have heard the submissions and we are at the drafting stages of the report in respect of the two other Bills. I am confident that by the next sitting, which is in August, we will be able to complete the review of the two Bills, prepare a report and table in this Parliament.

With these words, Madam, I request support from all Members of this Parliament for the motion. Thank you.

MADAM SPEAKER.- Thank you, the Bill is open for comments or debate, if any.

HON. N. NAWAIKULA.- Madam Speaker, from our side, we support that, and that has come after our discussion, and I will be grateful if you can all agree that this is put forward to August.

MADAM SPEAKER.- Thank you very much.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I feel compelled to also speak, given that I had moved the motion in the first place for the Committee to report back to the July sitting of Parliament and we support the motion as being tabled by the Chair of the Committee that the Committee come back to Parliament in the August session of Parliament. Thank you.

MADAM SPEAKER.- Thank you. Since there is a general support for the motion, the motion is agreed to unanimously.

QUESTIONS AND REPLIESUrgent Oral Question

Rape Case – Police Update

HON. RATU I.D. TIKOCA asked the Government, upon notice:

Madam Speaker can the Honourable Minister for Defence, National Security and Immigration please inform the House what urgent actions it is taking, specifically the Police, to ensure the perpetrator(s) who raped a nine year old girl earlier this week are arrested? Thank you Madam.

HON. CAPT. T.L. NATUVA (Minister for Defence, National Security and Immigration).- Madam Speaker, I thank the Honourable Member for the urgent question.

First of all, I must express my disgust and contempt at the horrendous and inhumane act towards that little nine year old girl, whose life has been marked and traumatised unnecessarily. I would also like to express my deepest sympathy to her, and her family and wish them all a speedy recovery and justice.

A team of 30 police officers led by the Director CID, commenced initial investigation within the vicinity of the scene of the crime. Yesterday they were increased to 40 officers in our effort to quickly identify and apprehend the perpetrator. A special team comprising of Sexual Offence Unit, Crime Scene Investigators, and the Canine Dog Unit have been deployed to assist investigation in the case. The victim and her family have been traumatised by this event and the authority have requested members of the public and the media to respect their privacy. I am optimistic that the perpetrator will be apprehended very soon, Government wants this sort of behaviour stopped and will not condone it any more.

Our women and girls are supposed to leave in peace and move freely day and night without fear. Any further similar incidents, our women and girls will be dealt with severely. I would also like to mention here to this honourable House, for the people of Fiji to re-look at what we value. I hope that people are listening in, that community leaders and church leaders have to work on this and to try to intervene into the communities and tell them what is supposed to be the norms in Fiji. We come from Christian backgrounds, Muslim backgrounds, church backgrounds where we value the vulnerable.

The team is continuing investigation. Ten minutes ago, I asked the Police Commissioner for any updates, they have some people who are investigating but until and unless they confirm, then there will be a press release on the update of the events that happened on 7th July, 2015 in Nakasi. I thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. Supplementary question?

HON. N. NAWAIKULA.- The increase in sexual violence is a problem and we need to identify the reason. Pornography is available to our children through the telephone. Can the Minister please undertake that there will be a review of why this problem is increasing so that we can nip the problem in the bud?

HON. CAPT. T.L. NATUVA.- I thank the honourable Member but it does not come under my jurisdiction, I think there are...

HON. N. NAWAIKULA.- You do not know the reason.

HON. CAPT. T.L.NATUVA.- You are asking me three to four questions at a time, I cannot answer, I have to answer one by one. If you have any further question, can you please write to me?

HON. N. NAWAIKULA.- I will.

HON. CAPT. T.L. NATUVA.- Thank you.

HON. V.R .GAVOKA.- Madam Speaker, I thank the Honourable Minister for his reply. The second half of his reply is very timely. I think the community needs to take ownership of this problem.

Madam Speaker, I believe, the visibility of the police force will go a long way in arresting cases like this. What they did in America was just make the police presence more visible and the crime rate dropped. I just wonder, Madam Speaker, if this could be part of the budget going forward to increase the manpower in the Police Force and just have that visibility so that any criminal can look left or right and see the presence of the law in our midst. Can that be considered in the budget going forward, Madam Speaker?

HON. CAPT. T.L. NATUVA.- I thank the honourable Member for the questions, but we are trying to change the concept of operations in the Navy at the moment. It will depend on the supply of vehicles which had been promised to us, from staying in a community like a police post, we have to go out. In order to do that, we need vehicles and we are working on that.

MADAM SPEAKER.- Thank you, I give the last supplementary question to the honourable Semesa Karavaki.

HON. S.D. KARAVAKI.- Madam Speaker, we have a situation that is beyond what we can do in Parliament. The Police is doing its work, and I would like to ask, Madam Speaker, if you can please allow everybody in the House to spend a minute of silence where we can connect to the power above for the family. Indeed, I believe, Madam Speaker, will help with the situation. That is my question, Madam Speaker.

MADAM SPEAKER.- Thank you. Was that a point of order or supplementary question?

(Chorus of interjections)

HON. S.D.KARAVAKI.- Madam Speaker, it is a request - supplementary question.

MADAM SPEAKER.- Thank you. In consideration of time, we will give you 30 seconds to just be in silence and respond to the request at hand.

(Parliament observed 30 seconds of silence)

Honourable Members, I thank you for that time. I will now move on to the second oral question and I invite the honourable Dr. Brij Lal to ask his question.

Oral Questions

Department of Co-operatives Business
(Question No. 165/2015)

HON.DR. B. LAL asked the Government, upon notice:

Can the honourable Minister enlighten the House as to what are the initiatives taken by the Department of Co-operative Business to promote and assist agro based co-operatives? Thank you.

HON. F.S. KOYA (Minister for Industry, Trade and Tourism).- Madam Speaker, thank you for allowing me to take the floor to answer the question by Honourable Brij Lal. I thank the honourable Member for the question which is very much related to the core of Government's vision in terms of developing in Fiji.

Madam Speaker, the Department of Co-operatives is the agency that is responsible for the registration and monitoring of co-operative businesses in Fiji. The role also includes providing advisory services, training which includes establishment of co-operatives, skills training and management of accounts of the co-operatives.

The vision of the Fijian government, Madam Speaker, was to revitalize the co-operative sector, an emphasis was on the need to diversify the sector into resource based businesses which value add and strive towards exports. Madam Speaker, the sector also is in line with the modern approach the ministry is taking. Now, in order to achieve the growth of the agro business, Madam Speaker, the department actually works with the Ministry of Agriculture in registering groups that have been assisted with machineries by the Ministry of Agriculture. For example, the Vanua Levu Rice Farmers Co-operative, a co-operative consisting of rice farmers from Macuata and Bua provinces.

Furthermore, the Department has assisted consumer co-operatives to diversify into the agriculture sector, Madam Speaker, and some examples of those are the Naule Co-operative (Consumer Co-operative), the Naqara Women's Co-operative and the Deuba Co-operative have been assisted by the Department in preparing proposals for their diversified farming businesses and continues to assist other co-operatives on diversification and value adding.

Madam Speaker, the establishment of marketing cooperatives has eased some of the marketing concerns of the farmers needing up to-date information on demand and price. In the past five years, the Department of Co-operatives has registered a total of 47 agro-based co-operatives and this year alone, nine agro-based co-operatives have been registered. Some of the examples of the agro-based co-operatives include the Koronivia Vegetable Farmers Co-operatives which provides seedlings to farmers; the Cane Coast Vegetable Farmers' Co-operatives where it facilitates the marketing of members produce; the Sunrise Youth Co-operative, a youth co-operative in Lautoka providing employment through agro farming; the Wailailai Flats Cane Producers Co-operative, members acquired a cane harvester that will assist the cane farmers; Fiji Farmers Feed Co-operative which provides poultry feed and continue to assist poultry farmers by supplying quality feed at an affordable price.

A recently registered and launched "Fijians Helping Fiji Co-operative" are used to market local produce to the US market. Training resources have been taken to the community, Madam Speaker, that is, the Department provides more training rather than just the Co-operatives to travel to cities. Trainings are conducted in conjunction with the relevant specialists from the Ministry of Agriculture, the Fiji Revenue and Customs Authority and financial accounts experts. Mentoring and business advisory services are also provided to the communities and co-operatives operators.

The Department, Madam Speaker, through its awareness programmes promotes the formation of co-operatives, mostly amongst rural dwellers as land and resources are communally owned and interested and new co-operative operators are guided to use their resources as a means of generating income. The Department actively participates in agriculture shows to promote co-operatives businesses and models and the department also attends the provincial council meetings, *tikina* council and advisory council meetings,

to assist the representatives to understand the nature of the co-operative business and how it benefits the community.

HON. M.D. BULITAVU.- Madam Speaker, a supplementary question. Co-operatives are normally funded through government grants or donor grants. One of the key issue that arises from this right now is the access of these existing co-operatives to secure commercial loans from banks. Those are some of the constraints they face in terms of loans guarantees. What measures are there that the Ministry can put in place to alleviate this shortfall into allowing existing and future new agro based co-operatives to secure loans and assisting them with guarantees?

HON. F.S. KOYA.- Madam Speaker, as I had alluded to earlier, the trainings that are provided to the co-operatives consist of financial training, et cetera, so that the businesses are set up properly. Once they are set up properly, then they are in a position to go and get a loan. So, they are actually given quite a substantial amount of training when they do become co-operatives. If there ever is a problem, they are always welcome at the co-operative sector to obtain extra information in order to get their loans.

HON. L. EDEN.- Madam Speaker, could the honourable Minister advise, if there are any plans in place to strengthen links between the Department of Co-operatives and the Department of Agriculture?

HON. F.S. KOYA.- Madam Speaker, as I had alluded to earlier on this week, the link between the two ministries is very strong and it is actually evident between the collaboration and co-operation currently underway between the Ministry of Agriculture and my ministry. We are looking at means of improving the exchange of data and the provision of training to up skill the farmers, and also inculcating entrepreneurship skills.

Furthermore, Madam Speaker, the Trade Policy Framework that was launched last night by the honourable Prime Minister provides specific recommendations to further enhance the co-operative businesses in Fiji. A Memorandum of Understanding between the two departments would obviously enhance the efforts of the Departments in promoting their agro businesses, which we are looking forward to, and we may end up doing that. In the MOU, we basically see that we had management issues, leadership issues, that bookkeeping trainings are being provided by the Department of Co-operatives, so it is an ongoing process. The Ministry of Agriculture, Madam Speaker, provides technical support and skills training, and the Department of Co-operatives to see the commitment from the members by way of shared contribution towards their co-operatives is in place, and assist in registering their co-operatives.

HON. N. NAWAIKULA.- Madam Speaker, firstly I wish to thank the Government for revitalising this very important department, which has been dead for a while and I curse those governments that have never brought this up. The reason is that, the late Ratu Sir Kamisese Mara brought this, and one of the reasons was to resolve the need for villagers to exercise their group rights of remaining in their village while becoming economic participants, so that they can stay in their village and through the co-operatives, they participate in the economy. Could I ask the honourable Minister, please, if he can undertake to look at that same need with the view to, perhaps applying this to relook at that?

HON. F.S. KOYA.- Madam Speaker, as I always say in the House, the Department of Co-operatives does not exist for one particular sector, it provides assistance to everyone, whether it is in the village rural setting or wherever it is, it provides assistance. It is not just relative to one particular place, so it is not a matter of undertaking, Madam Speaker, we are actually doing that already in any event.

Aquaculture in Fiji
(Question No. 166/2015)

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

Can the Honourable Minister for Fisheries and Forests enlighten the House on the focus for investments and development of Aquaculture in Fiji?

HON. O. NAIQAMU (Minister for Fisheries and Forests).- Madam Speaker, I rise to respond to the question raised by the Honourable Nabulivou.

Madam Speaker, aquaculture is a relatively new development in the region, and in most Pacific Islands where it has been attempted; its history goes back to less than 30 years. Considerable development is required before aquaculture can be considered to be economically viable as the culture of marine and freshwater species generally, still remains at the subsistence or backyard and experimental stage in the Pacific Island Region.

Fiji, however, through the Bainimarama Government has the foresight, technical knowledge and the political will to change the dynamics of driving aquaculture in a more productive and sustainable manner. It has, through its current Aquaculture Development Initiative, promoted programmes such as, tilapia farming, seaweed farming, shrimp, black pearl, grass carp, freshwater prawn, giant clam, milkfish, sandfish, goldfish, live rock and coral farms.

Madam Speaker, the aquaculture sector has the potential to develop as one of the key areas in the fisheries sector, if thoroughly explored and effectively capitalised upon. From the time aquaculture was initially introduced for food security in the mid-1970s, it is now developing as a key to improving livelihoods and boosting fishery exports. Furthermore, aquaculture relieves pressure on over-exploited inshore capture fisheries resources and can assist in helping overfished areas to recover.

Furthermore as a developing nation, Fiji is particularly vulnerable to the growing impacts of climate change. This is largely due to our high dependence on natural resources and our limited capacity to cope with climate change and its many impacts. Aquaculture is one of the few fisheries activities which have been confirmed by the United Nations International Food Policy Research Institute to be undertaken for Climate Change Adaptation for food security and for the improvements of livelihoods for all Fijians.

Whilst many international development funding agencies and some communities may have lost interest after the failure of more short-term ...

MADAM SPEAKER.- Point of Order!

HON. M.D. BULITAVU.- Madam Speaker, on relevancy, due to the concern of time we have today, as the Members day for the Opposition, can the honourable Minister only focus on investment and development and do not make a ministerial statement? You can come back and make a Ministerial Statement on another day on this similar topic but just focus on investment and development in this particular area. It is a question.

MADAM SPEAKER.- In consideration of the statement made, please continue honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, it is not a Ministerial Statement, I am just responding to a question raised by the honourable Member, just to clear the House the question that has been put to my Ministry.

To conclude, Fiji has accepted the challenge and has set in place a vision “to grow aquaculture and improve all associated production systems, in both the short-term and long-term framework.” Recognizing that expansion in both coastal and offshore fisheries is relatively limited; substantial

investments have been made in freshwater aquaculture and mariculture, often in concert with external sources of development assistance.

Madam Speaker, Fiji currently has and continues to invest in aquaculture through funding of 7 projects for Aquaculture development in 2015, spread throughout the 4 divisions, totalling to \$2.5 million. Thank you Madam Speaker.

MADAM SPEAKER.- Honourable Members, there being no other supplementary questions, we will move on to the next question and I invite the honourable Samuela Vunivalu to have the floor.

Measures Adopted to Address Mental Health
(Question No. 167/2015)

HON S. VUNIVALU.- Madam Speaker, before I ask my question, on behalf of the Members of Parliament, I wish to thank the Minister for Health, Honourable Usamate and all his staff for organising a medical check-up for all Members of Parliament yesterday on short notice, where we were screened for Non-Communicable Diseases such as Diabetes. We had our blood pressure and sugar levels tested and body weight and height measurements taken. Also, we were provided information on how to take care of our health and we were advised not to drink alcohol or smoke but do regular exercises every day. Thank you.

Madam Speaker, my question is directed to the Honourable Minister for Health and Medical Services:

Mental Health is a major issue in Fiji, can the honourable Minister inform the House, what is being done to address this issue?

HON. J. USAMATE (Minister for Health and Medical Services).- Madam Speaker, I would like to thank the honourable Member for his kind words.

Mental Health is also part of the Non-Communicable Diseases (NCDs), so when we were talking about NCDs yesterday, all the things that I mentioned that we need to do is to think right. It is one of the hugely under-reported issues in this country. We do not have a very good data on how pervasive or very big it is, but if we just take the data from the World Health Organization, which states that Mental Health constitutes 13 percent of the global burden of disease, that is even higher than cardio-vascular disease and cancer.

They are saying that incidence of mental health is higher than cardio-vascular disease and cancer, so if you take that 13 per cent and apply it to Fiji, and apply that 13 per cent to the population that we have in Fiji, we estimate we have around 615, 000 adults in Fiji. So you take that figure and put it to Fiji, the estimate we have is around 79, 000 people with mental health disorders. That does not mean that they are completely gone off, but they have disorders.

That is a huge number, this means about 18, 000 with severe mental disorder, and about 61,000 with mild to moderate, but if you compare those numbers with the numbers that actually show up at Saint Giles Hospital, only around 1,900 people show up. So it means that those who are turning up are far smaller than the number that have these disorders. I hope you can get the point that I am trying to make.

So in 2011, for instance, if you look at the number that turned up, for severe mental health problems, the number is only 493 received in patient treatment. So if we take it that these are the ones with severe mental issues that they have, we can say that more than 89 percent of those who have severe problems in Fiji never turned up. So in fact it is a huge problem that is under lying our system, it is something that we

need to grapple with. If you take the mild, severe and the moderate altogether, about 96 percent of those who have the disorders have not presented themselves to our facilities, so it is another *tsunami*.

In terms of what Government has done, Government has looked at legislation. It has bought into place the Mental Health Decree which took over from the old mental law that use to be there before - the old Mental Treatment Act. The old Mental Treatment Act forced everything to be centralized at the Saint Giles Hospital but the new legislation is trying to take this out so that we can provide the services in other places. So now we are setting up, services can be provided in CWM, in Lautoka, in Labasa, because if everything is centralized in Labasa, what happens if someone has an issue in Labasa, he has to come to Saint Giles, leaving his or her family and friends behind - the very support network that you need. So in order to deal with that, we have sort of started to de-centralize that.

This new Mental Health Decree also includes very importantly the principle of care to protect human rights based on principles for the protection of persons with mental illness and the improvement of mental health care which is adopted by the General Assembly of the World Health Organization. In the new law, it provides wide ranging powers to the Mental Health Board of Visitors so that they can protect the welfare of the people who are admitted to our mental heal facilities and also legislates for a Mental Health Review Board that is chaired by a member of the judiciary and has oversight on detention and discharge of persons in Mental Health Units. The new Law for the first time allows for selected doctors other than psychiatrists, to provide assessment and treatment legally for persons with disorders, before it was only in the hands of the psychiatrists at Saint Giles.

The legislation also allows for mental health care for prisoners and persons in custody, and also provides regulation intended to protect the properties of persons living with mental disorders. There are a number of policy advisory bodies that have been put in place to support activities on mental health, such as the National Committee on Prevention of Suicide, I think that name speaks for itself. Suicide is a major issue for us now in this country and we also have a National Mental Health Advisory Council that has national monitoring and policy powers.

One of the important things in areas in health, if you do not have people to deliver the service, then it is useless. You need to have people with the requisite knowledge and skills, so training has been very important. We are very thankful to the Ministry of Education and Fiji National University that a Post Graduate Diploma course in Mental Health was started in 2010 for health professionals.

In the Fiji Government, we have sent seven doctors to attend this Post Graduate Diploma and those people have now been posted out. They are based in Suva, Labasa and Lautoka now delivering services. The Government has also sponsored registered nurses to attend the Post Graduate Certificate Course in Mental Health and we have also begun conducting a National Community Mental Health in Service Training for selected nurses from health centres and rural hospitals. This has lasted from 2006 to 2010 and trained more than 200 nurses, so initially everyone that was involved in mental health are just stationed in Saint Giles. Now, we have been taking the people who need to deal with mental health and making sure that they are available all around the country, so that people can access their services around the country.

In 2013, working with the World Health Organisation (WHO), we launched a new mental health training programme for the mental health gap training. This is targeted at nurses and doctors working way out in the nursing stations and in health centres all around Fiji and it is just designed for them. When they have a patient, they look at the patient, it gives them skills to be able to screen the person, to try to detect early the persons at high risk of mental disorder and substance abuse, so that rather than having to wait for them to go into big problems, try to screen them early, and if there are cases they can be referred to the specialists.

In human resources, Government is continuing to increase the number of people that we have in medical offices and nursing posts, and we continue. We are now looking at the development of a speciality of psychiatry in other major hospitals, like Lautoka, Labasa and Colonial War Memorial. We still need more doctors to specialise in this area.

We are also working in partnerships with other organisations: The Fiji Alliance for Mental Health, the Youth Champs for Mental Health and the Psychiatric Survivors Association, and also working with regional bodies.

We are also thankful to other governments such as that from Taiwan which has helped our people in attachments for doctors and nurses, and we work in partnership with the Fiji Police Force, Fiji Corrections Services and Ministry of Women, Children and Poverty Alleviation, and looking at people who are vulnerable, homeless, often those who are in these situations, they are the ones who have never been brought up to our system. Those who are well off normally come to the hospital, the most vulnerable they are not. I think the Beggar Task Force is an example of this collaboration.

We have worked also with the National Substance Abuse and Advisory Council in Awareness and Educational Campaigns on Drug Abuse. Government also have a very good and strong partnership with Empowerment Pacific and they are very useful because they provide counselling services in the major hospitals that we have. They provide these services in Lautoka, Labasa and CWM so they complement the work that is being done by the Ministry of Health. In addition to this, initially we just have everything done at Saint Giles, now we have established Mental Stress Management Wards in Lautoka, Labasa and also in CWM. So, we do not just have the wards in Saint Giles, we are beginning to decentralise the services, so it is going out closer to the public. These wards allow people with mental disorders to receive treatment in a setting that is close to their family, so they can have that also - support from their family.

Assessment for treatment and persons with mental disorder, I also included in the plans for the new Emergency Department of Lautoka Hospital and also at the new Ba Hospital. We have now developed the Mental Health Unit within our Wellness Centre and these strategies intended to provide a holistic approach towards the health prevention and health education strategies.

The other thing that we have done also is in relation to medication. The process before, the medication was only bought by Saint Giles and then it was sent out by posts to all the different hospitals to give to the patients. Now, the divisional hospitals can order the medicines and then they distribute it to those in the areas that have issues.

Madam Speaker, that is a very brief breakdown on some of the things that the Ministry is doing on this area. It is hugely under reported, it is something that we need to work hand-in-hand to bring to the fore so that more people can be treated.

MADAM SPEAKER.- Thank you, may I invite supplementary questions, if any?

HON. S.D. KARAVAKI.- Supplementary question, Madam Speaker. I thank the honourable Minister for the work that had been undertaken by the Ministry of Health, for taking care of those that are mentally ill and also important for preventing those who are not mentally ill, not to be affected by that.

My question Madam Speaker; would the honourable Minister also consider setting up a screening process here in Parliament, especially the sickness, the Alzheimer disease, which always tend to be a sickness that affects those who are old you know who easily forget things and if there could be also a screening to be conducted over here. It is important for honourable Members of the House to be all well in all aspects because this can be a very big problem if we are here in this House, leading the nation and we tend to forget things after we had done it.

(Laughter)

MADAM SPEAKER.- Thank you, I invite any other supplementary questions , if any? I give the floor to the honourable Bulitavu.

HON. M. D. BULITAVU.- Supplementary question, Madam Speaker. I thank the honourable Minister for the mode they are in, preventative health, in trying to decentralise the services in regards to mental health. Madam Speaker this is a very funny department in our health services.

During my time at Korovou Prison when we were remanded together with patients from Saint Giles...

HON. A. SAYED-KHAIYUM.- (inaudible)

HON. M.D. BULITAVU.- I will tell you later – wait!

You know what happens in the evenings, during our *lotu*, we cannot even start a hymn together, because of these people who do not put things together. The problem with these people is when they do not take their medications, they normally go and commit crimes.

What the Ministry can do to those who are known patients is that there is a follow-up every time so that they do not break the law at any point of time. What kind of programmes are there with the communities, to help them adhere to the advice of doctors?

HON. J. USAMATE.- Madam Speaker, I think once people are in the institutions and given the work that is being done. For instance, one of the doctors who was trained in that post graduate diploma, he is also based at Korovou.

So now, we have that ability for him to manage the activities that are undertaken within the prisons, to make sure that people get their medicines on time. When people are in their homes, there needs to be a stronger relationship with the community. We have our zone nurses there, so this is similar to what we do for tuberculosis (TB). Those who are very severe go to Tamavua for their daily treatment. They have to take their daily medicine, but to make sure that happens, now, what we are doing with the TB programme also, we are having the community DOTS programme so that in the communities where they live, people are trained and the zone nurses too try to make sure that they take their medicine. So I think there needs to be collaboration between the Ministry, our zone nurses who are in different areas, the community health worker, the *Nasi ni Koro* and the committee as a whole, to make sure that they do take their medications.

MADAM SPEAKER.- Thank you, there being no other supplementary questions. I will now give the floor to the honourable Ratu Kiniviliame Kiliraki to ask his question.

Key Suppliers for Fiji Broadcasting Corporation Limited
(Question No. 168/2015)

HON. RATU K. KILIRAKI asked the Government, upon notice:

Would the Honourable and learned Attorney-General, Minister of Finance, Public Enterprises, Public Service and Communications update the House as to who were the key suppliers contracted to supply hardware/other associated communications equipment for the \$22 million upgrade of the Fiji Broadcasting Corporation Limited? Thank you Madam Speaker.

HON. A. SAYED-KHAIYUM (Attorney-General, Minister of Finance, Public Enterprises, Public Service and Communications).- Thank you Madam Speaker. Madam Speaker, in hindsight, this is probably something that should have been looked at by the Business Committee. It requires a lot of details. Normally these sort of questions came by when honourable Radrodro had asked about the Fiji Roads Authority (FRA) and we had given him by way of written questions, but nonetheless that slipped, so I will now read out the list of all the suppliers, they are about 54:

1. Your Total Maintenance Solution
2. AFS – Building Fire
3. Aldex Trading
4. On Time Engineering
5. Aipro South Pacific
6. Modern Aluminium & Glass (Fiji) Ltd
7. Standard Tiling
8. Design Hut
9. On Time Engineering – Roof
10. Fastway Advance Builders
11. Vinz Workz and Joineryz
12. Top Energy Ltd
13. Eden & Associates
14. Poly Products Limited
15. Shri Singh & Associates
16. 3SA Carpets
17. WAF
18. Jen's Furniture & Fittings
19. Chandra Singh Plumbing
20. Des Electrical & Building Works
21. Island Welders Builders Limited
22. General Stainless Steel Works
23. Best Construction Limited
24. FEA
25. Vinod Patel
26. RC Manubhai
27. Suncourt Hardware - building Hardware
28. Bluescope
29. East West Engineering
30. APCO
31. Shopfittings Fiji Limited
32. Metromix Construction
33. Subash Digging and Trucking Limited
34. Samross Consultants
35. Standard Concrete
36. National Hire
37. TransSpace
38. Indemand Builders Limited
39. AVC Turn Key Project Consultants
40. Cinegy- Italy-AVC
41. Dragonwave Canada, AVC
42. RCS New Zealand - Nexgen software
43. RCS-New Zealand-Airwaves
44. RVR Electronica-Italy-(Transmitters)-AVC
45. Turramura Music - Australia

46. Power Conditioners – AVC-India
47. High Tech Rigging
48. J.S. Hill & Associates
49. Digmach Civil Contractors Limited
50. Total Construction Limited
51. Hamen Lodhia
52. Shakti Construction Limited
53. Le Blanc Communications-Malaysia-Tower
54. Appleby Engineering-NZ-Generator Parts

Thank you, Madam Speaker.

HON. RATU S.V. NANOVO.- Madam Speaker, a supplementary question; can the Honourable and learned Attorney-General advise this august House as to who funded this \$22 million upgrading to the Fiji Broadcasting Corporation Limited?

HON. A. SAYED-KHAIYUM.- Madam Speaker, although it is unrelated to the question, I will still answer it.

Madam Speaker, there was a loan from FDB taken by FBC of \$21,594,693.00. All of these information, Madam Speaker, will be made available in the audited accounts. The audited accounts are all up to 2014. The Annual Reports will be tabled and the various Committees can look at that. Thank you, Madam Speaker.

HON. M.D. BULITAVU.- Madam Speaker, can the Honourable and learned Attorney-General confirm that the consultants that were engaged by the Ministry of Information for this particular project are also listed in the list of contractors?

HON. A. SAYED-KHAIYUM.- The Ministry of Information?

HON. M.D. BULITAVU.- That Ministry to conduct consultation? Were they engaged as contractors too?

HON. A. SAYED-KHAIYUM.- Madam Speaker, I do not understand what he is talking about.

MADAM SPEAKER.- Can you repeat your question, please, Honourable Bulitavu?

HON. M.D. BULITAVU.- Can the Honourable Minister confirm whether the consultants that were engaged by the Ministry in this particular reform or whatever...

HON. A. SAYED-KHAIYUM. No, no, it is not 'whatever'. I want to know specifically.

HON. M.D. BULITAVU.- They were engaging in this consultation with regards to FBC - were they also contracted to provide services?

MADAM SPEAKER.- Honourable Attorney-General.

HON. A. SAYED-KHAIYUM.- Madam Speaker, see the problem with the other side sometimes is they are probably been given questions they do not understand it themselves. I do not know what the question is.

HON. M.D. BULITAVU.- Just say, 'yes' or 'no'.

HON. A. SAYED-KHAIYUM.- Consultations for what? What is he talking about? He can come back with a more written and better question. He should know the subject matter. What is it? I would like to through you, Madam Speaker, ask him what specific consultations he is talking about.

MADAM SPEAKER.- Honourable Bulitavu, can you just ask that question very quickly, so that his answer would be more clear.

HON. M.D. BULITAVU.- Let me read the question, Madam Speaker.

Can the Minister confirm if the consultants engaged in the FBC upgrade are the same ones now engaged in the Digicel process? If they are, can the Minister confirm if they are the same consultants engaged by the Ministry of Information, Communication's prior to be engaged by FBC? Are they the same company also based in New Zealand, Madam Speaker? And, are the same consultants are the ones who are recommended by the company in New Zealand to be the supplier for most of the \$20 million upgraded cost for FBC?

HON. A. SAYED-KHAIYUM.- Madam Speaker, I have just read out the list of the suppliers that contributed towards this \$21 million upgrade.

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

HON. A.T. VADEI.- Madam Speaker, I just want to ask the Minister whether the loan conditions were properly verified by the FDB?

HON. A. SAYED-KHAIYUM.- Madam Speaker, it is really quite interesting that a former senior civil servant, as Director for Trade and Measures would not know that FDB would go through all the proper checks and balances, their own independent Board. They actually refuse loans.

HON. A.T. VADEI.- It is not about the project.

HON. A. SAYED-KHAIYUM.- Madam Speaker, he does not understand commerce, that is the problem. The FDB is an independent body that carries out its own assessments of any loan applications. FDB assess interest rates, and that is precisely what it did.

MADAM SPEAKER.- Since we still have time, I will give the last supplementary question to the honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Madam Speaker, there is a huge money involved in the upgrading of the FBC Television. Can the Minister inform the House whether proper tendering process was done in the utilisation of the \$22 million, and what is the status of the current software that were purchased in this \$22 million loan?

HON. A. SAYED-KHAIYUM.- Madam Speaker, the original question was about the list of suppliers. Madam Speaker, the Honourable Radrodro is a member of the Public Accounts Committee. The Honourable Radrodro can ask about State-owned enterprises when they appear before him. The specific Ministries, the specific entities when they appear before him. If he is going to ask me whether these people were given contracts and they had signed contracts, of course they signed contracts, if that's what the question is. But, all these information will be available.

Madam Speaker, the Auditor-General's Office audits their accounts. I have just been informed that the 2014 Audit Accounts have already been completed. They have ample time to scrutinise that. The

problem with them is that they have got hold of FBC and is going with it. But, they are going nowhere. That is the problem.

MADAM SPEAKER.- There being no other supplementary question, I now give the floor to the honourable Jiosefa Dulakiverata to ask his question.

Upgrade and Renewal of Natovi Jetty
(Question No. 169/2015)

HON. J. DULAKIVERATA asked the Government, upon notice:

Can the honourable Minister for Lands and Mineral Resources inform the House if the proper process, due consultation and prior consent of the rightful *qoliqoli* owners was sought and compensation assessed in relation to the *qoliqoli* involving the \$2.2 million upgrade and renewal of the Natovi Jetty?

HON. M. VUNIWAQA (Minister for Lands and Mineral Resources).- Madam Speaker, I thank the honourable Member for the question.

Yes, proper processes, due consultations, there were two meetings held with the *qoliqoli* fishing rights owners, and their prior consent were received. Compensation was not an issue, Madam Speaker. This is totally understood by the *qoliqoli* fishing rights owners as well, because the upgrade was on the existing footprint of the Natovi Jetty. There was no need to go beyond what was already there. The fishing rights' owners understood that, but they did ask for some assistance anyway from the company that did the upgrade, that was Pacific Building Solutions. They asked for two water tanks for the village, the company did provide two 5000 litre water tanks. The company also went out of their way to do the pipeline for the water tanks to the village, and the villagers also asked for the existing cement at the jetty, the old jetty, to be used on their shore line to stop the erosion of the shore line. That was also done by the company that did the upgrade.

MADAM SPEAKER.- Honourable Members, the floor is open to supplementary questions.

HON. S.D. KARAVAKI.- Madam Speaker, I would like to ask a supplementary question. Interestingly, the honourable Minister had used another alternative name to the names being used over here, that is, the *Qoliqoli* Owners. The honourable Minister used the term "*Qoliqoli* Fishing Right Owners", referring to the same *Qoliqoli* Owners as prescribed in the question. Would the honourable Minister, please explain to this House, Madam Speaker, who are the owners that we are talking about here - *qoliqoli*?

HON. M. VUNIWAQA.- Madam Speaker, we are talking about a *qoliqoli*, that is foreshore. As the House would know, foreshore belongs to the State. The rights that exist over foreshores which belong to *qoliqoli* owners as in the question, I am referring to them as fishing rights owners, Madam Speaker, because that is the legal right that they have over the foreshore. They have fishing legal rights and that is why I referred to them as "*Qoliqoli* Fishing Rights Owners".

HON. S.D. KARAVAKI.- They are not the owners of the *qoliqoli*?

HON. RATU. K. KILIRAKI.- Madam Speaker, a supplementary question, the honourable Minister mentioned that two water tanks and some slabs were given to the village. She implied that, to my understanding, those two tanks and concrete slabs are part of the compensation or whether that is the responsibility of the Government to provide water tanks which shows that they really need water and also

for the high sea level mitigation, providing all those slabs for their foreshore. My question is whether those two donations are part of the compensation?

HON. M. VUNIWAQA.- Madam Speaker, I repeat, the water tanks and the slabs are not a part of compensation. I had stated from the outset that compensation was not payable in this instance because the upgrade was on the existing framework of Natovi Jetty. Madam Speaker, the honourable Member who asked the original question, had worked for the Ministry of Lands and he should have known about policies in relation to foreshore. Where a jetty is built, consultations are held with the fishing rights owners and there is no obligation for payment of compensation in such instances for jetties, and projects as such done by Government.

In this instance, I reiterate that again, the tanks and the slabs are not part of compensation. That was something that the company decided to do on their own accord.

HON. J. DULAKIVERATA.- I thank the honourable Minister for her answers. The information that were conveyed to me by the people on the ground, that the upgrade is to make the Natovi Jetty a port of call. They have shown the area beyond the foreshore that had already been surveyed to extend the Jetty. So, what the Minister is saying is that, it will be confined to the existing Jetty. However, I would like to seek clarification probably from the Minister for Works on this issue because they had physically been shown the extent of the development on the ground.

HON. M. VUNIWAQA.- If the honourable Member wishes to ask the honourable Minister for Works that particular question, Madam Speaker, I believe he has to come back with the question to be asked to the honourable Minister for Works.

HON. GOVERNMENT MEMBERS.- *Vinaka.*

MADAM SPEAKER.- There being no other supplementary questions, it brings us to the end of question time. However, before we move on to the next Item in the Order Paper, I would like to make a statement that the Business Committee has decided that today's business must conclude by 12.30 p.m. According to Standing Orders, therefore, in consultation with the Whips from both sides, the timelines will be as follows for each of today's motions for debate:

- (1) The mover will be given 10 minutes;
- (2) a Government Member will be given seven minutes;
- (3) an Opposition Member will be given five minutes; and
- (4) the right of reply will be given three minutes.

The warning bell will be sounded one minute before the time is up. All the three motions for debate must conclude at 12.10 p.m., to allow for the weekly adjournment motions.

I now give the floor to the honourable Prem Singh to move his motion.

REVIEW OF THE CAPITAL GAINS TAX ACT, 2014

HON. P. SINGH.- Madam Speaker, I move the following motion:

“That this Parliament supports a review of the Capital Gains Tax Act of 2014, to streamline its provisions of CGT Exemption for gifting of assets amongst immediate family

members in accordance with the honourable Minister of Finance’s 2015 Budget announcement of 21st November 2014”.

HON. M. D. BULITAVU.- Madam Speaker, I beg to second the motion.

HON. P. SINGH.- Madam Speaker, on Thursday 11th December, Parliament passed an Act to amend the Capital Gains Tax Decree 2011, Act No. 11 of 2014. The Capital Gains Tax Budget Amendment Act was given assent by His Excellency the President on 15th of December, 2014.

Madam Speaker, this was one of the 15 Bills brought to Parliament by the Honourable Attorney-General and Minister of Finance on 11th of December, last year under Standing Orders 51(2), which is to consider them without delay. Parliament was asked to pass all the 15 Bills after an overall five minute time limit to each side of Parliament for debating the Bills.

Now, Madam Speaker, we can recall from *Hansard* of that day that the Opposition strongly protested against this motion of the Attorney-General to proceed to consider the Bills without delay, on the basis of why the same Bills were withdrawn by him earlier. I will allude to what happened on that day, and what is important for Parliament to agree to review, based on the processes that were conducted.

Now, Madam Speaker, on Friday, 21st November, 2014, the Attorney-General and the Minister for Finance handed down the 2015 Budget in Parliament. The title of the Budget was “Turning Promises into Deeds”. On page 240 of the *Hansard* of 21st November, 2015, Appropriation Bill under sub-heading of housing, the Attorney-General and Minister of Finance stated, and I quote: “Government from next year will also exempt from Capital Gains Tax, any transfer of assets in case of love and affection, that is, transferred from parents to children, between spouses and within and between grandchildren and grandparents and between siblings”, unquote.

Madam Speaker, allow me to repeat this announcement by the Minister of Finance in his Budget,

“Government from next year, will also exempt from Capital Gains Tax, any transfer of assets in case of love and affection that is Madam, transfers from parents to children, between spouses and within and between grandchildren and grandparents, and between siblings”.

And I place strong emphasis on the words “any assets”.

Madam Speaker, this announcement was wholeheartedly welcomed by the Fijians and our financial sector. In accordance with post-Budget traditions, reaction is swift of the financial sectors, especially from our prominent and reputable accounting firms who analyse, publish and publicly release their synopsis.

Madam Speaker, PricewaterhouseCoopers analysed this announcement as follows:

1. Exempt Capital Gains Tax on transfers on love and affection;
2. Exempt Capital Gains Tax on gains made from sale of shares from private companies listed in the South Pacific Stock Exchange.

Again, Madam Speaker, I emphasise “transfers”.

Another firm, Ernest and Young, made similar analysis – exemption on transfers, love and affection, transfers for all those eligible under the love and affection criteria. Again the emphasis is on “transfers”, Madam Speaker. Similarly, Madam Speaker, another reputable firm, KPMG, made exactly the same analysis, which is “exemption of Capital Gains Tax on love and affection transfers”.

But Madam Speaker, Bill No. 23/2014 which was enacted into Capital Gains Tax Budget (Amendment) Act of 2014 is distinctly different from what the Attorney-General and Minister of Finance announced on 21st November, 2014. The Act formerly Bill No. 23, amends Section 7 of the Capital Gains Tax Decree 2011 on exemptions by inserting amongst others, this new paragraph, and I quote:

“A capital gain made by a resident upon the disposal of a principal place of residence, shares or shares in a company by way of love and affection between spouses, siblings, parents to children and vice versa, and grandchildren to grandparents and vice versa”

Madam Speaker, this is distinctly different from what was announced by the Attorney-General and Minister of Finance while handing down the 2015 Budget on 21st November, 2014, which is exemption of Capital Gains from any transfer of assets in case of love and affection.

Any transfer of assets, change into principal place of residence in Bill. No. 23 of 2014. That became the Capital Gains Tax Budget (Amendment) Act or Act No. 11 of 2014. Based on the announcement by the Attorney-General and Minister of Finance, many of our citizens, mostly elderly, who are in twilight years of their lives withdraw financial savings but who in their wisdom and through sheer hard work, acquired assets such as land wanted to transfer them to their children or other loved ones on the understanding that they will be exempted from paying Capital Gains Tax and these assets are not of any astronomical value but a small block of land, for example.

Madam Speaker, I know of a case, of a 74 year old man, who transferred a small block of land to his son but was charged Capital Gains Tax by FIRCA. When the gentleman enquired with FIRCA, he was informed that exemptions of Capital Gains Tax only applies to principal place of residence. This gentleman told FIRCA; “the Minister of Finance had announced otherwise in his Budget” but was shown the Capital Gains Tax Act which did not contain what was announced on 21st November, 2014.

Madam Speaker, we, on this side of the House, cannot be blamed for failure. The fact is that, when Bill No. 23 one of the 15 Bills that was brought before Parliament on 11th December, 2014, we strongly protested against the manner in which the other side wanted them to be scrutinised and enacted without delay under Standing Order 51(2). When the five minute rule was proposed, we understood it to be five minutes for each of the 15 Bills. However, the Attorney-General said; “no, you will get a total of five minutes for the entire 15 Bills”.

A perusal of the *Hansard* of 11th December, 2014, will confirm what I am saying. Government claimed that all 15 Bills were consequential Bills, arising out of the Budget and we are merely implementing the policy and framework of the Budget. We now know that this is not the case, at least as far as exemption of the Capital Gains Tax is concerned. For any transfers for love and affection is concerned, little has changed from the Capital Gains Tax (Amendment) Decree. The Decree also exempted capital gains tax from sale of principal place of residence. The only change is the transfer of shares. How many of our ordinary Fijians owns shares, Madam Speaker?

On Thursday, 11th of December, 2014, we were accused of suffering from amnesia amongst other things, particularly by the Attorney-General and two other colleagues, and of not understanding what a consequential legislation is. Madam Speaker, page 598 of the *Hansard* of 11th December, 2014, quotes the Attorney-General and Minister of Finance said in his right of reply, and I quote:

“Capital Gains (Amendment) Decree, we are now saying that we will be exempted from Capital Gains Tax if, for love and affection, you give your property to your daughter or to your son or a grandfather giving it to his grandchildren or between spouses”.

I emphasise “property”, Madam Speaker, not “principal place of residence” as the Act stipulates.

Is this what this Government's version of "Turning Promises into Deeds" Madam Speaker? Isn't this misleading not only to the people of Fiji but to this House as well? It is an abuse of Parliamentary process riding roughshod over one side of the House because the other has the numbers and telling us that we have 20 seconds to scrutinise each Bill on the floor of Parliament. This is what it amounts to, being allowed five minutes to scrutinise 15 Bills.

Madam Speaker, the Capital Gains Tax Budget (Amendment) Act No. 11 of 2014 must be reviewed to reflect the policy change announced by the Minister of Finance on 21st November, 2014. The Minister for Finance must direct FIRCA to refund all Fijians who transferred any assets for love and affection, to be refunded the Capital Gains Tax that they were forced to pay on those transfers. Otherwise, Madam Speaker, this Government will turn promises into misdeeds.

I commend this motion to the House, Madam Speaker.

MADAM SPEAKER.- I invite Honourable Members from the Government to respond to the motion before the House.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker, I think the honourable Member nearly spent a third or half of his speech talking about the process as opposed to the actual motion that is tabled on the floor. He needs to speak about the motion. The motion reads, and I quote:

"That this Parliament supports a review of the Capital Gains Tax Act of 2014 to streamline its provisions of CGT Exemption...."

You are talking about streamlining, not talking about processes.

".... for gifting of Assets amongst immediate family members in accordance with the Honourable Minister of Finance's 2015 Budget...."

Yes, the announcement was made, Madam Speaker, and I will read it out to you. I quote:

"Government, from next year, will also exempt from Capital Gains Tax, any transfer of assets in cases of transfer for love and affection, that is, transfers from parents to children, between spouses and within, and between grandchildren and grandparents and between siblings. We will also continue the Stamp Duty exemption on the purchase of first home, we will also grant Stamp Duty exemption for mortgages for agricultural purposes".

That is the paragraph that the Honourable Member is referring to.

He is confused because he is now towards the end of his motion, he read out something completely different. He is talking about review.

HON. N. NAWAIKULA.- A point of Order, Madam Speaker.

HON. A. SAYED-KHAIYUM.- This is my right of reply!

HON. N. NAWAIKULA.- Point of order, address the Madam Speaker, please.

HON. A. SAYED-KHAIYUM.- The point is, he is confused, Madam Speaker, (very rich, coming from you Hon. Nawaikula about addressing the Speaker). Madam Speaker he is confused because towards the end of what he just said, he read something completely different about refunding funds, et cetera. As

they would know, they have four lawyers on their side. A law comes into effect when it becomes an Act of Parliament. So, if someone has done a transfer prior to that particular law becoming an Act of Parliament, how can you get compensation for that? That is a ridiculous proposition!

Madam Speaker, what he is proposing indirectly is that, any transfer of any assets, so commercial properties, factories, et cetera, if they are transferred from one place to another, Capital Gains Tax should be exempted. That is what it fundamentally means. It will undermine the tax revenue basis. What we have said, we are starting off on a slow basis, for love and affection. For love and affection, generally a grandparent is not going to transfer the factory. They will transfer their home. A parent will transfer their home. In the same way, Madam Speaker, if the grandparents hold shares in a company, they can transfer their shares. That is what we've allowed for. So if you have a commercial enterprise where people actually own shares amongst parents, brothers, sisters and grandparents, you want to give them a share in the factory, you transfer the shares. It is very simple. We have, Madam Speaker, in many areas of the law, for example, when we gave the Income Tax Exemption to improve the threshold from \$8,500 - \$8,800 all the way to \$16,000. We cannot do everything overnight. We will need to see the revenue basis, we will need to see how this progresses and at the moment, Madam Speaker, I can tell you it is streamlined.

The motion is about streamlining, it is streamlined. There are many people who have benefitted from this. There are many grandchildren who benefitted from transfers of homes from their grandparents, parents transferring it to the children, spouses are transferring to each other. These sorts of things are already taking place, so the motion, Madam Speaker, is fraud because the whole issue that has been raised is about that the law was stated and various people had applied for it beforehand, of course. If tomorrow, Madam Speaker, we change, for example the Personal and Income Tax is reduced in the next budget, no one can come back and say, "Well, I paid the income tax in 2015 for this much but I should get the rate for 2016." This is exactly what the Honourable Member is saying. This is exactly and precisely what he is saying. He is asking refunds for transactions that did not comply with the law. The law is quite clear, Madam Speaker.

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

MADAM SPEAKER.- Point of Order.

HON. DR. B.C. PRASAD.- Madam Speaker, I think the Honourable Attorney-General is side-tracking the issue.

HON. GOVT. MEMBERS.- What is the point of order?

HON. DR. B.C. PRASAD.- The Point of Order is this, that the Honourable Member read out the statement that the honourable Minister of Finance made in the Budget which says "transfer of any assets", but he is not talking about refunds before the Budget. He gave an example of a case of a 74 year old man trying to transfer a piece of land after the Budget, based on the statement that the Minister of Finance made, so I think he should stick to that.

MADAM SPEAKER.- Thank you, Honourable Member, you will continue with the issues that have been raised and can be addressed by the honourable Mover of the motion in his Right of Reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, it says "any transfer of assets in cases of transfer for love and affection ...". You don't just pick out one word.

(Chorus of interjections)

MADAM SPEAKER.- Order!

HON. A. SAYED-KHAIYUM.- Madam Speaker, shares are CGT exempt. The law says that. Let me read it out to you. The law says that shares are exempt; that is my point. In the same way, Madam Speaker, we have for example, brothers and sisters who may own one block of land, there are two or three of them owning it, someone has gone overseas, so they want to transfer their particular share to the other brother or sister. They actually do get to do that. So my point, Madam Speaker, is that, this is a bit of a “storm in a tea cup”. Any transfer for love and affection, in the case of assets, does not mean all. You have to read it in continual and at the end of the day, Madam Speaker, it is the law that speaks and the law says specifically that, “a capital gain made by a resident upon disposal or principal place of residence, shares the shares in the company by way of love and affection between spouses, siblings, parents to his children and vice versa, and grandchildren to grandparents and vice versa, is exempt. Thank you Madam Speaker.

MADAM SPEAKER.- I will now invite the Member from the Opposition to respond to the motion.

HON. A.M. RADRODRO.- Thank you Madam Speaker. Our response to this motion, it just clearly shows the lack of understanding in terms of interpreting what the Attorney-General has mentioned during the Budget, and was reflected in the Bill. He has mentioned that the capital gains tax will be exempted for any asset, and that is what we have been trying to highlight. In the Bill, it is different. Had the process followed the parliamentary process rather than using Standing Order 51, this would have been addressed and amended or attended to, but they chose to utilise and expedite the process of Standing Order 51, and these are some of the issues that we are now coming up with.

The general public has a different understanding of what has been mentioned, we understand that the law will have the final say. But the law needs to reflect what has been mentioned. In this particular instance, it does not, and the worse part, Madam Speaker, when they go to FRCA, the officers there interpret it differently, and that is not on one particular case. I think most of us have also undergone through that same process, the different interpretation of what is mentioned and what is reflected in the law.

HON. P. SINGH.- Madam Speaker, I think it is no point in turning and twisting this issue, particularly the Attorney-General. My motion is simply to clarify....

HON. GOVT. MEMBERS.- Streamline!

HON. P. SINGH.- Okay, to streamline, what you said in your Budget Address as a policy matter, and that to reflect in the law; there is a difference. What you said as a policy matter is not reflected in the law. This is what I am telling you, and Madam Speaker, the other issue is....

HON. A. SAYED-KHAIYUM.- Madam Speaker, Point of Order. We have to go by the motion that is being tabled, and the motion reads, Madam Speaker, that “this Parliament supports the review of the Capital Gains Tax, Act 2014 to streamline its provisions of CGT Exemption for gifting of Assets amongst immediate family members in accordance with the Honourable Minister of Finance’s 2015 Budget”.

Madam Speaker, it is about streamlining. Streamlining is completely different. Now they are giving a different interpretation. You need to be a lot more succinct if you are going to bring a motion on the floor.

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA - Take your tablet this morning, Biman.

MADAM SPEAKER.- Thank you, an issue of relevance has been mentioned. I would ask the Honourable Prem Singh to remain relevant to the motion.

HON. P. SINGH.- Yes, Madam Speaker, the motion is very relevant. All we are asking is what the Minister has announced in his Budget Address as a policy matter, be reflected in the law that was amended in this Parliament. This is exactly what my motion is asking.

What is of utmost importance to this House is the Government's policy on principal place of residence; It is a Capital Gains Tax Exemption on the basis of consideration of love and affection. We are not talking about big factories, commercial building, it is just a small block of land, that is a principal place of residence. The Minister's announcement was, "and any transfers, in consideration of love and affection, the capital gains tax would be exempt", so in here, I have given an example of a 74 year old man who has gone through this process and FRCA refused to exempt him and he had to pay.

Coming back to the Attorney-General's point that you cannot refund, but this legislation came into effect on 1st January. Any man with common sense will understand that the law takes effect on the day it comes into place and from 1st January up to now, if this is streamlined, let these people who have been wrongly charged against the policy announcement be refunded. This is what we are asking and that the law must match with the policy announcement of the Minister, otherwise all these benefits that was announced is for the rich people.

HON. A. SAYED-KHAIYUM.- No it is not.

HON. P. SINGH.- What will happen to the ordinary Fijians? We stand here for the ordinary Fijians, Madam Speaker. This is what the motion is saying.

The other side is coming up with that we have been talking about processes; yes. This has happened because the processes were not followed in this House. When you fast-track Standing Order 51(2), Madam Speaker, this is what happens. This has happened because the processes were not followed in this House.

HON. A. SAYED-KHAIYUM -You walked out...

When you fast-track the powers under Standing Order 51(2), Madam Speaker, this is what happens.

Madam Speaker, I think this morning the honourable Minister for Health while replying to the questions on the mental health, he mentioned a huge number of people. I hope that syndrome does not get into this House especially on the other side. This motion very clearly asks the honourable Minister of Finance, very politely to streamline his policy and it must be reflected in the law or else what are we to expect. You say one thing to another and this is where the ordinary Fijians are affected. A principal place of residence, we are not talking about big factories or big companies, we are talking about the ordinary people who are in their twilight years, who have saved enough and then before they retire they want to transfer this to their siblings or vice versa. In many cases this is the only asset they have. So this is where, and it was a good announcement by the honourable Minister of Finance and it was welcome by all Fijians.

Madam Speaker, I have given this House the list of chartered accountants, reputable firms who analyse these synopsis and who provide assistance in analysing and interpreting budgets. They have all concurred that the law will be of that nature, but unfortunately the law does not reflect what the announcements were, and this is what the motion is all about.

MADAM SPEAKER.- Thank you very much for your right of reply. The Parliament will now vote on honourable Prem Singh's motion.

Question put. Does any member oppose the motion?

HON. MEMBERS.- Yes.

Votes cast:

Ayes: 16
Noes: 27
Not voted: 7

Motion lost.

ADVERTISING EXCLUSIVITY

HON. DR. B.C. PRASAD.- Madam Speaker, I beg to move:

That Parliament agrees that the honourable Minister for Communications through Cabinet immediately review the decision of exclusivity in terms of advertising in one newspaper in conformity to Sections 17, 25, 26, and 32 of the Constitution.

HON. M.D. BULITAVU.- Madam Speaker, I beg to second the motion.

HON. DR. B.C. PRASAD.- Madam Speaker, I now give the reasons why that decision of exclusivity needs to be renewed immediately. But before I do that, Madam Speaker, I want to thank the Attorney-General for granting Fiji TV a 12-year licence because I had another motion in the last session which was going to address that as well, and I am sure Fiji Television would be happy about that.

Madam Speaker, at the outset, let me state that Government's decision to exclusively advertise in the *Fiji Sun* violates Sections 17, 25, 26 and 32 of the 2013 Constitution, in respect of all those employed in the *Fiji Times*.

These are the right to Freedom of Speech, Expression and Publication, Right to Access to Information - Section 25; Right to Equality and Freedom from Discrimination - Section 26; and the Right to Economic Participation – Section 32, and I will explain why these rights are violated.

Madam Speaker, we believe the rights of the *Fiji Times* as an organisation is violated as it is locally owned. This is totally against Government's professed principle of equal citizenry, which it says is the cornerstone of the 2013 Constitution. Similarly the right of the people to freedom of speech, expression, thought, opinion and publication which primarily is freedom to seek, receive and impart information, knowledge and ideas under Section 17 of the Constitution.

Ultimately, Madam Speaker, the right of the people is suppressed in terms of denial of access to information, especially those who do not subscribe to buy the *Fiji Sun*.

The rights in Section 17 (1) "...freedom of speech, expression, and publication

(a) freedom to seek, receive and impart information, knowledge and ideas.

Section 25 - Access to information.

It results in the people who predominantly buy only a single newspaper, either *Fiji Times* or *Fiji Sun*, being denied information, resulting in the breach of basic rights, such as right to work, economic participation, to name a few. Being denied access to these advertisements, this is unacceptable, Madam Speaker.

Madam Speaker, there is no legitimate reason to deny the *Fiji Times* and its employees income, as well as its readers information, with the exception of the Fijian Elections office which sometimes advertises in both newspapers, but mostly in the *Fiji Sun*.

Madam Speaker, only recently, we have seen a few advertisements on the campaign to change the flag, a leaf out on Government's consultation for development of a 5-year and 20-year plan, and vacancies of the Auditor-General and the Fiji's Correctional Service Commissioner.

Government and statutory organisations solely advertise in the *Fiji Sun*. This was a policy adopted by the previous government, after what it claimed was *Fiji Times* being anti-regime. This was confirmed in 2010 by the then government's spokesman, a senior Military officer who said in January 2010 that since 2009, all advertisements must be in the *Fiji Sun*.

Madam Speaker, we now have parliamentary democracy, I can understand the previous government's position on this, but we now are in a democracy. If anything, tenders are called for any service required by Government, are we sure that this was never done and still has not been done, (and I stand to be corrected on that, Madam Speaker). But for the sake of fairness, impartiality and dissemination of information in the widest possible manner, it is imperative that both newspapers are given advertisements for publication.

Government, Madam Speaker, we all agree is not anybody's personal property and to use taxpayers funds for the corporate benefit of one newspaper, and in the process, denying people fair access to information, actually, Madam Speaker, breaches the rights of the people and the newspaper itself. However, Madam Speaker, even after the return to democracy, following last September's General Election, Government continues its exclusivity policy in terms of advertising.

I have in possession a copy of an email sent by the Department of Information to Media Liaison Officers of all Ministries and Departments. The urgent email dated 18th November, 2014 is self-explanatory, Madam Speaker, and I quote:

“As per Cabinet decision on Government departments and ministries advertising in the *Fiji Times*, please note that only the Permanent Secretary for Information, on the advice of the Minister, has the authority to approve Government Departments and Ministries to advertise in the *Fiji Times* newspaper.

Further,

“The approval by the Minister and the Permanent Secretary can only be made once the requesting departments or ministries has advised on the necessity and importance of wanting to advertise in the *Fiji Times* newspaper. Please bring this to the attention to your senior colleagues in particular your corporate department.”

Clearly, Madam Speaker, the decision to exclude the *Fiji Times* is not a cost based decision as the email shows. It is unacceptable, therefore, that the readers of the *Fiji Times* and we all know easily the largest newspaper in terms of circulation, and this newspaper, Madam Speaker, is not distributed free and to the people of Fiji that they are excluded ...

(Inaudible interjections)

HON. DR. B.C. PRASAD.- ... from government information, vacancies, tenders and other important information.

HON. GOVT. MEMBERS.- It is for the schools.

HON. DR. B.C. PRASAD.- People need to have a choice, Madam. If I buy *Fiji Times*, why should I not be excluded from knowing what Government is advertising in terms of tenders and vacancies?

Madam Speaker, another example of Government clearly favouring the *Fiji Sun*, even while responding to opinions expressed through the “Letters to the Editor” column in the *Fiji Times*, following a news report in the newspaper about *Draunibota* Bay development and its potential with regards to the environment, printed in April, attracted the a Government response. Only through the *Fiji Sun*, and that too, in a paid advertisement by the Permanent Secretary for Local Government Housing and Environment.

Madam Speaker, I have with me a list of some sixty 60 Government Ministries, Departments, and Statutory Organisation who advertisements appears mostly on a daily basis in the *Fiji Sun* and comprehensively on Saturdays. And these includes almost all Government Ministries, Statutory Organisations, Government Commercial Companies, Town Councils, regional authorities, Fiji National University (FNU) and many others.

Madam Speaker, this Standing Committee on Natural Resources, in its report on the petition not to re-zone Shirley Park, (Parliamentary Paper No. 25/2015) actually discovered that during its hearing many people who appeared before the Committee, actually had not seen the advertisement and the Committee itself, Madam Speaker, recommended that the responsible authority must advertise notification of re-zoning, objections, objection periods, public consultation, et cetera, through all available media outlets.

In the case of Lautoka Shirley Park, Madam Speaker, this was only advertised in the *Fiji Sun*, and even Parliament advertised their Standing Committee hearings in the *Fiji Sun*. Madam Speaker, this is a blatant disregard and violation of Constitutional rights, employment and natural justice, and this must stop. Madam Speaker, people who are employed in the *Fiji Times*; right down from the Cleaner to the Editor and to all the senior people, they are daughters, sons, brothers, sisters of many of us in this country. What would they feel? How are they feeling right now? Knowing there is a government. One of its staff, Madam Speaker, met me and actually told me that she voted for 279, and that she was very unhappy as to why Government is not advertising in the *Fiji Times*.

(Inaudible interjections)

Madam Speaker, this is the fact. The fact of the matter is that these are citizens of our country.

(Inaudible interjections)

Madam Speaker, the important thing is, everyone must be treated equally. Why are you denying my right, if I choose to buy *Fiji Times* on a Saturday, not to find any Government advertisements, any tender advertisements, this is restricting the choice of the people. This is why, Madam Speaker, this exclusivity or advertising only in the *Fiji Sun* and denying *Fiji Times* any advertisement from Government and associated Government bodies is a breach of the Constitution. The Constitutional rights as I pointed out have been breached, Madam Speaker.

HON. A. SAYED-KHAIYUM.- Take it to court.

HON. DR. B.C. PRASAD.- Madam Speaker, I heard that dialogue from the Government side for a while, now take everything to court. What are they here for then? It is their responsibility, Madam Speaker, to think about what is right and what is wrong. And here we are trying to deny the citizens of this country the basic rights. That is the question, Madam, it is not about taking things to the court. It is very easy for the Attorney- General to keep saying that “if you do not like something, take it to the court”,

that is why I am not here. I am not here to take things to the court. I am here to raise issues in this Parliament.

(Inaudible interjection)

I am talking about the Constitution, Prime Minister because this exclusivity Madam Speaker breaches the Constitution, your Constitution. Read the Preamble!

Madam Speaker, I hope that Government will think about this seriously and I implore on them to support this motion and remove this exclusivity that they have for *Fiji Sun* at the expense of *Fiji Times* and the people who are work there Madam Speaker. Thank you very much.

MADAM SPEAKER.- Thank you. Now I invite a response from Government.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker.

HON. OPP. MEMBER.- Someone else?

HON. A. SAYED-KHAIYUM.- As the Minister for Communications, the question is directed towards me, so I shall speak.

Madam Speaker, the word “exclusive” means not admitting of something else. The Honourable Leader of National Federation Party needs to understand that. He is an academic. “Exclusive” means not allowing something else, correct? *Fiji Times*, Personal Development Programme, Plan, Meetings, Reserve Bank of Fiji....

(Inaudible interjection)

HON. A. SAYED-KHAIYUM.- No, but in the end, you didn't.

I only have a few here, Madam Speaker, where advertisements from Government and different agencies have been put in *Fiji Times* - Vacancy - Auditor- General, Vacancy - Fiji Constituency Commission, all of these advertisements have gone in even by the Ministry of Finance, Madam Speaker, last Saturday. So there is no exclusivity. There is no such things as exclusivity. Yes, he is right. A few years there was a directive given, and there are various reason for it.

HON. OPP. MEMBER.- Why!

HON. A. SAYED-KHAIYUM.- Because, Madam Speaker, we had actually meetings and a former Editor of *Fiji Times* told me that we are editorially opposed to your Government. That is what he told me over a cup of coffee. He told me that they are editorially opposed to your government. Now, if we are going to have editorially a newspaper that is going to actually come out and say that they are opposed to the Government, where do you think and how do you think that paper is going to write, for example, on development programmes. The Honourable Leader of the Opposition today is quoted in the *Fiji Sun*, when they asked her about any comments on the rape victim, she said “I have not seen that, we do not read your newspaper.”

HON. GOVT. MEMBERS.- Oh!.

HON. A. SAYED-KHAIYUM.- This is from the Leader of the Opposition of this country. These people say they are accountable to the people of Fiji and this is the type of comment we get on a rape case of a child from a Leader of the Opposition.

(Chorus of interjections)

This, Madam Speaker, is the double standards imposed by these people. Madam Speaker, let me also tell you, the Honourable Leader of Opposition talks about the right of economic participation of *Fiji Times*. Does that mean that Government gives all its accounts to everyone? Do we buy toilet paper from Nambawan? Do we buy toilet paper from Softly or whatever it is?

(Inaudible interjections)

Madam Speaker, the reality is this, there is no exclusivity, we advertise with them. The reality is there was exclusivity...

HON. OPP. MEMBER.- There was!

HON. A. SAYED-KHAIYUM.- There was. I can only tell you, Madam Speaker, that many instances when we approached *Fiji Times*, they will set down a number of conditions. It is too late, we need the LPO first; all those types of things are being imposed on us.

(Inaudible interjections)

But, I am also happy to inform this House, Madam Speaker, that Government actually at the moment is in the process of drafting, certain advertisements, because it is for financial discipline. What we'll be doing, Madam Speaker, you will see very soon advertisements pertaining to government advertising for radio, for television and also for newspaper print where we will be asking for expressions of interest, based on certain criteria for all of Government, all of different Ministries, because the practice has been Madam Speaker, that individually, Ministries or the media liaison officers go off and approach, you know, *Fiji Times*, *Fiji Sun*, whoever it is, *Fiji TV*, *FBC*, *CFL* and say, "we want to advertise, what will be your rates?". We do not want to do that anymore. What we want to do is have a whole of Government approach so Government in entirety will call for Expressions of Interest and then we will negotiate the rates. At end of the day, it is negotiation of rates; at the end of the day, it is about how flexible they can be, because sometimes we need to be able to put out advertisements very, very quickly, we need to do things at the last minute. We need for them to be able to do the right typesetting. These are the issues that are at the fore for our consideration.

Madam Speaker, the reality is that *Fiji Times* has not closed down because Government has not advertised fully with it. It has not closed down. There has been no job losses. His talking about the economic participation of those workers, they still have their jobs. Madam Speaker, it appears to me that he is flying the flag for the owners of *Fiji Times*.

(Chorus of interjections)

That is what it appears to be. Perhaps they funded them in the last elections. Perhaps they funded them in the last elections. Perhaps they funded them in the last elections. Let me also remind this House, Madam Speaker, that one of the directors of the related company *Fiji Times* is a fugitive in Australia. He has escaped the law in Fiji, there is bench warrant out for him in Fiji because he is not answering to the charges that have been laid against him. Let me also tell you, Madam Speaker. Thank you Madam Speaker.

HON. RO T.V. KEPÄ.- Point or Order. Can he just be relevant and respond to that question, Madam Speaker and he should not cast slurs on people that are not here to defend themselves.

Madam Speaker, on the question of relevancy, our concern for the 9 year old rape victim is reflected in today Urgent Question that was put before the House.

In terms of my response to the Fiji Sun reporter outside, that was indeed my response to him because there is nothing balanced about their reporting, it is always one-sided. Therefore we have taken that policy not to read their papers.

HON. A. SAYED-KHAIYUM.- Madam Speaker, by natural logical extension, if the other side was on this side of the House, they would not have advertised with *Fiji Sun*.

(Laughter)

That is what it would have meant. That is what it would have meant. Because of natural logical extension, because they don't do

We have advertised and as I have said to this House, we will put out advertisements that will go out calling for expressions of interest. In the same way, Madam Speaker, we are going to call for expressions of interest for providing travel services. We will choose only one or two suppliers, because at the moment all the different ministries' secretaries have their own travel agencies, they make their own arrangements. We want to consolidate all that, that includes also television, radio and media; those advertisements will be going out, that is a work in progress. Madam Speaker, I love the way it all became very sensitive.

(Inaudible interjection)

HON. A. SAYED-KHAIYUM.- I can invite you to my office.

Madam Speaker, it is interesting how they quickly jump to that defence when he talks about the other side, very, very quickly Madam Speaker. There is obviously a very raw nerve on the other side regarding that.

Madam Speaker, let me also tell you that media organisations Madam Speaker need to play a certain level of responsibility. They need to participate in various community projects too that Government embarks on.

Let me also tell you, Madam Speaker, recently when we had the 23 flag designs, the Fiji Sun decides to print it for free. We rang up Fiji Times, we said, "we want to print it with you", this is what Fiji Times said, "No, we are not going to do it." They said, "We are going to charge you \$1,500 or \$2,000 a page" whatever the case was. That is why the advertisements with them were limited. These are considerations that take place in the background.

So Madam Speaker, the reality is this. This motion is flawed. Firstly and factually is flawed, there is no exclusivity. There was, but not now. Do not live in the past. Do not live in the past. Do not live in the past Madam Speaker, there was, there is not now, we will be putting in place advertisements regarding these types of services, not just media services, but other services that can provide. We have already embarked on this, Madam Speaker. If they read the papers, they would have seen that for example, we have advertisements regarding the consultants. We are calling for consultants for all of Government. All of this work has been done in progress and this is to streamline the financial procurement services of Government.

Madam Speaker, I completely oppose this motion because it is firstly, factually incorrect and legally incorrect too, Madam Speaker. Thank you.

MADAM SPEAKER.- Before I call on the Opposition Member, may I remind members that I do accommodate interjections, but for as long as I can hear the honourable member that is speaking and this has been the practice in this Parliament.

I now invite a Member from the Opposition for his response to the motion.

HON. V.R. GAVOKA.- Thank you, Madam Speaker, I rise to speak in support of this motion today. Let me say that we are progressing, dialogue like this instigated by the Opposition helps guide the Government in what they do and we must applaud that. It is just too bad that they want to reduce our contribution and the guiding of this country by reducing the sittings of Parliament next year. The country is going to be denied all this wisdom from this side to help move the country forward.

Madam Speaker, the freedom of expression is so precious to everyone here in Fiji. We grew up that way. Fiji Times was the first newspaper in this country and indeed it was the first newspaper in the world, published every day.

HON. N. NAWAIKULA.- Tell that to your son-in-law.

(Laughter)

HON. V.R. GAVOKA.- For most of us, a newspaper is very much part of the day. Before you go anywhere, the newspaper is part of you. Now, to deny the publication of important Government information in a newspaper is doing injustice to the people of this country. I am glad now that that has been rectified, that there is balance, there is fairness in the way things happen now with the print media.

Madam Speaker, let me just say here that for most of us, I mean for me personally, I like the writing style of Fiji Times, I do not read anything else; no reflection on the other paper, it is the way they write things, given that it is a free country – they can write in whatever style that they want. I like my Fiji Times, I like the content, I like the priorities they put in what they report every day and I believe, we were brought up that way from the beginning. We were brought up with Fiji Times, the culture, the quality of their writing and all that. It has fully established itself in the majority of our people. So much so, Madam Speaker, in my area where I come from (Nadroga) it is almost always sold out. So all this while, by not publicising Government's activities in the Fiji Times, a vast majority of our people were not fully clued on what Government was doing. I know the Prime Minister is saying, "Come to me". One day I will go with him on one of his international jaunts, maybe him and I could have a good chat.

(Laughter)

But Madam Speaker, this is fundamental, the freedom of the media is so important, we cannot favour one publication, we have to be balanced, we have to be seen to be balanced and it is for everyone. It is a right that is so precious to all of us.

Let me just here, Madam Speaker, that when the overthrow happened in 2006, I asked myself, "what did I miss most?" – the job that I lost, the freedom that I lost? Madam Speaker, what has come to me was that, it was the quality of dialogue in this country that really hurt me most and this was because the media was gagged; that hurt me the most. I believe the vast majority of our people who were denied that right, and I believe that hurt the most. Not what hit us in the pocket, not the other things that we suffered, but it was to be denied the full ability to read what you want to read, to make up your own mind in any way you want to make it, and that to me is a right that is fundamental to all of us in this country. That right, Madam Speaker, should be protected and that right should be supported by the Government and they should support all the media that is providing all their service or their right to our people, Madam Speaker.

Madam Speaker, I support the motion and I am glad we are making some way into it, and let me just say let us not always say “no”, the other side of the House is an automatic “no”. Remember Ratu Mara characterised the other side at one time as “automatic no” because everything he brought up was a “no” from that side. Do not forget it was the late A.D Patel from the other side who helped setup the FNPF, the Alliance members included him. They were inclusive, that was how he setup the FNPF, by inclusiveness, by voting on conscience, not the automatic “no” that we hear from the other side every day. We had this motion today and if we have another motion here, please rule by your conscience and just say “yes” for a change, it will be good for Fiji.

MADAM SPEAKER.- I now invite the Honourable Dr Biman Prasad for his right of reply.

HON. DR. B.C. PRASAD.- Thank you Madam Speaker. I will be very brief, because I think there is a very good admission from the Government side that there was clear exclusivity, that they are now removing that exclusivity. I think what the Attorney General tried to do is to tell the House a very narrow definition of “exclusivity.”

These days Madam Speaker, google is very easy, if some of the Members on the other side just google and look at the meaning of “exclusivity”, they will understand what I was saying. Madam Speaker, the examples, I am happy that the learned Attorney General now provides examples that Government has actually changed its position, it is now doing away with exclusivity, it is engaging with the *Fiji Times*.

Madam Speaker, this issue, if it was an issue of Government practicing some kind of exclusivity because it is a Government-owned entity, there are obvious reasons for Government to use Government entities to get services, then that is acceptable Madam Speaker., but when a Government is dealing with private enterprises, the Government is for everyone. I mean they talk about inclusiveness and Honourable Gavoka put it very rightly that it is not always a good thing, Madam Speaker, and we showed that yesterday; the Opposition showed that yesterday.

We supported the Bills that came yesterday because we believe that those Bills needed to be supported, and I agree with him wholeheartedly that this is a Parliament where we need to, every now and then, apart from the fact that we engage in debate, we need to think about being inclusive; think about moving things forward and as I said Madam Speaker, this is a very fundamental point for the NFP in Parliament, Madam Speaker, and I thank Honourable Gavoka for actually highlighting NFP’s philosophy. We have always believed in inclusivity, we have always believed in dialogue, we always believed in supporting something which is good, and I think, Madam Speaker, we, as a party in the Opposition, we are demonstrating that at every instance that we can, and I hope that Government will support this motion. There is nothing for them to lose, but to gain by supporting this motion.

So Madam Speaker, this is not an issue about money, this is an issue about the rights of the people, as I have said, there are people working in the *Fiji Times* who are our citizens, who are our brothers, sisters, daughters, sons. They need to understand that Government does not discriminate them as well, and that is the main objective of this motion.

I commend this motion to the House, I commend this motion especially to the Prime Minister, Madam Speaker, because I think the Prime Minister can show leadership on this as well as he has done on other things and we acknowledge that when he does show leadership, and in this particular case, I specially ask him through you, Madam Speaker, to vote for this motion.

MADAM SPEAKER.- It looks as if the only person that will vote will be the honourable Prime Minister. However, Parliament will now vote on the Dr Biman Prasad’s motion.

Question put.

Votes cast:

Ayes: 17
 Noes: 26
 Not voted: 7

Motion is defeated.

MADAM SPEAKER.- I now invite the Honourable Salote Radrodro to move her motion

FLIGHT COSTS – DOMESTIC SERVICES

HON. S.V. RADRODRO.- Madam Speaker, I rise to move the motion:

That in view of the need to provide affordable low-cost air transport services to inter-island destinations, that this House directs the relevant Standing Committee to -

- (1) Review the current domestic flight business model with the view to reduce flight cost to allow affordable low cost domestic services for the people; and
- (2) as an alternative, consider introducing a fare subsidy to the provider to supplement reduction in flight costs.

HON. N. NAWAIKULA.- I beg to second the motion.

HON. S.V. RADRODRO.- Madam Speaker, first of all, I acknowledge that Government has in place plans to improve the Civil Aviation Industry, with the aim of providing safe, reliable and affordable air travel and in this regards, the intent of this motion is to present our views on what we believe should be done to ensure safe, reliable and affordable air travel, within Fiji, particularly in the provision of affordable, low cost domestic air fares.

Madam Speaker, the Government has said that for the first time ever, they have offered subsidy for the Suva- Kadavu route. This is indeed welcome, but may I ask, has this really happened. For Madam Speaker, I note the return air fare are as follows: From Nadi to Kadavu - \$415; Suva – Kadavu - \$212

Madam Speaker, this still seems too high, therefore; in relation to the subsidy for Suva Kadavu flight, I query why this route, when there are less than two flights a week and the shipping services is more reliable compared to the other maritime islands?

Madam Speaker, in contrast there are more regular flights from Suva to Savusavu; from Suva to Taveuni; and from Suva to Labasa, with up to 3 or 4 flights in a day, and I recall in the later days even to Vanua Balavu, there used to be three flights in a week. This tells us that there is a high demand for air travel as they prefer air transportation mode, but unfortunately at this frequency, the return air fares are still too high, and I quote:

- Suva/Savusavu - \$270;
- Nadi/Savusavu - \$473;
- Suva/Taveuni - \$380; and
- Suva/Labasa - \$292.

So, Madam Speaker, it would be more appropriate and sensible to subsidise flight routes for which there is frequent travel.

Madam Speaker, I call for the need to offer low cost, affordable flights to all routes, to all domestic routes. Madam Speaker, we must note that the current service provider has a monopoly on the market, essentially profitability levels ought to be hitting break-even point or attaining normal profit.

Madam Speaker, we must also further note that the fuel prices have significantly gone down but the relative downward adjustments to air fares has not happened as should be expected. Furthermore, Madam Speaker, the airport conditions, especially in the maritime islands are in a very bad state, and yet the air fares continued to go up.

Madam Speaker, not diminishing my earlier point and because of the irregular shipping services, the most needful areas for improved flight services are also in the maritime areas, like Vanua Balavu, Lakeba, Cicia, Moala, Ono-i-Lau, Rotuma, Gau, Koro, and so on. These islands must also be afforded the opportunity for safe reliable and low cost flights.

However, Madam Speaker, the flight costs to these islands are extremely high and beyond the affordability of common people. For example:

- Suva to Vanua Balavu - \$566;
- Suva to Lakeba - \$566;
- Suva to Cicia - \$543;
- Suva to Ono-i-Lau - \$811; and
- Nadi to Rotuma - \$1,279.

Madam Speaker, for these reasons and more, the people really need low cost air fares, and we need it now.

HON. OPP. MEMBERS.- Yes, yes!

HON. S.V. RADRODRO.- Therefore, Madam Speaker, I urge Government and the Minister responsible, to consider this now, not in two years' time, not in three years' time, but now.

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Wait for the Election!

(Laughter)

HON. S.V. RADRODRO.- Madam Speaker, this motion also calls for a review of the current service providers' business model. In addition to reviewing the fare structure, the service provider can also offer other inflight services, such as the provision of moist towels and water for all domestic flights because the aeroplanes do not have air conditioning or maybe they are malfunctioning, and if we can offer it to the international flights, why not our local flights?

HON. A.T. VADEI.- Yes!

HON. S.V. RADRODRO.- Madam Speaker, in addition and given the current service provider has a monopoly on the market, they surely can afford to offer product offerings, like half price airfares on certain days, to low demand destinations. They can also assist tourism development in these islands.

In conclusion, Madam Speaker, I beg this Parliament to consider these points I have raised today, and request that this motion be taken positively for consideration by the relevant Standing Committee.

With that, Madam Speaker, I commend this motion to the House.

HON. A. SAYED-KHAIYUM.- Madam Speaker, it is unfortunate that the other side is asking all the questions relating to the ministries that I hold portfolios for. You need to ask questions to the Ministry of Agriculture, motions on *iTaukei* Affairs, motions on sugar, motions on employment, motions on education, motions on land and motions on industry and trade. All of these could be done, but you are not doing it. That is your problem.

Madam Speaker, before I actually comment on the motion, I would like to very quickly, just for the record, respond to the honourable Leader of the Opposition, she stood up and I did not respond because I forgot about it. She said that I was casting slurs but I was not, actually I stated facts. That director has actually been charged by the court of law. There is a bench warrant out for him because he went out to get medical services and he did not come back. That is a fact, it is not a slur.

Madam Speaker, the honourable Member has raised issues pertaining to the subsidy for flights to outer islands and maritime areas. Madam Speaker, Government does provide subsidies, in fact, Government has increased subsidy this year. If the honourable Member read the *Estimates*, and it is here, “Domestic Air Subsidies on Line 6, Programme 2, Department of Civil Aviation - \$1.688.3 million.” Madam Speaker, let me tell you what that does and there is no exclusivity also in this area. There is Northern Air and Fiji Link both of them fly, we want more airlines. In fact, we gave a licence to InterLink. This company came from Samoa, we opened up the market. They want to fly domestic, we said; “Fly domestically. We want more competition” but unfortunately, they have not taken off, so to speak literally and figuratively.

Madam Speaker, give an example, we actually called for tenders. If they read the papers, they will see that the advertisement ...

(Chorus of Interjections)

...is the right one. Madam Speaker, if they have seen the advertisement in the papers, it calls for Expressions of Interest.

HON. LT. COL. I.B. SERUIRATU.- You don't buy *Fiji Sun*.

HON. A. SAYED-KHAIYUM.- They don't comment on *Fiji Sun* either.

Madam Speaker, the advertisement basically calls for Expressions of Interest, we call for tenders. Unfortunately, we have two airlines that only tendered for it, which is Fiji Link and Northern Air. Some routes are given to Northern Air, based on the pricing. I will give you an example, Madam Speaker.

Northern Air's cost of servicing Ono-i-Lau route is \$6,500 per one-way trip and return is \$13,000. That is the pricing. Northern Air can only carry four passengers one way from Nausori to Ono-i-Lau in the islander aircraft due to the distance and fuel constraints. So, the cost of one seat, one way is \$1,625. However, the passenger currently pays \$405.75 for one way from Nausori to Ono-i-Lau under the subsidy scheme. So, you can see the difference that the subsidy makes to the actual commercial cost of serving the trip to Ono-i-Lau.

Madam Speaker, the reality is, that there are economies of scale that companies work with. They have to be commercially viable. In the same way that Government is subsidising shipping services. They are not talking about shipping services, they have accepted it. The fact is Madam Speaker, the principle of it; the fact is, the principle is the same, Madam Speaker. Government provides subsidies to shipping services. There are many Fijians who take shipping services because that is what they can afford and that's an alternative.

HON. M. BULITAVU.- That's irrelevant.

HON. A. SAYED-KHAIYUM.- It is relevant, most definitely relevant.

It is in the same way, if you want to take a taxi or a hire car, Madam Speaker, you will go by bus. These are the options we try and give people, and this is what we have done, subsidises quite significantly.

So Madam Speaker, the routes that are currently subsidised are trips to Cicia, Gau, Kadavu from this year. From this year Koro, Lakeba, Ono-i-Lau, Rotuma and Vanua Balavu. These are the islands that we have been providing subsidies to. And as you can see from the list, Madam Speaker, they are very low population based. Very low population based. So, the amount of people that travel between that, obviously is lower. Kadavu is probably the largest but we will also provide subsidy to Kadavu from this year.

We have, Madam Speaker, also have been constantly working with the airlines to improve the services. We obviously want to be able to reduce it, we have to work within financial constraints. Of course, if the economy does well, the GDP increases, we can provide even greater subsidy, and that is what we are focussed on. The honourable Members from the other side are saying; "Not enough, bring it!" Where are you going to pluck money out, from the air? There needs to be economic realities, Madam Speaker. Unfortunately, this has always been the problems on the other side, they do not understand finance! They do not understand commerce!

(Chorus of Interjections)

The honourable Shadow Minister of Finance from the Opposition side should have advised the honourable Radrodro about this type of economic realities. They need to come together as a team and understand financial commerce and the commercial imperatives.

Madam Speaker, in short, the reality is, that we also had Air Fiji. Air Fiji was run terribly. It shut down. Unions had a hand in it, mismanagement of funds, the unions did not want to let go of their demands, Air Fiji is no longer with us. So, we were left for a number of years with Fiji Link, Pacific Sun as it was called before. Now, we have Northern Air – thank God, Northern Air has come into the play. We want more players to come into the market so we have greater competition, greater efficiency.

At the same time, Madam Speaker, AFL is looking at improving the conditions at many of these island airstrips. As you know, generally these airstrips have been neglected for decades. They do not have the ability to keep fuel. This is why when these planes go to these outer islands, they actually carry the full fuel. Therefore, it reduces the capacity to carry more passengers because they take the full fuel payload. They land, there is no way of refuelling and they have to come back. So, the cost of disbursement becomes a lot more tighter. Madam Speaker, that is basically the problem, so it is not the price *per se*, it is about the logistics, capital investment that needs to be made in the airstrips, and this is what we are focussed on.

As you may have heard in some of the budgetary announcements by the honourable Prime Minister previously, we have improved, for example, the runway conditions in Rotuma. We are trying to get focus on improving runways so we can get the ATR 72s landing. If the ATR 72s land, Madam Speaker, then obviously the cost or the price of these air tickets will come down, you probably can even fly on to Tuvalu. That is the long-term aspects that we are looking at.

Madam Speaker, obviously, the extension of the Savusavu runway, there have been numerous of discussions about it with the tourism operators.

HON. N. NAWAIKULA.- When?

HON. A. SAYED-KHAIYUM.- You will see, Madam Speaker, the honourable Nawaikula does not understand commerce - he does not understand. He does not understand engineering, logistics and air safety. You got a hill in front of the airstrip, the lift off and all those issues need to be addressed.

But Madam Speaker, I most definitely oppose this motion because it is based on a false premise. The reality subsidies are being provided, the reality subsidy this year has increased, and of course, Government, given the growing of the pie, will look at improving those services and perhaps even improving the subsidies. Thank you, Madam Speaker.

MADAM SPEAKER.- I now invite a Member from the Opposition to respond to the motion.

HON. DR. B.C. PRASAD.- Thank you, Madam Speaker. Unfortunately, we cannot help it because the honourable and learned Attorney General and Minister of Finance holds some very, very important portfolios, and more often they are not, there are more issues around his Ministries and they are important economic sectors, so naturally we end up asking more questions to him.

However, the Attorney General Madam Speaker, should not always continue to say that people on this side of the House do not understand this, do not understand that. They are confused - yes, not everyone on this side understand economics, not everyone on the other side understand economics or business. So, and what I think honourable Radrodro was trying to say is really about the business model, Madam Speaker, and we understand the economics of subsidies, why subsidies to uneconomical routes are provided by Government, and it is a responsibility of any government, it is not a new thing. What we are saying, Madam Speaker, is the model, and I agree with the honourable and Attorney General that we need more competitors but we also, Madam Speaker, need fair competition.

One of the things that I want to point out to him is the fuel surcharge. Fuel surcharge is only given to Fiji Link and not to the competitor on certain routes. So, if you have a fuel surcharge, Madam Speaker, just given to one and not to the competitor (and I stand to be corrected on this), but I am told that it is about \$40.00 per sector. So, if you look at a sector, you could be looking at \$80.00 as fuel rebate, whereas the competitor on the other hand will not have that rebate.

What we are saying Madam Speaker is, if the honourable and Attorney General is right that we need more competition, the only way, Madam Speaker, apart from providing more subsidies, is increasing the subsidy to reduce fares. The other alternative of course is to introduce more competition, allow more players, get more airlines...

HON. A. SAYED-KHAIYUM.- We are allowing them, no one is stopping them.

HON. DR. B.C. PRASAD.- No, you have got to have your business model right. You cannot discriminate against a competitor by giving fuel rebate to just Fiji Link. Therefore, Madam Speaker, if one operator, that is the Fiji Link, gets a rebate, then you minus the rebate, that actually ends up paying a lower tax, so they actually end up making more profit.

So, if you discriminate another player, you are actually supporting another player to increase its profit. I think what can be done, and I think the Commerce Commission needs to look at this model, is how the fuel rebate works, what are the routes in which they need to relook at those rebates and ensure that there is fair competition, Madam Speaker, and having a fair competition and allowing a level playing field in terms of fuel rebate, for example, we may be able to attract more players.

At the moment, if I am another player, I want to enter domestic market, I will look at the Government policy, I will look at the fuel rebate and I will say "Well Fiji Link has a distinct advantage, there is no way, I can compete with them because the Government is giving them fuel rebate on profitable routes."

On the unprofitable routes, Madam Speaker, that is fine, the competitor also gets fuel rebate but on competitive routes, you ought to give fuel rebates to both of them, or all of them, if they are all paid on those routes.

I think there is merit to this motion, and I am actually quite impressed with the understanding that honourable Radrodro has of this issue, contrary to what the honourable and the learned Attorney General has been saying.

So, Madam Speaker, I think there is a very clear case for Government to look at the model, especially look at the fuel rebate and invite the Commerce Commission. I do not know what the Commerce Commission is doing ...

HON. DR. M. REDDY.- (inaudible)

(Laughter)

... well, Madam Speaker, honourable Minister for Education was the Chairman of the Commerce Commission, he never looked at the air fares. He should have looked at it, so I urge the Government to get the Commerce Commission to look at that model, because I think it will be a sensible thing to do, to promote more competition, allow fare competition and we may actually get more players, if not more players. One other player may be able to provide service that will also reduce the fares to some of the destinations, and ultimately the people who are travelling, Madam Speaker, will benefit.

So with those words Madam Speaker, I support the motion. Let me also say that even if the Government, in the usual no, they should go back and relook at the business model at least on that fuel rebate. Thank you, Madam Speaker.

MADAM SPEAKER.- I now invite the honourable Salote Radrodro to give in her right over a reply.

HON. S.V. RADRODRO.- Thank you, Madam Speaker. Firstly, I interpreted it as a support for the motion that when I was speaking, I looked across the room, the Honourable Prime Minister was giving me the tick sign...

(Laughter)

... so I interpreted that as a support. Thank you, honourable Prime Minister.

(Chorus of interjections)

Also, I would like to pick up the comment by the honourable Minister that the Government is going to “pluck money out of thin air”. Are you suggesting that Fiji is having a problem to fund the 2015 budget?
...

HON. N. NAWAIKULA- Big problem!

... or, are you suggesting that we are having cash flow problems?

Madam Speaker, without any movement from the approved budget, I can say, or may I suggest, that the Government engages in prudent financial management. Prudent financial management is very important, like for example, was the money used for the change of flag, factored into the 2015 budget?

HON. OPPOSITION MEMBERS.- No.

HON. GOVERNMENT MEMBERS.- Yes.

HON. S.V. RADRODRO.- I do not see that in the 2015 Budget. I do not see that, and I do not see that as a priority in here (*shown the Budget Estimates*).

So that is what I mean Madam Speaker, that we have the money, but we need to prudently manage our finances so that it is allocated to areas where people are crying and need assistance. Change of flag is not a priority to the people of Fiji, but the reduction of air fare is a priority, this is what the people are asking for and we should support that.

Furthermore, Madam Speaker, we also note that Fiji is extending its wings to Tonga, and now we hear that there are domestic flights in Tonga and we congratulate the Government for that. However, we are asking that the same positive attitude that is being given to outside Fiji, comes to us first.

Madam Speaker, for the subsidy that we have been told by the Honourable Minister that is being effected in the 2015 Budget but we note, and as I have read out, the airfares are still very expensive. I mean, the local fishermen in Vanua Balavu cannot afford the \$566.00 For example, Madam Speaker, if there is a serious medical case in Vanua Balavu and the Medical Department has not responded positively in terms of evacuation, if there was flight going, it would afford the people an opportunity to come and seek alternative medical treatment here in Suva. However, the fact that the airfare is so expensive, the people may be left to die in the islands because there is no transportation that would quickly bring them to Suva for urgent medical treatment.

I heard an honourable Member said ‘emergency flights’ but I was stressing a point in case that the Medical Department is still trying to arrange for medical flights, the members of the community can have the choice if they have the money but the airfare is too expensive.

Furthermore, Madam Speaker, we hear from the honourable Minister in his previous statements that the airline is making huge profits. So, why cannot part of that profit be diverted to upgrade our air transport system domestically?

Furthermore, Madam Speaker, we have heard that the subsidy has been granted, but how did they arrive at this subsidy? How was it determined? Was it also plugged out of thin air? For this kind of subject, Madam Speaker, there needs to be a research undertaken...

HON. OPPOSITION MEMBERS.-Yes.

HON. S.V. RADRODRO.-... to be able to determine the kind of subsidy that the Government could give. Therefore, Madam Speaker, in supporting this motion, I would request that this be directed to the relevant Standing Committee so that proper research could be undertaken, and we could hear from the members of the community, who are suffering from this high cost of air travel.

MADAM SPEAKER.- I thank the honourable Salote Radrodoro for her Right of Reply. Parliament will now vote on the motion

Question put.

Votes cast:

Ayes: 17
Noes: 27
Not Voted: 6

Motion lost.

WEEKLY ADJOURNMENT MOTION

Variation of Fees for Medical Reports

HON. P. SINGH.- Madam Speaker, I beg to move:

That this Parliament expresses concern at the unfair practice of levying different fees for medical reports by the Public Hospitals, sought by citizens for compensation claims.

This House, therefore, calls on the Minister for Health and Medical Services to immediately review and standardise the fees.

MADAM SPEAKER.- Honourable Members, because it is a Weekly Adjournment Motion, we do not need a Secunder to the Motion. You may speak on the Motion, honourable Member.

HON. P. SINGH.- Madam Speaker, this Motion is about the fees and charges levied by the Government hospitals for medical reports. It has been stated many times by the honourable Prime Minister, and rightly so, that all citizens should and would be treated as equal, and there should be no discrimination based on race, gender, religion or any other reason. The Constitution also provides this guarantee, Madam Speaker. However, the Ministry for Health has been practising discrimination as far as their charges are concerned for medical reports. This is especially so in the case of persons seeking reports for compensation claims.

Madam Speaker, if a person who is injured in an accident consults a solicitor to make a compensation claim and the request for medical report goes through a solicitor, the charge is \$287.50. Even if a person goes directly to the hospital and says he/she needs a report to give to his or her solicitors for a compensation claim, they are told to pay \$287.50. If a person goes to the hospital directly and requests for a report without mentioning a solicitor, he or she is told to pay \$115.00 for the report.

Madam Speaker, if the report is for insurance purposes, the charge is \$287.50. Why are all these people not treated equally? Why is a person who is injured in say, a motor vehicle accident, and wants to make claims through a lawyer is asked to pay an exorbitant sum of \$287.50? If the same person goes directly and says nothing about a lawyer, he/she is asked to pay \$115.00, which incidentally is also excessive. Apart from the charges being exorbitant, this is blatant discrimination, Madam Speaker. Almost all of these people are ordinary workers, and after an accident, they are out of work and have no earnings. At times, they have families to support, and get assistance from other family members to survive. So, how can they afford to pay \$287.50 or even \$115.00? They need the medical reports to make a claim for compensation, whether the injury was through motor-vehicle accident or industrial accident in a factory or on a work site. Previously, the charges for medical reports used to be \$5, which was affordable by most people.

Madam Speaker, we believe that getting compensation after injuries is part of the rehabilitative process for the patient. He/she needs compensation for rehabilitation. If the injured person does not get compensation, his/her family becomes a burden on the State and other family members. The Government should help rehabilitation by making medical reports readily available and affordable. This is not so at presently, Madam Speaker, there is discrimination and the medical reports are beyond the financial reach of those who are most vulnerable and in need of it.

Madam Speaker, it must be pointed out that it is much easier for injured parties to deal through solicitors to obtain their medical reports rather than going to the hospital themselves. The reports are not

given immediately, and upon the payment of the required fees, there is a lot of chasing up to be done, and enquiries have to be made on numerous occasions. This is a difficult and almost impossible task for most of our ordinary Fijians. They do not have access to fax machines and internet, and phone calls to the hospitals are mostly out of no use. They cannot be expected to travel to major urban centres or go through divisional hospitals on numerous occasions to make enquiries. It is much easier for solicitors to do that, but if a person goes through a solicitor, as I said earlier, he/she pays \$287.50.

Madam Speaker, Section 25 of the 2013 Constitution, 'Access to Information' states, and I quote:

“(1) Every person has the right of access to –

- (a) information held by any public office; and
- (b) information held by another person and required for the exercise or protection of any legal right.”

The sum of \$287.50, Madam Speaker, is so prohibitive for most people that it is tantamount to breach the above clauses. An injured person has the right to claim compensation for his injuries. His/her human right is also violated when the charges for the medical report is beyond his/her reach.

Madam Speaker, if medicine can be supplied free for those who earn less than \$20,000 a year, why charge \$287.50 for a medical report, and to a person who is down and out injured, and most likely not earning anything? No caring Government can do this, Madam Speaker!

Madam Speaker, the Ministry must standardise the charges for medical reports and drastically reduce the charges in order to make them affordable to all citizens, most of whom are injured and in need of compensation providing a medical report. For those seeking, compensation is part of the rehabilitation of the patient. In our view, the charges should not be more than \$20.

With those words, Madam Speaker, I commend the motion to the House.

HON. J. USAMATE.- Madam Speaker, I thank the honourable Member for his motion, expressing concern at the fees and requesting that this be reviewed and standardised. He has correctly mentioned that the initial fee for medical reports was set at \$5 per report. In anything that we do or however we set fees, we always have to look at the ramifications on the whole system or its effect on the whole of the Ministry of Health.

As the result of what happened initially when the fees was set at \$5 per report, the impact was that, they led to overwhelming requests for reports and given the fact, that some of the doctors work up for 24 hours stretches or 36 hours stretches while I met some who even work for 48 hours stretches so when there is huge influx of the need for reports, they find that it takes away the time that they have to do the value adding work which is to deal with patients on a one to one basis on an ongoing basis. As the result of that, and I have an example here, in a simple motor vehicle accident, we have instances where there could be a separate report for a police report, a workmen's compensation report, a progress medical report, a report for insurance, a report to the Social Welfare Department if applying for welfare assistance and a report to the Fiji National Provident Fund (FNPF) if applying for FNPF partial withdrawal assistance. Yes, all these things are very important but they also detract from the main role of those who are working in this country. As I have said, the initial reports could be obtained for \$5, where as in other countries like Australia and New Zealand, it ranges from 500 to around 1,500 reports.

There was extensive consultations taken in 2010 when there was a review of the fees which was gazetted in 2010 and soon after that, there was a further review in 2012, which resulted in the Schedule of Fees that we have here, which is now currently in place. These reviews were conducted because there

was concerns from different people in the community about the rates that were in place, and also because new medical procedures were coming into place in the hospital. If you have new medical procedures and if they are not in the report, then those fees need to be there.

Currently, the fees do range from zero, there are a lot of reports for which fees are not charged. There is also a gradual or difference in the scales of report, and then it goes all the way up to \$287.50. There are reports that are not charged, like reports requested for Social Welfare Scheme, for workmen's compensation form LD1, police medical report as in motor vehicle accident enquiries, discharge summaries, et cetera, which are all paid..

However, there are a reports that are paid. These are comprehensive reports that are required for legal proceedings. Why is there a variation in this? The variation is largely because of the professional time that it takes to write a report. If you have a workmen's compensation case, workmen's compensation case act like this. If someone gets injured today, you cannot calculate the percentage of impairment of that person today. You have to wait for a certain period of time, whether it is 12 months or 18 months, to work out the percentage of loss that he has had in the functionality of his arm or leg or whatever it is that he has injured. So, what happen in that case? He comes to the doctor, the doctor gives him a sick sheet or whatever and then he comes back 18 months later. So, to prepare that report, means the doctor has to go back and unearth - he has to do a lot of hours of research on what took place. By this time, this is the doctor who is meeting 100 patients a day. He has gone over for another 12 months doing his work 18 months, he has to come to back, so there is considerable investment in time. There is opportunity costs also in this sort of exercise.

Some reports involve the finding of medical forms which only requires the statement of the patient's medical conditions, these are charged at the lowest cost. However, where it requires an extensive effort on the part of the person completing that report, the charges are higher but there is a basic rationale for this. There are some reports require doctors to provide the professional opinion on a disease or process or management, on a future outcome, on residual disability from injuries or disease processes, on a signing causes of disease due to nature of work or to the work environment. These kinds of reports as I have said, will require a higher fee.

Examples of these kinds of reports are the ones mentioned by the honourable Member, by legal practitioners and insurance companies and these are set a higher fees in the first schedule because of that fact. They are also, as I have said before, requested many weeks and months after the patient had last used service of the doctor.

In summary, Madam Speaker, there are different categories of medical reports, some are provided fees and others are provided for different level of fees. The current Schedule that we have was last revised in 2012, and over time, these Schedules will be revised as and when there is a need, as discussed by the staff within the medical fraternity. So, if there is a need in the future, we will consider this - the idea that has been expressed here and when the time comes to review the Schedule that we have under this regulations, they will be taken into consideration at that time.

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

ADJOURNMENT

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

That Parliament is now adjourned until Monday 24th August, 2015 at 9.30 a.m.

HON. S. PATEL.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

MADAM SPEAKER.- Honourable Members, I would like to thank you all for a very eventful week. We wish you all the best in your preparation towards the next sitting.

The Parliament is now adjourned until Monday 24th August, 2015 at 9.30 a.m.

The Parliament adjourned at 12.17 p.m.