

# **PARLIAMENT OF THE REPUBLIC OF FIJI**



## **PARLIAMENTARY DEBATES**

### **DAILY HANSARD**

**THURSDAY, 19TH APRIL, 2018**

**[CORRECTED COPY]**

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**THURSDAY, 19TH APRIL, 2018**

The Parliament resumed at 9.35 a.m., pursuant to adjournment.

HONOURABLE DEPUTY SPEAKER took the Chair and read the Prayer.

**PRESENT**

All Honourable Members were present, except the Honourable Prime Minister and Minister for iTaukei Affairs, Sugar Industry and Foreign Affairs; the Honourable Minister for Agriculture, Rural and Maritime Development and National Disaster Management and Meteorological Services; the Honourable Minister for National Security and Defence; the Honourable Minister for Industry, Trade, Tourism and Lands and Mineral Resources; and the Honourable Assistant Minister for Women, Children and Poverty Alleviation.

**MINUTES**

HON. ACTING LEADER OF THE GOVERNMENT IN PARLIAMENT.- Hon. Deputy Speaker, I move:

That the Minutes of the sitting of Parliament held on Wednesday, 18th April, 2018 as previously circulated, be taken as read and be confirmed.

HON. A. SUDHAKAR.- Honourable Deputy Speaker, I beg to second the motion.

Question put.

Motion agreed to.

**COMMUNICATIONS FROM THE CHAIR**

Welcome

HON. DEPUTY SPEAKER.- I welcome all Honourable Members to today's sitting of Parliament. I also welcome students and members of the public joining us in the gallery and those watching proceedings on television, the internet and listening to the radio.

Honourable Members, please, join me in welcoming the University of the South Pacific and the University of Fiji Law students and St. Thomas Primary School students. Welcome and thank you for taking interest in your Parliament.

(Applause)

I hope that you will enjoy today's proceedings, as well as learn about the Parliamentary Practice and Procedures.

Presentation of Papers and Certain Documents

Honourable Members, I have been advised that the Acting Prime Minister is still on his way, therefore we will come back to the Presentation of Papers and Certain Documents.

Tabling of Committee Reports

Honourable Members, I have been informed that there are no Committee Reports to be tabled.

**QUESTIONS**Oral Questions

NEC Registration – Total Number of Unemployed People  
(Question No. 143/2018)

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

Would the Minister for Employment, Productivity and Industrial Relations inform Parliament of the total number of unemployed people registered with the National Employment Centre as of 31st March, 2018?

HON. J. USAMATE (Minister for Employment, Productivity and Industrial Relations).- Thank you, Honourable Deputy Speaker. I thank the Honourable Member for his question. This is one of the issues that I had raised in the Ministerial Statement yesterday where I had informed the House that we had gone through the exercise of cleaning our database of the people who are actually registered as unemployed in the National Employment Centre database.

As a result of that exercise, by the 31st March, 2018, we have 8,697 registered unemployed clients. Previously, we had up to 57,962 who were registered. We have gone through an exercise of cleaning that data; calling them up to make sure that they are unemployed or whether they have moved on and the people that we are not able to contact, we basically cleaned up all that database. So that is the number that we currently have within the database. We are trying to restrict it to the number of people that have been registered with us over the past two years. There are some who were registered, maybe three or four years ago, that we have not been able to contact. We keep their details in a separate list so we can keep as an accurate number as possible in the database.

HON. DEPUTY SPEAKER.- Thank you, Honourable Minister.

HON. N. NAWAIKULA.- A supplementary question: Honourable Deputy Speaker, data is very important and here if it has been uncleaned and updated going back a number of years, how can we rely on that? Could the Honourable Minister explain to us the reason for the delay, why this has not been updated after all this time?

HON. DEPUTY SPEAKER.- Honourable Minister.

HON. J. USAMATE.- Thank you, Honourable Deputy Speaker, I think that is a good question. I thank the Honourable Member, sometimes he asks very good questions.

(Laughter)

I think one of the issues is that, it points back to the importance of ensuring that when you do an exercise of developing databases or some projects like that in the Ministry, you have to have people within your Ministry who are familiar with this and the competency to manage that particular process. What happened in this particular exercise, when they developed the database, the firm that developed the software neither did give the right software code nor the access to that code to enable us to sort of adjust. As a result, we had to wait for that particular firm.

For me, we had to get the software bit of it out of the way. So it has taught us the lesson that when you develop a database in the future, you must have the right to be able to access the code so you can get other programmes to come and rectify that. Once that has been resolved, once we had access to the code with all the basic requirements that we could clean it up, we should be in a situation where we can keep the database constantly updated because we are always getting requests from employers like “We need 20 clerical officers”, sometimes we send the list and find that some on that list are actually already being employed or are on-study or are not available. Now I want to see that the database should be such that it should be valid and reliable at all times.

HON. DEPUTY SPEAKER.- Honourable Leawere.

HON. M.R. LEAWARE.- Thank you, Honourable Deputy Speaker. I thank the Honourable Minister for his response. In our response on Tuesday to his Ministerial Statement, we had raised the issue of directorship. I wonder if the Ministry is intending to fill up that position or if it has not been filled, we would like the House to know about it.

HON. DEPUTY SPEAKER.- Thank you. Honourable Minister.

HON. J. USAMATE.- I will tell you why. We have tried to fill these positions. We have not been satisfied with the kind of candidates that we have so far.

HON. N. NAWAIKULA.- Have you started?

HON. J. USAMATE.- Well, we have not been satisfied with the quality of candidates that we have so far. We should not be in a situation that just because we are not getting the quality of person that we want that we just pick from what is available. You keep looking and try to get the best available because if you pick the wrong person to run a very important centre like the National Employment Centre, it is going to have a huge impact on the ability of that Centre to be able to deliver its outputs. So that has been our focus. We have advertised ....

HON. P. SINGH.- Is it part of the Civil Service Reform?

HON. J. USAMATE.- Yes, it is part of the Civil Service Reform, and until we can get a person who will be able to lead it and deliver the kind of results that we want for the benefit of all the people in Fiji, we will not compromise on that. That has been one of the central tenets of our Civil Service Reform that we must get the right people on the bus, not the wrong people. Once we have the right people on the bus, the bus will go to where we want, not the wrong people. That, Mr. Deputy Speaker, is why we have done that.

HON. CDR. S.T. KOROILAVESAU.- Hear, hear!

HON. DEPUTY SPEAKER.- Thank you. Honourable Professor Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Mr. Deputy Speaker. The Minister, the other day said that the unemployment rate based on data collected from NEC and others is about 4.5 percent and the poverty rate is more than 28 percent. Does the Minister agree, Mr. Deputy Speaker that a lot of the employment being created are actually low-wage employment and those who are getting jobs are actually living in poverty?

HON. DEPUTY SPEAKER.- Honourable Minister?

HON. J. USAMATE.- Mr. Deputy Speaker, the Honourable Prasad, I thank him for that question, let me now say that

I think one of the things that is important to see when we are looking at employment, when we had the consultations for the National Minimum Wage, I recall that we employed a Professor Partha Gangopadhyay, who came from the University of the South Pacific, and one of the findings that he had was that, “you do not just look at the minimum wage but you also look at all the other packages that Government has put in place – all of our social wages components - the assistance for food, pension, et cetera.” What he found that the total impact of all of that (the national minimum wage, all of these other social wage components) was to reduce poverty amongst working poverty by 70 percent.

So, yes, it is normal that in any country in the world, you have very few people getting a lot of money. Every country in the world is like that. There is no country in the world where you have the vast majority earning a lot of money, and a very small number getting low money. Every country in the world! It is always a pyramid. That is normal, that is natural. You go to the United States of America or you go to Europe, it is all like that that. Of course, you will always have your vast majority earning lower levels, which is just normal, Mr. Deputy Speaker.

HON. DEPUTY SPEAKER.- Thank you, Honourable Minister. Honourable Dr. Brij Lal?

HON. DR. B. LAL.- A supplementary question, Mr. Deputy Speaker. Can the Honourable Minister inform the House whether a tertiary student who needs to perform his/her six months industrial attachment be registered with NEC in order to receive the allowances to assist with daily expenses?

HON. DEPUTY SPEAKER.- Thank you. Honourable Minister?

HON. J. USAMATE.- Thank you, Mr. Deputy Speaker, and I thank the Honourable Member for his question. I think it is a very pertinent question. Many of our youth who have registered will be interested in the answer to that question.

The answer at the moment is that, those who are perhaps doing a programme at FNU or other universities sometimes have to do an industrial attachment of around six months in order to complete the requirements to graduate. When they do that, they are still considered as students. But the people that we register at NEC are people who are no longer students because they are still regarded as students, they would not be eligible to be part of the people that we have in NEC, but they have access to the tax rebate that is provided by the Fiji Revenue and Customs Service (FRCS).

FRCS has a 200 percent tax rebate for anyone taken on by a company for work placement in order for them to fulfil the requirements for their graduation. So if in Company A, someone is doing a diploma or something at FNU and needs to do a six-month attachment, any money that is paid to that person can be given this 200 percent tax rebate, so that is something that the FRCS has done to help it.

And it has not only done it for people who are trying to get work placement in order to fulfil the requirements of graduation, but they also have tax rebates for first time employees – 200 percent; part-time workers – 200 percent; if you employ people with disability, you can get up to 300 percent tax rebate and also 150 percent rebate for employee development. If you have employees who are attending programmes that lead to formal qualifications, you can get a tax rebate on that. So there are those packages also that help to assist our young to get their jobs and those programmes are provided at FRCS.

HON. DEPUTY SPEAKER.- Thank you, Honourable Minister. I now give the floor to the Honourable Ratu Naiqama Lalabalavu.

HON. RATU N.T. LALABALAVU.- Mr. Deputy Speaker, a supplementary question. I thank the Honourable Minister for his reply. My question is based on what he stated in his Ministerial Statement yesterday that NEC was enacted in 2010. Can the Honourable Minister explain as to why a very important Cabinet decision that was made in 2012, still has not been fully carried out by the Ministry?

HON. DEPUTY SPEAKER.- Honourable Minister?

HON. J. USAMATE.- Honourable Deputy Speaker, I am not too sure what Cabinet decision the Honourable Member is referring to?

HON. RATU N.T. LALABALAVU.- Mr. Deputy Speaker, Sir, this is to do with the fulfilment of the structure of NEC, because that still has not been done, as just being explained by the Honourable Minister – the position of a Director, the positioning and activation of the full Board, and the bringing on board of private partnership as well.

HON. DEPUTY SPEAKER.- Honourable Minister?

HON. J. USAMATE.- Honourable Deputy Speaker, the NEC Board is in place, it is functioning, it has representatives from all the stakeholders who need to be involved. We have had Directors of NEC in the past, the only delay so far has been getting the replacement for the one who has left, but there are people now who are carrying out that responsibility.

NEC now is under the oversight of a Deputy Secretary, who reports to the Permanent Secretary, so in terms of overall oversight of NEC in terms of its operations, there is still lines of control. The positions have been created, the position of Director was filled in the past but it remains to be filled. So those are the issues the Honourable Member is talking about. It has already been progressed, it is just that the Director NEC position will have to get a good person to run that Centre.

HON. DEPUTY SPEAKER.- Thank you, Honourable Minister. I will now call upon the Honourable Lt. Col. Rika.

Update on the Newly Designed Vessel  
(Question No. 144/2018)

HON. LT. COL. N. RIKA asked the Government, upon notice:

Can the Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport provide an update on the newly designed vessel built in Malaysia?

HON. P.B. KUMAR (Minister for Local Government, Housing and Environment, Infrastructure and Transport).- Honourable Deputy Speaker, I thank the Honourable Member for raising this very important national issue.

Honourable Deputy Speaker, I am happy to inform this august House that the new vessel will arrive in our country next month. Honourable Deputy Speaker, as we speak, the 13-member team are on their way to Malaysia for the official handing-over of the vessel before it departs for Fiji, as I had mentioned earlier on.

Honourable Deputy Speaker, after Independence, this is the first time when Fiji will have its own multi-purpose vessel and that is under the FijiFirst Government.

HON. GOVT. MEMBERS.- Hear, hear!

HON. P.B. KUMAR.- Fiji is a maritime island country, it is therefore important for the Government to have the capability to provide regular medical outreach programmes and respond in times of natural disasters to our island communities.

Honourable Deputy Speaker, the recent increase in natural disasters and demand for essential secondary healthcare services in our maritime island communities, has reiterated the need for Government to modernise its response capabilities from being more proactive rather than reactive. In regards to this, through its foresight, the FijiFirst Government approved a concept of constructing its first ever multi-purpose designed vessel with a purpose of providing secondary healthcare services and quick relief response, apart from carrying the usual cargo and passengers. While undertaking the initial designs, the Ministry closely consulted with the Ministry of Health and other relevant Government agencies. We have continued with this process all throughout the construction of this new multi-purpose vessel.

Honourable Deputy Speaker, through the tender process, Eastern Marine Shipyard, a company based in Malaysia was awarded the contract for the construction of Government's new multi-purpose vessel.

Honourable Deputy Speaker, the multipurpose vessel will provide medical services to the maritime islands and will have an operating room, recovery room and consultation room. It can carry up to 56 passengers. Also, Honourable Deputy Speaker, the vessel has the capacity of transporting 300 tonnes of water to the islands and can also cart a maximum of 200 tonnes of general cargo.

Lastly, Honourable Deputy Speaker, the name will be released upon the arrival of this vessel, thank you.

HON. DEPUTY SPEAKER.- Thank you, Honourable Minister. Honourable Leawere.

HON. M.R. LEAWARE.- Thank you, Honourable Deputy Speaker. I would like to thank the Honourable Minister for his response. The question I wanted to pose to the Honourable Minister; why not build the ship in Fiji; and secondly, at what cost to the taxpayers is this ship in having being built in Malaysia?

HON. DEPUTY SPEAKER.- Thank you, Honourable Minister.

HON. P.B. KUMAR.- Thank you, Honourable Deputy Speaker, if I can recall rightly, I believe the Honourable Member was present during the Budget Debate when this matter was resolved and a budget allocation was given to the Ministry. The total cost of the vessel is \$7.9 million (VIP).

Honourable Deputy Speaker, this is not the first time that a vessel like this has been built in Malaysia, there has been other four vessels that are up and running here that were built in Malaysia. And as I had mentioned earlier on during my presentation that through a proper tender process, this company was awarded the contract.

HON. DEPUTY SPEAKER.- Thank you. Honourable Minister.

HON. P. CHAND.- Honourable Deputy Speaker, we have provisions for building ships in Fiji and we know ships had been built in Fiji. Why was consideration not been given for this ship to be built in Fiji? Why could we not build this ship locally and create jobs in Fiji?

HON. DEPUTY SPEAKER.- Thank you. Honourable Minister.



HON. P.B. KUMAR.- I hope the Honourable Member understands the tender process.

When I mentioned about the tender process, it was not only offshore, it is an open tender. So what the Honourable Member is trying to suggest, even someone who had quoted \$15 million to build a vessel here in Fiji, give it to them and do not give it to the cheaper ones.

We do not operate that, maybe after 20 years or 30 years when you will come to Government, you people can do that.

(Laughter)

HON. DEPUTY SPEAKER.- Thank you, Honourable Minister. I will now call upon the Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- The concept sounds very nice, it is like “jack-of-all-trades but master of none”.

(Laughter)

Honourable Deputy Speaker, we have over 300 islands and the vessel cannot be in two or three places at one time. So if there is a problem in Yasawa, and there is another problem in Lau that requires medical attention and operation in the maritime islands, how can you service that? My question is whether the Government is looking towards having this type of vessel in each division, so one looks after the Eastern Division, one for the Northern Division and the other the West Division and another to look after the South. Thank you, Honourable Deputy Speaker.

HON. DEPUTY SPEAKER.- Thank you. Honourable Minister.

HON. P.B. KUMAR.- Honourable Deputy Speaker, it is not about vessels being given Division-wise, it is as per need. The Honourable Member should realise that we also have health centres in our islands. This will supplement as and when there is a need. It is all common sense and this is the only Government (FijiFirst Government) that has thought of getting this multi-vessel ship here in this country, as I said earlier on, after Independence. Let me assure this House, this is just the first because the name itself, “FijiFirst” speaks volume.

(Honourable Opposition Member interjects)

HON. P.B. KUMAR.- The National Federation Party (NFP) has been in Opposition for the last 30 years, they never raised about this.

(Honourable Opposition Member interjects)

HON. P.B. KUMAR.- I was not in Parliament at that time. If I would have been in Parliament, I would have raised that, even though I would have been in Opposition.

Honourable Deputy Speaker, Government has resolved that year-in year-out, we will get new vessels because there is a need for more vessels and this is the assurance that I am giving to this Honourable House. Thank you so much, Honourable Deputy Speaker.

HON. DEPUTY SPEAKER.- Supplementary question, Honourable Nawaikula.

HON. N. NAWAIKULA.- Honourable Deputy Speaker, the Honourable Minister will know very, very well that it is far more cheaper to fly a victim from Lau or Yasawa to here, than to send this boat there or even half the boat to Lau and half to Yasawa.

(Laughter)

It is far cheaper and far more convenient than to send the whole team with only one boat. So what will happen to these emergency flights?

HON. DEPUTY SPEAKER.- Honourable Minister?

HON. P.B. KUMAR.- In fact, I do not feel like answering nonsense that has been raised by the Honourable Member, I mean, that is usual for him.

(Laughter)

But as I have said earlier on that this is the beginning of a new journey and that is in terms of having a new multi-purpose vessel.

The other services that are in place will be there but that does not mean that this vessel will go to these islands every day. As I have said, if there is a natural disaster and if there is any requirement, then and only we will send this vessel, Honourable Deputy Speaker.

HON. DEPUTY SPEAKER.- We will now move on to the next question.

HON. S.V. RADRODRO.- Honourable Deputy Speaker, a supplementary question.

HON. DEPUTY SPEAKER.- I think we have done enough on this question, Honourable Member.

I will now call upon the Honourable Aseri Radrodoro.

Consideration of Purchasing a Vessel for MSAF  
(Question No. 145/2018)

HON. A.M. RADRODRO.- Mr. Deputy Speaker, just before I ask this question, I would just like to get some brief background on the reasons behind the question. This is after the beaching of the *Spirit of Altruism* off Qoma Waters. The MSAF officers at Natovi were not equipped to make verification in terms of the incident at the reef off Qoma Waters.

My question is:

Can the Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport inform the House why has the Government not considered purchasing a vessel for MSAF and equipping them to respond to emergencies like the recent beaching of the *Spirit of Altruism* off Qoma Waters?

HON. P.B. KUMAR (Minister for Local Government, Housing and Environment, Infrastructure and Transport).- Thank you, Honourable Deputy Speaker, and I also thank the Honourable Member. I have already spoken to him about this issue, that the search and rescue is directly under the Ministry of Defence and if he can bring this in another sitting and direct it to the Honourable Minister for Defence.

HON. V.R. GAVOKA.- Supplementary question.

HON. DEPUTY SPEAKER.- Supplementary question.

HON. V.R. GAVOKA.- Honourable Deputy Speaker, if I can just go back to that day when people were stranded in the open seas, wearing life jackets and were on mobile phones calling their families, telling them that they were stuck, and it took seven or eight hours before the first vessel arrived to rescue them. Can you imagine the anguish of people back home, worried about their people being stranded and nothing definitive was happening? So it begs the question; why is it that we do not have anything in Government to respond quickly to a situation like that - helicopters? Even the Military bought three Bushmasters. We ask the question, do we need the three Bushmasters or do we need to boost the capacity of our Navy? Thank you.

HON. DEPUTY SPEAKER.- Honourable Minister?

HON. P.B. KUMAR.- Point of order. Honourable Deputy Speaker, you need to give a ruling. As I had mentioned earlier on, I have spoken to the Honourable Member that in terms of search and rescue, that directly comes under the Ministry of Defence and the issue that has been raised now also relates to Navy and Police, and that also comes under Ministry for Defence. So my suggestion to the Honourable Member this morning, if this could be directed to the Honourable Minister for Defence in another sitting.

HON. DEPUTY SPEAKER.- Honourable Member, your supplementary question has raised a new matter, therefore, I am disallowing it.

HON. DEPUTY SPEAKER.- Supplementary question, Honourable Member.

HON. N. NAWAIKULA.- The Honourable Minister will know that the Navy were delayed, so can you consider increasing the capacity of Maritime and Safety Authority of Fiji (MSAF) to have their own search and rescue?

HON. DEPUTY SPEAKER.- Thank you, Honourable Member. You have raised a similar question as was raised, therefore, I am disallowing it.

I will now call upon Honourable Ashneel Sudhakar to ask his question.

Update/Progress – REACH Project  
(Question No. 146/2018)

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

Would the Minister for Women, Children and Poverty Alleviation provide the progress of the REACH Project to the House?

HON. M.R. VUNIWAQA (Minister for Women, Children and Poverty Alleviation).- Thank you, Honourable Deputy Speaker. The REACH in short form is for Rights, Empowerment and Cohesion for Rural and Urban Fijians Programme.

Honourable Deputy Speaker, since its inception in 2015, the Ministry has been conducting outreach – taking out the Government services and key social economic and legal services to Fijians living in rural, semi-urban and maritime communities.

There are a number of institutions that are members of the key REACH core team. This include the Legal Aid Commission, the Fiji Human Rights and Anti-Discrimination Commission and the Reproductive and Family Health Association of Fiji, depending on the communities that we visit; we are also in partnership with the Ministry of Rural and Maritime Development and also the Ministry of iTaukei Affairs.

The REACH Project has progressed immensely since its inception in 2015 after the commissioning of three custom-made buses, mobile delivery buses in 2017, Honourable Deputy Speaker. Until 31st December, 2017 from 2015, 13,446 Fijians have been served through awareness raising and a further 17,110 Fijians have actually been able to access Government services and legal social economic services.

REACH has also been able to undertake awareness-raising and service delivery in 677 communities, 113 districts and the 14 Provinces, including Rotuma, Honourable Deputy Speaker. Through REACH, children and adults have been able to get registered for the first time in the Births Register. This obviously takes care of unregistered members, the huge number of unregistered Fijians who live in rural communities and who have faced challenges in accessing the main centres for birth registration.

Honourable Deputy Speaker, since the inception of REACH, we also had four marriages in this mobile service delivery buses in the rural areas.

Honourable Deputy Speaker, that in a nutshell is an update on the REACH programme, its purpose and its achievements to-date. Thank you.

HON. DEPUTY SPEAKER.- Thank you, Honourable Minister.

HON. S.V. RADRODRO.- Supplementary question.

HON. DEPUTY SPEAKER.- Supplementary question.

HON. S.V. RADRODRO.- Thank you, Honourable Deputy Speaker and thank you Honourable Minister for your explanation on the REACH Programme.

The REACH Programme's main objective is to promote peacebuilding, social cohesion and inclusiveness, and as alluded to by the Honourable Minister that it is gaining a lot of positive effects. But Honourable Deputy Speaker, on the ground, the real indicators of the outcome of those programmes is the high incidents of violence against women and children. So, can the Honourable Minister explain which CSOs, what level and what type of resource allocation has been given to them to be able to boost the effect or the outcome of the REACH Programme? Thank you, Honourable Deputy Speaker.

HON. DEPUTY SPEAKER.-Thank you. Honourable Minister for Women, Children and Poverty Alleviation.

HON. M.R. VUNIWAQA.- Honourable Deputy Speaker, yes, the Honourable Member has really outlined the key purpose of REACH as published through the pamphlets that we distribute for REACH. I would like to finish off the definition of REACH and what its purpose is for.

The key purpose of REACH Project is to promote peacebuilding, social cohesion and inclusiveness through awareness of rights, access to services, provision of legal advice and institutional capacity building in Fiji and that Honourable Speaker....

HON. S.V. RADRODRO.- Point of order.

HON. DEPUTY SPEAKER.- Point of order.

HON. S.V. RADRODRO.- Honourable Deputy Speaker, the Honourable Minister is not answering my question. The question is, what are the CSOs, what level and type of resource allocation has been given to them for them to undertake that role?

HON. DEPUTY SPEAKER.- Thank you, Honourable Member. Your question has been noted. I will give the floor to the Honourable Minister to answer.

HON. M.R. VUNIWAQA.- I will get to the answer but I would like, again, intellectual honesty. If we want to read of the pamphlet about the key purpose of REACH, then please read the whole paragraph about what REACH is about. And when we talk about inclusiveness through awareness and rights, access to services and provision of legal advice, I had itemised three key institutions that provide this particular services for REACH.

In relation to the question on gender-based violence, this is also talked about through the REACH Programme in the context of awareness of rights, access of services and provision of legal advice. That has been done every time REACH goes out there.

Apart from the key institutions that I had itemised, Honourable Deputy Speaker, a few more institutions are in line for partnerships with which and again, depending on the locality that we use them, we then custom-make the range of services that we take to that community.

Before a REACH bus goes to a community, there is an advanced team that goes to the same community two weeks before the mission, to sit with the community and see what their needs are in relation to the key objectives of REACH. And if domestic violence is an area of need for that particular community then, yes, we custom-make the services that we take to fit the needs of that community.

There are other institutions and NGOs that also deal with domestic violence or gender-based violence that are in line for partnerships with REACH and this, Honourable Deputy Speaker, I will not say until we have signed the relevant MOUs with these particular institutions. Thank you, Honourable Deputy Speaker.

HON. DEPUTY SPEAKER.- Thank you Honourable Minister. Supplementary question?

HON. P. SINGH.- A supplementary question, Honourable Deputy Speaker. We know that a partnership agreement was signed in 2015 between the Japanese Government, Fiji Government and with the United Nations. My question is; how much funding has been allocated to the REACH Project by these three parties, and also whether the three institutions that were mentioned also contributed from their budgets?

HON. DEPUTY SPEAKER.- Honourable Minister?

HON. M.R. VUNIWAQA.- Honourable Deputy Speaker, the specifics of the budget allocation in relation to the Project up until 2018, this Project has been fully funded by the Japanese Government through the UNDP. The Fijian Government post-2018 and we also have a budget in our budget for this current year, to look after the administrative costs of REACH and this, I am sure the Fijian Government will take forward post-2018 after the withdrawal of the Japanese Government and UNDP. The details of the budget, Honourable Member, can be found in your Budget Estimates.

HON. DEPUTY SPEAKER.- Supplementary question, Honourable Jilila Kumar.

HON. J.N. KUMAR.- Thank you, Honourable Deputy Speaker. A supplementary question; can the Honourable Minister elaborate on the kinds of services most accessed at the community levels?

HON. DEPUTY SPEAKER.- Honourable Minister.

HON. M.R. VUNIWAQA.- Honourable Deputy Speaker, as I have alluded to, the services that is most accessed at community level has to do with the Social Protection Programmes under the Ministry that I serve in, and also a very popular service is the registration of unregistered Fijians.

Honourable Deputy Speaker, it is quite interesting to note that it is not only children that we get to register when we go out to these communities, some adults also have never been registered, and it is something that we stress in every outreach that we make. I am also thankful that the team from the Births, Deaths and Marriages Office (BDMO) are at every outreach that REACH has taken and they have been a key component, along with the Legal Aid Commission on this particular outreach services.

HON. DEPUTY SPEAKER.- Thank you, Honourable Minister.

HON. RATU K. KILIRAKI.- A supplementary question, Honourable Deputy Speaker. We regard the sanctity of marriage as very serious and I hear the Honourable Minister mentioning consummating two marriages in the bus. In our community, in the church ...

HON. J. USAMATE.- Point of order, Honourable Deputy Speaker.

HON. DEPUTY SPEAKER.- Point of order.

HON. J. USAMATE.- I do not think the Honourable Minister talked about any consummating of marriage.

HON. RATU K. KILIRAKI.- Honourable Deputy Speaker, I take that back.

(Laughter)

HON. RATU K. KILIRAKI.- Honourable Deputy Speaker, registering marriages in the churches, we have counselling for at least one month because of the importance of marriage. My question is, whether the REACH Programme in its capacity to conduct a marriage, do counselling to the couple?

HON. DEPUTY SPEAKER.- Thank you, Honourable Member. The Honourable Minister for Women, Children and Poverty Alleviation.

HON. M.R. VUNIWAQA.- Thank you, Honourable Deputy Speaker. We all know that marriages that occur in Fiji occur under a set of laws that we have been not consummating, but registering marriages for decades. These marriages most often take place in BDMO in key centres.

Honourable Deputy Speaker, I would also like to point out that under the Bainimarama-led Government, the number of Marriage Officers who have been appointed since and with the change modification in the law, has enabled officers outside of Government and religious organisations to be registered as Marriage Officers. This has further made the institution of marriage more accessible to Fijians.

The very fact that we have been able to register at least four marriages on these REACH Programmes shows that some Fijians in the rural areas, even though they have been cohabiting for years, have not been able to register their marriage because of the challenges they may face in accessing key centres where they could actually get married. So this particular REACH programme has enabled them to do that.

Honourable Deputy Speaker, the question in relation to counselling that is being done by churches, I will speak as a Christian. When I got married in the civil registry, there is another church ceremony that is taken after to solemnise the marriage that has taken place in the Christian faith and I am quite certain that this occurs in every faith. It does not mean that just because a marriage is happening in the bus that it is it. It is up to the parties to solemnise their marriage in whatever religious belief that they belong to. Thank you, Honourable Deputy Speaker.

HON. DEPUTY SPEAKER.- Thank you, Honourable Minister.

I will now invite the Honourable Ro Teimumu Kepa to ask her question.

Measures to Address Indiscipline Issues in Schools  
(Question No. 147/2018)

HON. RO T.V. KEPA asked the Government, upon notice:

With indiscipline becoming an issue, what measures does the Honourable Minister have to address discipline in schools?

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications).- Thank you, Honourable Deputy Speaker, I would like to thank the Honourable Leader of the Opposition for this question. There is no doubt, Honourable Deputy Speaker that whenever there is any indiscipline in any school, whether now, or in the past, or indeed in the future, we all have to be concerned about that. We also have to be more concerned about why indiscipline actually arises in the first place.

As any educator would tell, any professional student counsellor would tell you that there is not only one specific reason as to why students become indiscipline and it is, of course, always not only the student's fault, it could be the environment that they operate in or work in or study in, or the home environment they come from, the manner in which perhaps some of the issues that they may have, personal issues or even as a group, it may not be addressed.

Honourable Deputy Speaker, what we have done is, we have taken a few positive steps from the teacher perspective, we have as you know, last year started the what we call the "student free days", we have seven student free days now with teachers which means that there is some in-service training that we provide and this includes promoting continuing professional development for in-service teachers. I would like to thank the unions that actually agreed to this also because I think they will see the benefit in this.

As part of that, we will be considering developing a behaviour management policy based on systemic model, we actually have a draft, we also have a policy on Child Protection with the Ministry of Education in the Fijian schools.

What we are saying, as part of this, is that we must continue to develop the understanding and implementation of what we call "positive discipline" as opposed to negative discipline - wield out the stick all the time. That requires of course, not just the change in the way that we perhaps conduct our

teaching environment, the manner in which we have the teaching methodologies but also how do we actually deal with the concerns and problems that the students actually have.

We have seen, Honourable Deputy Speaker, that we do lack professional student counsellors in Fiji. I would like to publicly acknowledge the work of the many teachers in Fiji, hundreds of them, that actually have taken on the responsibility of counselling even though they are not trained professionals. There is no doubt that the Ministry is actually struggling to provide and indeed find the professional counsellors. There is a lack of it.

It was very interesting, as we talked about the budget consultations we have been having with the high schools and university students, two years ago, when we were at Suva Grammar School, almost all of the students complained about the fact that they did not have professional student counsellors in the schools, all of them in unison. They said, "Our teacher do not necessarily do a good job." I said, "Look we actually have to acknowledge the fact they are trying, they are attempting." We must find more professional counsellors. Then I asked them a simple question "How many of you, when you finish high school and go to university, want to actually pursue counselling or psychology as career path?" Not a single student saw that as a career path for themselves. If our young people are not encouraged in the home environment or even in the school environment to pursue that as a career, then obviously we will continue to have this problem.

As a result of that, Honourable Deputy Speaker, in the interim, we have identified 37 teachers and officials with qualification in counselling. This, of course, is too few and in fact two evenings ago, as you know that we are also carrying out a restructure and a review of the various ministries, one of them being the Ministry of Education. And we had one of the consultants who was down here, and he in fact talked about how we need to perhaps identify counsellors, bring in counsellors and have them operate in what we call "school clusters". They maybe, for example, in the District of Navua there may be about seven schools. You do not need to actually have to have a counsellor in each school because some of the schools may be quite small, but we have that counsellor move from school to school. So they could half a day in one school, a full day in the bigger school, to continuously provide that level of service because as we have seen, many of the indiscipline issues actually emanate from the fact that a lot of these students may have some deep-seeded emotional issues, some problems in the home environment.

So, these are some of the steps that we are taking and we are working with the teachers. Of course, Honourable Deputy Speaker, we now have our children accessing technology and various other modes of information and pornography if it is not kept intact. If you give people, for example, a lot of parents give their children a mobile phone, if it is a smart phone, they have internet connection they can go wherever they like. These sorts of things also need to be reviewed and therefore brings me to the second point which I will then round off.

The responsibility of discipline also, Honourable Deputy Speaker, rests with the family too, it rests with the parents. We have seen many a time and I have personally seen many a time where the children come home or in the evenings, the parents are there or disappear, they may go to nightclubs, they may be sitting drinking grog with their friends and the children are actually neglected. So what are we doing as parents? What are we doing as a community? And this why I continuously say on a number of occasions publicly that I think there is a tendency for parents, simply dumping, in some instances, their children with their teachers and expecting them to turn them out into wonderful adults.

The teachers cannot do it alone, we need the community to actually work together, enshrine various values, Honourable Karavaki who does refer to certain values, et cetera, and some of them are very worthwhile values; we need to have that. Not all of them, but some of them are. We need to embrace that. How do the faith-based organisations actually deal with that or the youth groups? So that is all very important and the Ministry does recognise that as I have said, Honourable Deputy Speaker, we need to,



of course, ensure that our teachers get remunerated merits properly so that is why their pay rise, et cetera, to create the right environment, but also I wish everyone could go out and if you have young people around you in your families to also encourage them to pursue careers such as counselling because only then you will be able to address issues of having more counsellors in Fiji to provide a level of comfort and address discipline issues within our school system. Thank you, Honourable Deputy Speaker.

HON. DEPUTY SPEAKER.- Thank you Honourable Minister.

HON. RO T.V. KEPA.- Supplementary question, Honourable Deputy Speaker.

HON. DEPUTY SPEAKER.- Supplementary question.

HON. RO T.V. KEPA.- Thank you Honourable Acting Deputy Prime Minister for your response. Last month you will recall Honourable Attorney-General that one of the presentations made at JJ's on the Park was by Mr. Driubalavu, a former National Substance Abuse Advisory Council (NSAAC) Director and which he stated that a 2016 Report that they put out stated that 95 percent of all cases that came before them was sexual in nature.

Now, we have heard also of some instances where students threw bus seats out of the bus into the Rewa River, verbally abusing teachers using bad language in public, also smoking whilst wearing their school uniform; all sorts of issues that have been highlighted. What you have said Honourable Attorney-General sounds very unsatisfactory and we will not solve this problem because what you and the Honourable Minister before you have removed the position of student counsellors from schools. So, how is the Ministry providing relevant proper and professional counselling services required in primary and secondary schools both to the students and to the teachers? Thank you, Honourable Deputy Speaker.

HON. DEPUTY SPEAKER.- Thank you. The Honourable Attorney-General and Minister for Economy.

HON. A. SAYED-KHAIYUM.- Honourable Deputy Speaker, I think the Honourable Leader of the Opposition may have had the supplementary question written before I actually answered the substantive question. Because in my substantive answer, I did say that we have identified teachers who are trained in counselling and I did say in the response that we are going to have clusters of counsellors available and we cannot churn out professional counsellors overnight because there are none, not many people want to pursue counselling. We have trained people, it is part and parcel of trying to get that going, it is part and parcel of the reforms, Honourable Deputy Speaker, as I highlighted is to develop schools in clusters and have counsellors actually move around from schools to schools. Thank you.

HON. DEPUTY SPEAKER.- Thank you Honourable Minister. Supplementary question.

HON. P. SINGH.- Supplementary question. Honourable Deputy Speaker, enforcement of discipline in schools we believe is without any form of corporal punishment or expulsions. I note from the response from the Honourable Minister that we are moving towards positive discipline.

My question is, what are the permissible forms of enforcement of disciplinary measures allowed in schools to be effected by school heads and teachers without inflicting physical punishment and psychological trauma to students?

HON. DEPUTY SPEAKER.- Thank you. Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications.

HON. A. SAYED-KHAIYUM.- When you could actually answer that by saying what is not permissible is actually permissible.

HON. DEPUTY SPEAKER.- Thank you. Honourable Members, we will now adjourn our proceedings for tea and the House will resume at 11.00 a.m.

The Parliament adjourned at 10.31 a.m.

The Parliament resumed at 11.00 a.m.

(Hon. Speaker resumed her seat in the Chamber)

HON. SPEAKER.- Thank you Honourable Members you may be seated. Good morning Honourable Members. We will now resume from where we left off and I invite the Honourable Alivereti Nabulivou to ask his question.

Government Assistance to Navuso Agricultural School  
(Question No. 148/2018)

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

Can the Honourable Minister for Agriculture, Rural and Maritime Development and Disaster Management and Meteorological Services provide a brief breakdown of the assistance given to the Navuso Agricultural School?

HON. O. NAIQAMU (Acting Minister for Agriculture, Rural and Maritime Development and Disaster Management and Meteorological Services).- Madam Speaker, as the Acting Minister for Agriculture, Rural and Maritime Development, I rise to respond to questions raised by the Honourable Alivereti Nabulivou regarding the Navuso Agricultural School and the Government assistance it has received over the past four years.

I will begin with the background of the institution followed by the development objective set by the Government and carried out by the Ministry of Agriculture, and finally I will provide the breakdown of the assistance provided for Navuso since 2014.

Navuso was acquired by the Methodist Mission in 1923 as an agricultural school with the purpose of encouraging Fijians to farm their land, grow more food for families and to grow surplus for sale. This had been the driving force in the establishment of the institution which had considerable success in achieving its objectives in the 1950s and 1960s. In the late 1980s and 1990s, due to changing objectives of the institution, a move towards training for wages or salary employment rather than self-employment slowly saw the downfall of Navuso.

The prevailing mindset of parents and rural families who look at farming as just a way of life rather than a business activity, coupled with poor management, low milk production, low beef, pig and crop production, a reduction in livestock, high weed infestation, degrading infrastructure, old tools and equipment, thefts, the separation of school from the commercial farm and the withdrawal of Government's assistance in 2009 saw the closure of the programme and the farmers scheme defunct.

In line with the current Government strategic priority, to ensure that agriculture further enhances farming as a viable and efficient profession, which endeavours to contribute significantly to Gross Domestic Product in a sustainable manner, and which further endeavours to ensure food and income security to the people, especially to youths and women of Fiji, the Government, together with the Methodist Church of Fiji and the Navuso Farm Entity entered into collaboration to reintroduce the Trainee Farmer's Scheme and the commercialisation of Navuso Farm Entity into Navuso High School which became Navuso Agricultural Training School in 2015.

Madam Speaker, between 2014 and 2018, the Government, through the Ministry of Agriculture, has allocated around \$2.19 million under its budget as grant for Navuso. The following breakdown highlights the budgeted allocation with the amount released and utilised:

Year	Budget Allocation	Utilization
2014	FJ\$315,000	100% (full amount released and utilised)
2015	FJ\$330,000	100% (full amount released and utilised)
2016	FJ\$515,270	76% (FJ\$394,092, released and utilised)  The remainder of this budget allocation was diverted for the rehabilitation programme after TC Winston
2016/2017	FJ\$515,270	100% (full amount released and utilised)
2017/2018	FJ\$515,270	50% (FJ\$257,635, released and utilised)

That was a significant increase in the budgeted allocation during the mentioned period and the amount released, together with the utilisation grade which also showed significant increase over those years. Those grants were utilised for:

- Animal Production which include the procurement of new milking equipment, fence upgrading and renovation, fencing, feed, pig genetic and others;
- Crop Production: the procurement of insecticides, fertilisers, seedlings, shed, weedicides and others;
- Aquaculture: the procurement of feed, stock and others;
- Farm Mechanisation which include fuel, spare parts, repairs, maintenance, gases for welding, oil and others;
- Building Construction and Technology: renovation of buildings, sheds, et cetera;
- Human Resources and Administration: wages, FNPF et cetera.

Madam Speaker, apart from the grant provided by the Government, the Ministry also assisted Navuso in the facilitation of the collaboration and farm relationship between Navuso and Hubei Province of the People's Republic of China.

In 2016, the Hubei Province donated eight types of agricultural equipment and tools which include tractors, rotovator, rotary tiller, plow, mini-tiller, powered mist blower, hammer machine for corn, hammer machine for cassava, pelletizing machine in which the Ministry paid its Value Added Tax (VAT).

Further to that collaboration, the Ministry also facilitated the participation of two members of staff from Navuso to attend short agricultural training in Hubei, China.

Additional to the assistance provided by the Ministry, the Office of the Prime Minister also provided assistance to Navuso as follows:

Year	Renovation, Construction Works; Equipment, Items Purchased	Amount
2013	Cleaning and Cooking Equipment	\$5,655.14
2014	Renovation of School Building and Construction of new Dormitory	\$247,188.05
2015	Procurement of 30 double bunks with mattresses	\$17,385
	Procurement of 70 desks, 70 chairs	\$8,050
<b>TOTAL</b>		<b>\$278,278.19</b>

Madam Speaker, the social and economic benefits of this assistance are tremendous and far outweighs the investment in the long term. First, it provides opportunity for young farmers, school dropouts and those interested in farming to uplift their skills and knowledge in making use of their land and farming as a business. These effects will trickle down to more production, income and food security, address unemployment which further contributed to its economic development and growth.

Since 2016, the total enrolment for Navuso Agricultural School was 98, where 41 were for Year 1; 25 for Year 2; 16 for Year 3; and 16 for Year 4. All Year 4 students graduated from Navuso in 2016.

In 2017, the total enrolment was 73, where 25 for Year 1; 28 for Year 2; 15 for Year 3; and 15 for Year 4. All Year 4 students graduated in 2017.

This year, the total enrolment is 80, where 36 is for Year 1; 17 for Year 2; 16 for Year 3; and 11 for Year 4. The 11 students for Year 4 are expected to graduate at the end of the year. It is envisaged that due to the steady growth and development, 30 farmers will be graduating every three years. Of the students who have already graduated in the last three years, most are now continuing with farming as they are capable.

Some are venturing into vegetable farming, others into kava, taro, ginger, beef, agriculture and dairy farming, and one has gone into sugarcane farming. This is critical in terms of Fiji's food security, especially in replacing our older farmers in the coming years. As mentioned, the assistance provided by the Government is vital for the agriculture sector.

At this juncture, the Ministry wishes to acknowledge the Government for its continued support in the provision of these grants for the development of our youths and agriculture in Fiji. Thank you.

HON. SPEAKER.- The motion is now open for debate. Honourable Niko Nawaikula?

HON. N. NAWAIKULA.- We need to know the outcomes. The Honourable Minister says that most of those who have graduated are now farming. Can you just elaborate on that, especially how the school monitors what they do after leaving school?

HON. SPEAKER.- Honourable Minister?

HON. O. NAIQAMU.- Madam Speaker, for the information of the House, not only the school but the Ministry of Agriculture also has a particular division that monitors the implementation, especially students who have graduated in their own paths regularly.

HON. SPEAKER.- Honourable Viliame Gavoka?

HON. V.R. GAVOKA.- Thank you, Madam Speaker. Yesterday, we debated the Reports submitted by the Economic Affairs Committee on the Fijians Incomes Board. One of the recommendations was that we need to motivate our youths to take up livestock farming. How does Navuso fit into that - to focus on livestock farming, because the biggest issue to the meat industry is the shortage of supply? If I may just add, what you are sharing with us in terms of grants is woefully inadequate, if we wanted to tie it together with the agricultural revolution that we have been promised in this House over the years.

HON. SPEAKER.- Honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, the level of contribution by the Government and the primary role of Navuso, I think is general knowledge to all the Fijians, especially on the very purpose that has been asked by the Honourable Member, as it fits well with the training and contribution by the Government for the Navuso establishment.

HON. SPEAKER.- Honourable Doctor Mere Samisoni?

HON. DR. M.T. SAMISONI.- A supplementary question: I would like to thank the Minister for his reply. My question is, how do you link up with the Ministry of Productivity? He seems also to be reaching out especially in this new information economy and the knowledge economy, how you two are linking up? I know he is linking up, is his data your data, for employment also?

HON. O. NAIQAMU.- The Ministry has improved all the statistics in its database and passed through the various Ministries which also includes the Ministry of Employment.

HON. SPEAKER.- Honourable Dulakiverata?

HON. J. DULAKIVERATA.- Thank you, Madam Speaker, a supplementary question.

HON. SPEAKER.- A supplementary question.

HON. J. DULAKIVERATA.- I thank the Honourable Minister for his reply. Navuso Agricultural School is very unique because of the integrated farming operations that are being held there and the education that is carried out there. There are no other institutions in Fiji with a vast area of land available. Does the Ministry of Agriculture have any plans to coordinate with the Methodist Church, who owns this property and try to develop this property into a training institution for farmers from all over the country so that they can go and utilise their own land?

HON. SPEAKER.- Honourable Minister?

HON. O. NAIQAMU.- Madam Speaker, in my response I think I have clearly outlined the relationship between the Methodist Church of Fiji and the Government and has clearly answered the question that is raised by the Honourable Member.

HON. SPEAKER.- Thank you, the last question by the Honourable Mikaele Leawere.

HON. M.R. LEAWERE.- Thank you, Madam Speaker, a supplementary question; if we look at the numbers that have been given by the Honourable Minister, there is a slight increase from 73 to 80 in terms of student intake, can you enlighten the House as to whether there are plans to work together with

the Ministry of Employment in terms of the National Employment Centre, if some students there can also be enrolled in Navuso Agricultural School? Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, that can be considered and looked into.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Salote Radrodro.

Strategic Measures During and in the Aftermath of Natural Disasters  
(Question No. 149/2018)

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

Fiji has been a victim to a series of flash floods and the wrath of two tropical cyclones recently. Can the Honourable Minister for Agriculture, Rural and Maritime Development and Disaster Management and Meteorological Services explain to the House what strategic measures are in place to manage, provide relief and rescue assistance, during and in the aftermath of such natural disasters?

HON. O. NAIQAMU.- (Acting Minister for Agriculture, Rural and Maritime Development and Disaster Management and Meteorological Services).- Madam Speaker, I rise to respond to the questions on strategic measures in place for disaster emergency operation during the aftermath of natural disasters.

Madam Speaker, Fiji's disaster management arrangements are clearly defined in the Fiji's Disaster Management Plan of 1995. The plan provides guidance on the standard operational procedures for any emergency operations and the triggers that activate any Government response.

The National Disaster Management Act of 1998 clearly outlines the roles and responsibilities of all key responding agencies prior and during any emergency situation. Madam Speaker, under Fiji's National Disaster Management Act of 1998 and Disaster Management Plan of 1995, the National Disaster Management Office (NDMO) is mandated to co-ordinate all activities relating to disaster, monitoring, warning and immediate post-disaster response, including disaster relief work.

This is why in most cases, the NDMO, in collaboration with our Divisional Commissioners, are at the forefront of any emergency operations work. Madam Speaker, for the information of this House, once the Fiji Metrological Service upgrades the advisory from a tropical disturbance to a tropical depression, the National Disaster Management Office immediately activates the establishment of the National, Divisional and District Emergency Operation Centres. This activation enables these emergency operation centres to operate on a 12-hours or even 24-hours rotation to ensure that the necessary preparedness action, both within government and at the community level is undertaken.

Madam Speaker, these divisional emergency operation centres co-ordinate the establishment of search and rescue teams in collaboration with the Fiji Police Force and the National Fire Authority. These emergency teams will be on standby to respond to any call for emergency evacuation from the general public before and during any disaster events.

In the same spirit, the Royal Fiji Military Forces are also placed on standby in the event additional manpower is required to support any emergency operation. Madam Speaker, the lesson learnt from *TC Winston* has been used as a benchmark in responding to *TC Josie* and *TC Keni*, especially in getting emergency response agencies prepared.

Government is working to ensure that emergency teams are provided with strategic assets and equipment to operate in high risk environment during disasters.

Madam Speaker, to complement the work of these emergency operators during a relief and rescue operation is the activation of evacuation centres. Evacuation centres are established to provide temporary safe shelter for all those assisted with Government's relief and rescue operations and also to provide a base for any emergency evacuation by air or sea for very serious cases.

Madam Speaker, this is why Government has made it mandatory for such centres to be monitored by police officers, daily inspection by Health officials to check on those injured and the provision for food rations and drinking water, to ensure that those affected are supported during and after the disaster events. These are normally undertaken to ensure that communities are kept away from harm until such time it is deemed safe for people to move back to their homes.

Madam Speaker, these are not stand-alone strategies but a comprehensive plan of action that has been tried and tested over many disaster events and are still being adopted and used today. Thank you.

HON. SPEAKER.- Thank you. I now open the debate. Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. I know the cyclone relief assistance package has been announced but we still have to get a lot of details there.

A lot of the farms along the flooded rivers and creeks have been inundated with debris, basically littered with debris. Does the Honourable Minister know whether there is a specific plan or activity that has already commenced to actually help farmers along those rivers and creeks to clear those debris and get them rehabilitated?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, the Ministry along with the communities and the Ministry of Defence, especially the Police, Military and Fire Authority, are working together on that particular operation.

HON. SPEAKER.- Thank you. Honourable Niko Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, the Honourable Minister talked about the lessons from *TC Winston* and one of the lessons that we learnt is the need for strong structures to withstand a cyclone. I say also that we now realise what was there that you need also in rural areas, like evacuation centres. Can the Honourable Minister explain to the House, what measures are there that will ensure that structures in the rural areas can withstand a cyclone?

HON. SPEAKER.- Honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, I think the question has been raised often, especially after *TC Winston* and the Honourable Minister for Agriculture has clearly outlined the position of Government, that is, "Building Back Better" and that is the current way we are doing all our operations. Thank you.

HON. SPEAKER.- Thank you. Last question, Honourable Anare Vadei.

HON. A.T. VADEI.- Thank you, Madam Speaker. I would like to ask the Honourable Minister, in regards to the interest of the farmers due to disasters, what sort of strategic measures have they put in



place to give them some protection in terms of their livestock and the fruits of their sweat so that they can harvest their farm produce during those cyclones? What sort of measures are in place where there is insurance in place?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, I think the Honourable Member has not been listening.

(Laughter)

I have clearly outlined that prior to the cyclone, the Meteorological Services had announced to all the general public to prepare themselves. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now invite the Honourable Jilila Kumar to ask her question.

Complaints from Personnel  
(Question No. 150/2018)

HON. J.N. KUMAR asked the Government, upon notice:

Can the Honourable Minister for Employment, Productivity and Industrial Relations advise the House on the Ministry's approach in dealing with complaints from personnel?

HON. J. USAMATE (Minister for Employment, Productivity and Industrial Relations).- Madam Speaker, I will make sure I will give a very clear answer if the question seems to be vague.

Madam Speaker, I think from the outset, I would just like to highlight that in the legislations that we have in the Ministry, which are focussed on trying to make sure that we have decent work for everyone who is employed and employment growth, all of these legislations have one fundamental philosophy that underlies that, and that is for these things to work, we need, first of all, self-regulation. Companies may need to regulate themselves, workers need to regulate themselves for them to do the right thing. If they are able to do that, then the legislation works and we are able to deliver.

All of these legislations that we have - the Employment Relations Act, the Health and Safety at Work Act or Compensation Act, the National Employment Centre Act and also Regulations, such as the Wages Regulation Orders which requires great sense of self-regulation. But when these do not work, it is then that the remedial measures kick in, and we have to take some actions to help people.

The Ministry has set up standards, procedures and processes, we have got these to go through the ISO 9001 Standards, we are now moving to the ISO 9001 2015 Standards, so that any complaint that is received, anytime we feel that there is non-compliance with what the law states, that there is some action taken to address that.

For instance, for our Labour Standard Services which looks after complaints about overtime pay and all of those things arising out of your contract, if a complaint is registered regarding working conditions, pay, et cetera, that are administered by the Labours Standards, they will go through a number of steps.

If a complaint is registered, first of all, you need to find out to make sure that the complaint is valid. If someone says that he has not been paid, you need to go and check the records. So the staff need to go down and go through the process of collecting the data, checking the company records to make sure

that those things are valid, the forms are filled, the investigations are conducted to make sure that the complaints are valid.

So far this year, for the Labour Standards in my Ministry, from January 2015 to February 2018, in addition to following up on the complaints, the Ministry also proactively goes out and identifies places that we should inspect and we carry out those inspections. So we do not just wait for the complaints to come, we already know that there are certain sectors where things could be a propensity for complaints. So once you identify those sectors, you can target inspections so you can address, you can inspect them first, so that the complaints do not come.

We have already had 11,800 complaints over the three year period from which we recovered about \$960,000 that was then paid to the workers in those organisations.

Over that same period, 11,800 inspections, we had around 6,913 complaints that were lodged with the Ministry and as a result of all the work that were undertaken by the officers, they were able to recover around \$398,000 that was paid out to the workers.

If the work that is done by the Ministry in liaising with company does not work, if they find that something is wrong, they are asked, they are given about 30 days to comply with it and if they do not, then they can be fined. If that still does not work, then the Ministry will take them to the Employment Relations Tribunal. That is where we will look at the case and make our final decision but those are the kinds of things that are done for the Labour Standards.

We also have the same sorts of issues for our Occupational Health and Safety Division. As we have talked about yesterday for our Occupational Health, I think the Honourable Niko Nawaikula had asked for some statistics on non-compliance of its standards. Since this question came up, I thought I just had a look at the statistics there.

Looking back over the past three years, we have seen that the Enforcement Notices which means the Improvement Notice, Prohibition Notice and Penalty Notice, we have had in excess of 427 in 2015, around 286 in 2016 and around 172 so far for this year. So if people complained about OHS issues, then all these Notices come in.

The improvement notice is asking the employer, "Make an improvement in this particular area", and they are given a certain timeframe to make that improvement. If they see that there is a breach of OHS Standards where the risk is very high, then they put a Prohibition Notice, "We have not allowed to do certain things." So, first of all, it can be an Improvement Notice, "Please make an improvement", or if it is a very serious thing, it can be a prohibition, "You cannot do this anymore in this particular area." If that fails, sometimes in very big cases, then you can have penalty notice where fines are imposed, ranging in anything from \$2,000 to around \$20,000. So that has been the programme that we have had for the Occupational Health and Services. There has been a focus on delivering these fines.

We are now intending to take a step further for the Occupational Health and Safety, where we are looking at setting up a prosecution service. There are some companies that are happy to pay the fines. They do something wrong, we fine them, next time they do it again and they keep on doing the same thing. So for those sorts of organisations, you need to escalate it to another level. That is why we are now looking to set up a Prosecution Unit with the intention of prosecuting employers who are repeat offenders for serious breaches, such as serious accidents and workplace fatalities. Once we prosecute employers for this serious breach and non-compliance, this will allow the courts to impose much harsher penalties for those that continually do the same thing over and over again, as the courts' limit is above \$100,000.

I think, Madam Speaker, in terms of the issues that we have for workers' compensation, we have had that constant value for workers compensation over the past few years has been a question that always has to be asked. Under the current system, you can only pay workers compensation if it is proven that if someone passes away or someone gets injured or is ill, it has to be proven that illness or death is directly related to the work that they do. In other words, you need to find that there is a cause or relationship between their work and what happened to them. You need to find whose fault it is.

As we have heard yesterday when we had that ACCF, the movement for third party has moved away from finding whose fault but to just processing the payment. That is now the next process that we are now looking at, at workers' compensation, to move from the current system where they try to determine who is at fault before you close off the compensation to move to the 'No Fault' scheme. So that will be the next step that we will move in order to progress this.

I think the intention is, the same problem that you had in third party, it takes such a long time for the money to be paid and by the time that you get that money, the people who should have received the money had already gone into the cycle of poverty, death and all those problems. So all of these exercises should help us to be able to stop people from going into the pits of despair and the poverty cycle. Thank you, Madam Speaker.

HON. SPEAKER.—Honourable Howard Politini?

HON. H.R.T. POLITINI.- Thank you, Madam Speaker, supplementary question.

HON. SPEAKER.- Supplementary question.

HON. H.R.T. POLITINI.- I would like to thank the Honourable Minister for his response. However, with the increase in complaints against security companies, what measures are in place with his Ministry to curb the issue?

HON. SPEAKER.- Thank you. Honourable Minister?

HON. J. USAMATE.- Yes, Madam Speaker, the security sector is being one of our most challenging sectors. I know of one security company where the Ministry had to compile all their cases together and I think from that one company, it came to more than a million dollar. We took the case up to the Court and then we were told by the Court to take up each of the cases individually.

So when people do have problems with security companies, we will address it through the normal channel and that process will continue, but we still have problems now where a lot of these companies still do not pay.

The next step that we have taken now is, we have liaised with the Ministry of Defence These security companies have to renew their master licence that allows them to operate as a security company. So the agreement now that we have, while we still try to process the existing complaints and move them to the system, we have a relationship with the Ministry of Defence where before any security company is given a new master licence, they have to get a letter of endorsement first from my Ministry to show that they have a good record in paying their workers what is due for them. So that is the next step that we are taking there.

Of course, one of the big problems with the security sector has been when they start tendering for jobs. For example, if I have a security company and the Honourable Dr. Reddy has a security company, if I know that he is tendering at \$3 per hour for a security worker, I will move down to \$2.80; and someone else will move down again further from that. As they are competing downwards, they reach a level at

which they are unable to pay the normal wages that are required for that particular sector. But obviously if you are paying for your labour guard, you need to pay for administrative cost, FNPF, profit margins, et cetera.

So these are some of the difficulties that they have as people start competing for the jobs. However, in the long term what we are doing now, we are trying to make sure that the companies that remain in this particular sector, they will have to seek their master licence and the Ministry of Defence will only give that licence if it is shown that they have a good record with us in terms of paying workers their dues.

HON. SPEAKER.- Thank you. Honourable Professor Biman Prasad

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. There has been a lot of instances where the Ministry has been unable to resolve disputes in a timely manner. My question to the Honourable Minister is, does this Ministry have competent, empowered staff who can without fear of any kind of reappraisal negotiate and resolve disputes that are brought to them because we have had many cases brought to us, Madam Speaker, which shows the inability of the Ministry to actually deal with those.

HON. J. USAMATE.- The Honourable Member is imputing the qualities and the abilities of the staff. I think in any ministry, you always have your very good exceptional workers, you have those that perhaps do not perform to that level but in any ministry also you try to do a number of things so that you can get the right people. That is why we are going for this problem of Open Merit Recruit to get the right kind of people, the training, et cetera, but a lot of the problems that we have in trying to address these complaints is because it takes time to verify things. If someone says, "I was not paid my overtime pay over the past three years."

A lot of people do not complain until they have left the company. I am working in a particular company, I am not being paid my overtime pay for five years; I do not complain until I leave. And then there is a big issue of trying to get into that company and getting those records and going through every single file to identify the exact. So, what is this person supposed to be paid? Just because someone said, "the company owes me six month's overtime pay"; you cannot just automatically pay them, you have to do the right thing. You have to get in and get those details. If it is a worker's compensation case, and if it was done three or four years ago, you look for the records, you have to go and search for the people that, that person worked with to understand that circumstances. All of these things take time.

Once you have got your facts together, then you have to serve that to the company for them to pay. They have given some time for them to be able to say, "Yes, I have not complied." They may refuse to pay, then that takes time for us also to try to mediate the solution. Most of our inspectors now we have put them through mediation training programmes so that they become mediators, they learn how to mediate between the person that is making the complaint and the employer so that both parties can try to agree to a solution. If they cannot agree to a solution, then it goes to the tribunal, the tribunal then imposes a decision.

At least when it is a mediated solution, there have an opportunity to try to come to an agreement on something through give and take. So, I think the processes are there, it takes time to verify these things if their staff are working hard. I have a lot of expectations as a Minister that as a civil servants they will need to be able to improve their processes and reduce the time that it takes to address complaints and you will continue to focus on that.

HON. SPEAKER.- Thank you. Honourable Jiosefa Dulakiverata.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. A supplementary question. I thank the Honourable Minister for his response and it shows that the system is not working, that is why we have a lot of complaints. I know that most workers who work in small restaurants work long hours and not paid overtime, they are not being visited by Labour Inspectors, they are probably underpaid. The question I would like to ask the Honourable Minister is, how many companies are there in the country, how many Labour Inspectors does the Ministry have, how many times do they visit each year and whether there is a standard thing for you to be working on? Thank you.

HON. SPEAKER.- The Honourable Minister.

HON. J. USAMATE.- Thank you, Madam Speaker. I think some of the Honourable Members of the Opposition have a propensity to use this word “most”. When you use the word “most” it means that you are saying, “Most of the *tavioka* is not matured”, that means you have gone and counted each *tavioka* plant to see that more than 50 percent are actually not matured. So, if you are going to say “most”, where are we getting these figures from? Where does this all come from? Now after I said that, I forgot what the question was.

(Laughter)

Madam Speaker, in this country we have around 10,000 employers. It is not possible for the inspectors to go and visit each and every 10,000 every year. So, what we do, we know where the high risk sectors are, the ones that we receive the most complaints; wholesale, retail, security, et cetera. So what we do, we target. Each of our labour inspector is given a target. These are the number of inspections that you must take. So, they are given their target, they are expected to carry out those inspections on a monthly basis and these inspections tend to be focussed on the sectors that we know are high risk, where we get more of those complaints.

In any country in the world, your informal sector, your small and micro enterprise sector, these are the areas where there is always the huge challenge of compliance. It is not something that just happens in Fiji, it is in every country. You go to USA and Europe, it is in these sectors that there is a concerned challenge for us. It is a challenge also because if you know about the other side, the kinds of organisations should represent worker’s interest like unions, they tend not to get involved in those particular sectors.

In the larger formal sectors, they get involved so I think there is a lot more air or publicity of the issues that come up in large companies. But we know the large majority of our workers are in this e small and micro-enterprise, there is a challenge for us to be able to deal with them. A big change that we have had in the Ministry over the past years, our own legislation was such that you can only bring your grievance to the Ministry if you are a member of a trade union.

With this new Employment Relations Act ,that is no longer a requirement. Anyone or any worker in this country can bring their problems. So we encourage workers. I go and sit in restaurants sometimes, I talk to the employer then the workers come up to me and say, “I am not being paid.” Once we know of the problem, we will make sure that our inspectors go there and do their work to try to help out the people who are working in those organisations.

HON. SPEAKER.- Honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. I suppose when it comes to most, we will find out for sure after they count the votes in 2018.

(Chorus of interjections)

HON. V.R. GAVOKA.- Madam Speaker, I like the question by my colleague, Honourable Politini specifically on security. Can you tell us if there are other industries that fall into that category that is causing a concern, following up on the questions from Honourable Dulakiverata where there must be security in small cafes and others that continue to challenge the Ministry?

HON. SPEAKER.- The Honourable Minister.

HON. J. USAMATE.- Other than the ones that I have mentioned, we now currently have a big building boom, a construction boom in Fiji and we are finding that we are having challenges from that particular sector.

Normally it is not the employees of the large organisations. There is a big contract given and someone or a big company gets the contract, then he sub-contracts to someone who sub-contracts to someone. It is the employees of these units that tend to, where we get the complaints or the small construction company, that is building a school out in Yasawa where someone got a contract then he sub-contract again to someone. So, that is a challenge for us. We are thinking about how we can address that in a more proactive fashion.

HON. SPEAKER.- Thank you, we will now move on to the next item on the agenda. I now call on the Honourable Ratu Kiniviliame Kiliraki to ask his written question.

#### Written Questions

##### Northern Development Programme (Question No. 151/2018)

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

Can the Honourable Minister for Industry, Trade, Tourism, Lands and Mineral Resources explain how effective is the Northern Development Programme?

HON. A. SAYED-KHAIYUM.- (Acting Minister for Industry, Trade, Tourism, Lands and Mineral Resources).- Thank you, Madam Speaker. Madam Speaker, we will table the answer at the later date as provided for in the Standing Orders.

HON. SPEAKER.- Thank you. I now call on the Honourable Dr. Mere Samisoni to ask her question.

##### Gender parity in terms of economic participation (Question No. 152/2018)

HON. DR. M.T. SAMISONI asked the Government, upon notice:

Can the Honourable Minister for Women, Children and Poverty Alleviation inform the House, how does Government intend to achieve gender parity in terms of economic participation?

HON. M.R. VUNIWAQA (Minister for Women, Children and Poverty Alleviation).- Madam Speaker, I will table my response at a later sitting date in accordance with Standing Order 45(3).

HON. SPEAKER.- I now call on the Honourable Mikaele Leawere to ask his written question.

Complaints Regarding Indiscipline Students and Actions taken  
(Question No. 153/2018)

HON. M.R. LEAWARE asked the Government, upon notice:

Can the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications provide the House with the breakdown of student indiscipline reported to the Ministry by offence for the last 10 years and advise on what action has been taken to curb and control such incidents?

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications).- Thank you, Madam Speaker. We will table an answer at a later date as provided for under the Standing Orders.

HON. SPEAKER.- I now call on the Honourable Ratu Suliano Matanitobua to ask his written question.

Youth and Sports issues  
(Question No. 154/2018)

HON. RATU S. MATANITOBUA asked the Government, upon notice:

Can the Honourable Minister for Youth and Sports update the House on youth and sports issues drawn to his attention by way of consultation since his appointment as a Minister?

HON. LT. COL. L.B. TUTUBOU (Minister for Youth and Sports).- Thank you, Madam Speaker, with your permission, I will table my answer now.

HON. SPEAKER.- Thank you. The question time is now over. We will move on to the next item in the Order Paper.

**PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS**

HON. SPEAKER.- I now call upon the Acting Prime Minister, the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications to table his Report.

HON. A. SAYED-KHAIYUM.- Madam Speaker, in accordance with Standing Order 38, I present the Unit Trust of Fiji 2016 Annual Report to Parliament.

HON. SPEAKER.- Please, hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

HON. SPEAKER.- Under Standing Order 38(2), I refer the Unit Trust of Fiji 2016 Annual Report to the Standing Committee on Social Affairs.

**MINISTERIAL STATEMENTS**

HON. SPEAKER.- The following Ministers have given notice to make Ministerial Statements under Standing Order 40, the:

1. Acting Prime Minister, Honourable Attorney-General, Minister for Economy Public Enterprises, Civil Service and Communications who has two Ministerial Statements;
2. Honourable Minister for Fisheries; and
3. Honourable Minister for Youth and Sports.

Each Minister may speak up 20 minutes. After each Ministerial Statement, I will then invite the Leader of Opposition or her designate to speak in response for no more than five minutes. There will also be a response from the Leader of the National Federation Party or his designate to also speak for five minutes. There will be no other debate.

I now call on the Acting Prime Minister, the Honourable Attorney General and Minister for Economy, Public Enterprises, Civil Service and Communications to deliver his first statement.

### Fiji Airways

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker. I would like to give a Ministerial Statement on Fiji Airways, our national carrier which of course is a limited liability company in which the Fijian Government holds 51 percent shares, which in recent times becomes a true success story.

Madam Speaker, by way of information for the Honourable Members in Parliament, the Fijian Government owns 51 percent, Qantas owns 46.3 percent, Air New Zealand owns 1.9 percent, the Government of Kiribati owns 0.27 percent, Government of Tonga owns 0.27 percent, Government of Samoa owns 0.12 percent and the Government of Nauru owns 0.08 percent of Fiji Airways.

A strong current financial position, Madam Speaker, the culmination of four successive years of record profit is unique in the International Aviation Industry for a small national carrier. In 2010, the Fijian Government undertook a number of critical reform measures aimed at providing the airline with a solid foundation to enable it to return to profitability and to bolster our tourism industry.

In 2013, the Board of Directors and the new management moved away from the old Air Pacific identity and rebranded the Airline Fiji Airways to embrace the Airline's Fijian roots, heritage and also it being the national carrier. As a result of a collaborative approach between its main shareholder, management and staff, Fiji Airways is now one of only a handful of national airlines which are profitable and indeed growing.

Madam Speaker, in 2011, the Air Pacific which became Fiji Airways made the decision not to renew the lease on the ageing Boeing 76 Aircraft with the aircraft leaving service in January 2012, and to allow the lease of its two ageing Boeing 747 Aircraft to lapse in July and November 2013.

The Boeing 767 Aircraft was costing Air Pacific over US\$0.5 million a month in lease rental alone. Significantly, above market rates for an 18-year old aircraft, the Boeing 747, Madam Speaker, were each costing Air Pacific between US\$400,000, US\$500,000 in monthly lease rentals, again significantly above market rates for an aircraft, they were 24 years old on leaving the Air Pacific fleet which became Fiji Airways.

With four engines, the Boeing 747 fuel use was always double in that to an engine airbus A330-200 and with the Boeing size and weights, almost all other operating costs were higher not aided by the advancing years.

The introduction of the airbus A330-200, Madam Speaker, by Air Pacific in 2013 or Fiji Airways consigning with the rebranding of the national carrier to Fiji Airways has saved the company millions of



dollars with ownership cost of the new aircraft being below that of the old and operating cost being materially low.

Additionally, the new fleet has allowed a more flexible network growth plan using the right size aircraft as opposed to buying a full aircraft in the peak and an empty aircraft in the trough. The transition from Boeing 767, 747 aircraft to new A330-200s has given Fiji Airways' customers and the country the world class products at a better cost. The Airline's wide-bodied or long range to an isle jet aircraft fleet is currently made up of four airbus A330 aircraft, three of which are the A330-200s series and the fourth a larger 300 series. As announced a few days ago, Madam Speaker, the Airline will now add two interim A330-200 series aircraft this year on a short term lease for four years. This will enable Fiji Airways to start new direct flights to Tokyo or Narita, Japan and increase frequency weekly flights to existing long-haul destination like Singapore and San Francisco.

Madam Speaker, the first A330-200 series aircraft which kick-started the entire fleet modernisation programme at Fiji Airways were purchased with the Ministry of Finance and the assistance from FNPF and it is a ground breaking partnership between our national superannuation fund and our national carrier that paved the way for the fleet upgrade has brought healthy return to Fijian citizens via FNPF.

Madam Speaker, Fiji Airways' narrow-bodied or short, medium range similar isle jet fleet is made up of five Boeing 737 New Generation Aircraft (NGA), four of which are the 737-800 series and one 700 series. In November 2016, Fiji Airways and the Fijian Government now have a selection of the state-of-the-art Boeing 737 MAX 8 to replace the existing five Boeing 737 NGA beginning in November 2018. The Airline will receive two 737 MAX aircraft this year with the remaining three to arrive in 2019. This significant fleet outbreak will result in Fiji Airways having one of the world's youngest aircraft fleet by the end of 2019. The commercial terms and the deals with Fiji Airways broker for this new aircraft are widely regarded by the industry as a landmark achievement, in fact better than what most large airlines are able to achieve.

Fiji Airways followed a rigorous, thorough and transparent process to evaluate, select and negotiate the optimum solution for its narrow-bodied fleet replacement, and then negotiated hard to achieve the best result for the airline and the Fijian people. The deal comprises of 12 year sale and lease pack financial package involving Boeing, the aircraft manufacturer, GE Capital Aviation Services, the aircraft lessor, the CMF International and the Engine Manufacturer.

The tripartite deal will simultaneously leverage the offers from the aircraft manufacturer, the financier and the engine manufacturer may well be a world's first. Madam Speaker, Fiji Airways will be the first operator of this latest technology fuel-efficient type aircraft in the Pacific Region, including Australia and New Zealand.

Fiji Airways will be the first to fly the 737 MAX 8 commercially to airports like Sydney, Melbourne, Brisbane, Auckland, Christchurch, Wellington, Nuku'alofa, Apia, Tarawa and Honolulu. The MAX 8 has improved air operating economics and offers fuel savings of 15 percent, compared to the previous generation of aircraft. Its enhanced interior featuring reduced cabin noise, improved lining, more overhead cabin space, the state-of-the-art in-flight entertainment in both the Business and Economy Classes cabins will be well received by the Fiji Airways' customers.

Madam Speaker, just like their rigorous and thorough selection, the negotiation process for the 737 MAX 8, Fiji Airways' management has embarked on a campaign to evaluate selecting a wide-bodied jet-aircraft type to augment or replace its Airbus A330 aircraft to meet its short and long term growth requirements.

As Fiji Airways plans for an 8 to 10 percent growth in passenger numbers on year-on-year, it requires aircraft which are new generation technology, with even greater range and payload capabilities.

Currently, the airline is engaging both aircraft manufacturers (Airbus and Boeing) for future wide-bodied aircraft solution with the candidates being the enhanced Airbus A330 New Engine Option (NEO) or the A350 models or the Boeing 787 Dreamliner. Fiji Airways will make a decision later in 2018 on its choice of wide-bodied aircraft. I can tell you, Madam Speaker, the A350 is a beautiful aircraft in this respect.

Madam Speaker, looking at locally though, domestically, it is also important to note that the fleet modernisation is taking place across the entire Fiji Airways Group which includes the domestic carrier, Fiji Link. The small domestic airports served by Fiji Link are best suited to propeller (prop) aircraft. Fiji Link operates three brand new turbo prop ATR aircraft which are two ATR 72 Series and one ATR 42 Series.

In August 2017, Fiji Link announced that it would acquire three brand new Twin Otter Series 400 turbo prop aircraft from manufacturer, Viking Limited.

We are pleased to inform the Parliament, Madam Speaker, that the airline has now taken delivery of all three brand new Twin Otter aircrafts. We are also pretty delighted to confirm today that Fiji Link will acquire a fourth brand new Twin Otter aircraft by September 2018, making Fiji Link the operator of one of the world's youngest turbo prop fleets. There is yet another major milestone for our national carrier and a great product enhancement for all guests flying domestically within Fiji.

Madam Speaker, as allocated in the budget, in a major development for Fijian aviation, in December 2017, Fiji Airways broke ground on the site of the future Fiji Aviation Academy. This is a major initiative, Madam Speaker, and undertaken by the national airline to open an aviation training facility in Nadi, complete with cutting edge aviation training equipment and infrastructure. This includes three simulator bays which will house the three Canadian Aviation Electronics (CAE) full flight simulators for the Boeing 737 MAX, the Airbus A330 and a third full flight simulator for an aircraft-type to be determined later once the jet's wide-bodied augmentation replacement campaign has been successfully completed. For example, if we go for the Dreamliner then we get a Dreamliner simulator put in, if we go for the A350 we will get the simulator for that.

Madam Speaker, in just 12 months actually from now, Fiji Airways in Fiji will have a world class aviation training facility offering the highest standard of pilot training for Fijian pilots and indeed international students.

Phase 1 of the project will see the installation of the simulators from Fiji Airways own pilot training requirements.

Phase 2 will see the establishment of a flight school and the Academy offering Ab Initio Pilot Training for young students.

Phase 3 of the Project will see the establishment of a cabin crew training facility at the Academy. Apart from the benefits and cost-efficiencies for Fiji Airways on pilot training, currently we have to go to Singapore and other places. The Fijian economy will also get a boost with an influx of foreign students arriving in Fiji to use the Academy facilities as well as other services within the Nadi area from hotel to transportation and restaurants.

Madam Speaker, the Fiji Aviation Academy project will ensure Fiji Airways continues to maintain the highest levels of safety. Both airlines, Fiji Airways and Fiji Link have their higher safety

certification for commercial aircraft, which is the International Air Transport Association (IATA) Operational Safety Audit (IOSA). Fiji Link is the only domestic airline in Fiji to hold this certification.

Madam Speaker, there is a number of organisational realignments that have taken place which I will come back to when I have some time left. However, Madam Speaker, it is very important to note and I would like to talk about people development in Fiji Airways. Fiji Airways has continued to develop its people with both management and staff undergoing extensive service and systematic leadership training, so it is training from the likes of world-renowned service expert, Ron Kaufman and his “UP! Your Service” organisation, designs to ensure that customer service remained as the centre of Fiji Airways focus.

This is done by integrating modern customer service delivery and recovery tactics with our world-renowned Fijian hospitality in the sky. As you know, Madam Speaker, all Fiji Airways and Fiji Link cabin crews are Fijians, allowing both airlines to offer an authentic Fijian experience to guests, the moment they step on board.

Madam Speaker, cabin crew remained as one of the most sought-after positions in Fiji by young people. Just by way of example, in 2017, Fiji Airways and Fiji Link held recruitment drives for cabinet crew. Over 3,000 young Fijians applied for 80 open positions. It clearly shows that there is an airline of choice and indeed is seen as a good employer.

Madam Speaker, in 2016, Fiji Airways hired 35 cabin crew while Fiji Link hired 6. In 2017, Fiji Airways and Fiji Link hired 22 and 4 cabin crew respectively. In 2018, 80 more Fijians would join Fiji Airways as cabinet crew while 8 will join Fiji Link. This means that within a span of less than three years, 155 Fijians have joined or will join both airlines to support the Company’s growing operation requirements. I am only talking about the flight attendants here, Madam Speaker, of course, there are requirements for engineers, et cetera.

Madam Speaker, Fiji Airways remains one of Fiji’s largest employers with a total of 1,395 employees at present. The airline continues to generate more employability for our people.

In 2017, Fiji Airways hired 25 pilots, seven of whom were Fijians while Fiji Link hired seven pilots, four of whom were Fijians. Once the Fiji Aviation Academy that I mentioned earlier commences its operations in 2018, it will allow Fiji Airways to accelerate the development of command-quality Fijian pilots and increase Fijian pilot intakes.

Currently, of the 260 total pilots across both airlines, 164 are Fijians and 96 are expatriates. Madam Speaker, given the paramount importance of safety in Fiji Airways’ operations and the quality of its pilots, one cannot understate the need for a considered and sustainable move towards increasing the number of Fijian pilots at Fiji Airways.

Madam Speaker, of course, there has been very numerous salary increments over the Company itself, I am just mindful of the time.

Madam Speaker, one area that, of course, is very important for us is the service delivery. As you know that previously at times, Air Pacific used to be called “Air Pathetic”, we obviously need to get rid of that persona or that cliché term that was targeted against the Air Pacific. Fiji Airways, of course, has now conduce-up feelings of your national pride.

Madam Speaker, after the introduction of work as one to take the next step up, just after one year of its service education programme where more than 86 percent of all staff underwent intensive workshops, the Airline reduced its overall complaints by 65.87, percent compared to 2016. In this

period, Fiji Airways increased guests compliments by 22 percent while Fiji Link increased guests compliments by 74 percent.

The overall net promoter score, a measure of overall guests' satisfaction to the point where guests become advocates has increased by 3 percent points from 47 to 50 percent. This places Fiji Airways well above the industry average.

The newly opened Fiji Airways Premier Lounge, which I am sure some of the Members of this Parliament have enjoyed, has been a huge hit with the guests. It has an average of 2,018 net promoter score of 86, the highest score the company has seen in its history.

Madam Speaker, I would like to very quickly now talk about various other initiatives that Fiji Airways have taken but first, just before that, I would like to talk about a network in expanding partnerships.

Madam Speaker, in 2017, it saw a significant growth in Fiji Airways network - where it flies to; how often it flies; and who it connects with. Beyond introduction, new routes like Adelaide, an increase in weekly services to Singapore and San Francisco, Fiji Airways drew its partnership network exponentially. This has been done through meaningful codeshare and interline agreements with the existing and new airline partners.

Fiji Airways currently codeshares with 11 Airlines and has 33 Inter-line Agreements. Codeshare partners include Qantas, Jet Airways, American Airlines, Cathay Pacific, Alaska Airlines, Hong Kong Airlines, Jetstar Asia, Jetstar New Zealand, Solomon Airlines, Samoa Airways and Air Vanuatu. As a result, Fiji Airways and Fiji Link now serve 108 destinations in 17 countries.

Madam Speaker, this means that in addition to flying to Australia, New Zealand, USA, Hong Kong, Singapore, Samoa, Tonga, Tuvalu, Kiribati, Vanuatu, Solomon Islands and now soon-to-be Narita, you can fly on the Fiji Airways Designated Code FJ to Canada, United Kingdom, India, Japan and Thailand.

The Fiji Airways, Madam Speaker, will also shortly announce another major codeshare deal which will increase its reach even further into Asia, Mainland China and Europe. These are the new and emerging markets that Tourism Fiji can target to grow the visitor arrivals to Fiji. Japan will be the newest Fiji Airways direct route, starting on 3rd July of this year, which will facilitate a huge growth in the number of Japanese visitors too.

Madam Speaker, Fiji Airways has recently signed a Codeshare Agreement with Singapore Airlines and SilkAir. They will provide more convenient connections for customers travelling to Fiji from more than 20 destinations in Asia, Europe, through the Singapore Hub. Under the Agreement, Singapore Airlines and SilkAir customers can access Fiji Airways non-stop flight between Singapore and Nadi, including the Airline's third weekly seasonal service that was launched on 4th April, 2018, Madam Speaker. Of course, they can travel on codeshare flights between Nadi and the three domestic destinations, including Suva, Labasa and Savusavu.

Madam Speaker, I would like to talk a little bit more about the finance side of things. All in all, 2017 was the milestone year for Fiji Airways. In March, Fiji Airways announced its financial results for 2017. The Fiji Airways Group announced a record profit before tax of \$95.8 million. Following this, the Airline's Board approved one of the largest staff profit share payout in Fijian history. Each staff member from those who work on the hangar floor, to those in the administration offices received \$4,400 as a profit share, of course, with the deductions in place. All management staff received no less than \$9,900 each.

Madam Speaker, such positive developments are only possible through a collaborative approach between shareholders, management and staff and, while 2017 is a good financial year, we are mindful the aviation were the most cut-throat industries in the world. Fuel amounts to 30 to 40 percent of airlines' costs and volatile fuels pricing movements remain as one of the biggest challenge for airlines, Madam Speaker.

Madam Speaker, we obviously have been condemned for the past two years when the Opposition continuously questioned the \$18 million marketing, a partnership we struck with Fiji Airways. Madam Speaker, it is our national carrier. We need to provide support to it as and when required, and this we did through a marketing campaign.

Madam Speaker, I am happy to announce also that as a result of that route now doing well with the increased frequency to Singapore, that \$18 million is no longer required, which was only part of the Budget this year.

But the point is, Madam Speaker, in their short term political point-scoring, they kept on harping on about it, not taking a long term view. We took a long term view, we consolidated Singapore. Singapore is not only about tourism numbers, Madam Speaker, it is also about positioning Fiji as a hub in the Pacific whether for financial purposes, IT purposes, administrative purposes, international agency purposes and that was one of the reasons why Fiji has the largest UN agency hub in the Pacific, because of it connectivity. All of these things interconnect, Madam Speaker, and I wish that they realise that we need to carry out these initiatives in the nation period of this particular new route.

Madam Speaker, of course, Fiji Airways through its corporate social responsibility has given a million dollars to the Prime Minister's Rehabilitation Fund. They also adopted a school in Taveuni after *TC Winston*, the Taveuni South Primary and Secondary Schools, both of which are remotely located, Madam Speaker. They have planted 5,000 trees, Madam Speaker, as part of the COP 23 initiative that they have.

Madam Speaker, the reality is that, I would like to once again thank all the staff of Fiji Airways, I would like to thank everyone who has contributed to its success, and we wish our national carrier and indeed, we need to be proud of our national carrier. Thank you.

HON. SPEAKER.- I now call on the Honourable Leader of the Opposition or her designate to speak in reply.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. We are happy to learn that the support in marketing to Air Pacific will end. Perhaps, if you could sit back and learn something from the other side, at least.

Madam Speaker, for three years, we have been supporting Air Pacific with \$18 million which is now \$54 million.

Madam Speaker, I was driving from my village in Cuvu one day towards Nadi and near Natadola, I saw a lady drawing water from the well. You know how you tie the rope to the bucket and you throw it to draw out water from the well. I mean, this is near the Honourable Deputy Speaker's area. And I told myself, "How can this be in Natadola where we have spent almost \$45,000 million on golf, where in this part of the world we have spent about \$54 million in supporting Air Pacific which is a \$900 million company and yet our women are still throwing that bucket into the water to draw out the water?"

Madam Speaker, does this makes sense that we support a company that is almost a billion dollars and our women are still throwing bucket into the well to draw out the water?

Madam Speaker, I am glad it is stopping, thank you.

Madam Speaker, let me just clarify one thing here, we were lectured on Monday that we were not proud of Fiji Airways. What is it, because we call it Air Pacific at that time?

But today the company is Air Pacific Limited trading as Fiji Airways. So, please do not give out any lecture because we are also proud of Fiji Airways. In actual fact, other parties started the Air Pacific – the Alliance Party, NFP, SVT, SDL, Labour Coalition, you are only at the tail end of it today and you are benefitting from the work that has been carried out in the past.

Madam Speaker, we had talked about the rationalisation of the fleet, Madam Speaker, had it not been for the *coup* that brought these Honourable Members into Parliament, had it not been for that, Fiji would have had five Dreamliners operating today under Fijian Airways. Your *coup* almost destroyed the national Airline.

Now, I am happy that we are now considering a Dreamliner but, Madam Speaker, we are going to have two types of airlines; the Airbus and Boeing, and for a small country like Fiji, we cannot be running two types of aircrafts. They are two types of culture. Airbus is a huge conglomerate, Boeing is a huge conglomerate. They have their own culture. So for a small vulnerable economy like Fiji, trying to operate both, imagine the conversion cost!

They have not told us about the conversion cost. Madam Speaker, we applaud the performance, we applaud the profitability but let us remember one thing; there was a time when oil was costing \$120 a barrel. Air Pacific or Fiji Airways today is operating at a time when it is about \$50 to \$60 a barrel, hence the huge profit. We agree with that, we applaud it, but let us not say that it is unprecedented because the circumstances favour you, but if it had been Dreamliner from 2006, imagine Dreamliner with 30 percent less cost on fuel. Imagine what the profits would be like today.

So, Madam Speaker, it is people benefiting from positive effects, circumstances and noting it all the way in preparation for the campaign this year. But I tell you what, people of Fiji are a lot smarter than that. As I had said to my colleague there, most will be defined on how we count the votes at the end 2018.

Madam Speaker, we still have that issue with Qantas. The Honourable Minister says Qantas has some shares. It would be better for people development to lurch into a company with a developed system and culture, like we did with Qantas. Our people would be better off if they are part of the Qantas culture, like we did in the past.

As you know today, Madam Speaker, one of our boys is flying an A380, A380 is the biggest in the world, trained by Qantas. But this Government pushed Qantas away and all Qantas is saying is; “Thank you for the \$95 million, we will get our share and thank you for that.”

So, Madam Speaker, SODELPA is going to bring back rationale thinking into this airline. We are going to associate with Qantas. We are going to bring in a proper airline and we will not have the contradiction. Remember the contradiction, Madam Speaker! It is better to buy, not to lease, now they are saying they are going to lease. There will be no in SODELPA, it will be very clear. Thank you, Madam Speaker.

HON. SPEAKER.- I now call on the Leader of the NFP or his designate.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. Actually, I am absolutely disappointed and might I add, that actually I am quite disgusted but I thought because we have heard

about Fiji Airways before in Parliament, there are much more important national issues that I thought the Government side would bring Ministerial Statements, and in particular, Madam Speaker, we have just gone through *TC Keni* and *TC Josie*, people are still waiting for Government's help and we are expecting some Ministerial Statements from the other side so that we can actually debate this in this House. But unfortunately the Government does not want us to ask some hard questions as to how they actually dealt with the relief assistance.

Madam Speaker, having said that, let me also say that when the Honourable Minister for Economy talked about the profit of \$95.8 million for 2017, he should have actually talked about the breakdown of those profits from the group of companies - Fiji Airways, Fiji Link, Pacific Call Comm Ltd, 38 percent shares in SOFITEL, so it is a group profit, Madam Speaker, not just Fiji Airways. I probably think people need to understand that.

Also, Madam Speaker, if we look at that \$95.8 million profit and we look at the subsidy that we gave to Fiji Link with \$18 million, we need to break that down and to see what their actual performance is. The points raised by Honourable Gavoka, Madam Speaker, I share those points with him in terms of where the Airline could have been over the last 10 to 12 years. Nonetheless, Madam Speaker, we are pleased to know that, at least, Fiji Airways has plans and we have heard this before and we look forward to the implementation of some of those plans in the future.

One other point I want to raise, Madam Speaker, and this is about managing our carbon offsets. I mean, this is going to be a future risk, Madam Speaker, and the Honourable Minister for Economy needs to come to this House and explain how they are going to deal with it.

In fact, Moody's Investors Service has just released a new report where they actually talked about the passenger airline sector which could be exposed to new costs from global decarbonisation agreements that I think will come in the near future and as COP President, Fiji has to understand that this is going to be a very, very serious issue and how we managed our carbon offset costs, will actually determine the future risk of the whole airline. These are very important issues, Madam Speaker, that we ought to hear from the Honourable Minister.

Let me add this again, we get reports on Fiji Airways, the Minister responsible provides the reports. I want to still maintain that we must also receive the Annual Reports in this Parliament as well because then, Madam Speaker, we would be able to debate the details. We can get the Annual Reports and Financial Statements on their website but we need those details in Parliament so that we can debate some of the details that are there.

Madam Speaker, I also want to raise this issue. We need to look at all those issues that I had pointed out because as I had said before in this Parliament, our objective is to get more tourists. We have a target for a million tourists. We must not deviate from that objective because at the end of the day, that should be our real objective.

Madam Speaker, we also need to be informed in this House from the Honourable Minister, as to what is happening with respect to our competitiveness within the tourism market. And it is now very clear that our competitiveness in the overall tourism market in the Asia/Pacific Region is actually going down.

HON. A. SAYED-KHAIYUM.- Nonsense!

HON. PROF. B.C. PRASAD.- It is going down! It is going down, Madam Speaker!

Apart from the taxes that we reap from the tourism operators, the fares are also very high comparatively. If you look at the fares from here to Auckland to Sydney, where our main destination for tourists are, these are very expensive, Madam Speaker. So, in the long run these are some real risks that this Government will have to worry about and Fiji Airways will have to worry about. Thank you, Madam Speaker.

HON. V.R. GAVOKA.- Madam Speaker, here we have a statement, saying Ministerial Statement Summary, current development initiatives for offshore fisheries by the Honourable Koroilavesau dated 19th March, 2018. Madam Speaker, Standing Order 44(5) says that when you bring something to Parliament, it must be correct. Why is it 19th March, 2018? Madam Speaker, in this House we brought a Private Bill, went through the first reading, gazetted, we came for the second reading, and as we were about to debate someone said, "There is no short title" and we were told to go back, fix it and bring it back. So, can I ask my good buddy to take it, fix it and bring it back?

HON. SPEAKER.- Honourable Minister for Fisheries. You want it to correct...?

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, can I just explain, that may be a mistake by the Secretary to Parliament. We just presented the document as I was going to speak on today with the heading and a little bit of briefing at the bottom of it. I am not sure where the date appeared from.

HON. SPEAKER.- Thank you. I assume that there is a typographical error on that particular document.

HON. SPEAKER.- Honourable Minister for Fisheries, you have the floor.

(Chorus of interjections).

HON. RATU N.T. LALABALAVU.- You are not the Speaker.

HON. A. SAYED-KHAIYUM.- I am not the Speaker neither are you. I was talking to him.

HON. RATU N.T. LALABALAVU.- Keep quiet.

HON. A. SAYED-KHAIYUM.- I won't keep quiet, that is my freedom to say that.

HON. SPEAKER.- It has just been confirmed that it was a typographical error. Please Honourable Members, let us listen to the Honourable Minister for Fisheries.

Honourable Minister for Fisheries you have the floor.

#### Current Development Initiatives for Offshore Fisheries

HON. CDR. S.T. KOROILAVESAU.- Thank you, Madam Speaker, for confirming that it was a typing error on the part of the Secretariat.

Madam Speaker, I would like to thank you for the opportunity to briefly outline the work and initiatives for Offshore Fisheries managed by Fiji within its Exclusive Economic Zone (EEZ). While there have been many discussions centred on coastal fisheries and its activities, I would like to brief this august House on the Offshore Fisheries Sector.

Madam Speaker, this sector covers the area outside the customary fishing grounds. It is the area covering the outer limits of the reef and extends to the outer boundaries of Fiji's EEZ. Managed by the



Offshore Fisheries Division, the offshore fisheries covers a vast area which extends 200 nautical miles from Fiji's baseline. These areas include the archipelagic waters, territorial seas and the EEZ.

Madam Speaker, through the leadership of the FijiFirst Government, the Offshore Sector has been supported with the approval of a robust legislation namely, the Offshore Fisheries Management Act and the Offshore Fisheries Management Regulations. The introduction of these Regulations has been unprecedented. Through these two pieces of legislation, Fiji has been able to implement measures that not only focuses on controlling effort through better management tools but also includes the provisions that dealt with a few issues:

1. Enforcement and surveillance;
2. Collection of scientific data through observers;
3. Port state measures;
4. Investigations;
5. Control over exports and imports;
6. Providing legislative support for vessels monitoring; and
7. Legislating the declaration of certain fishery.

Madam Speaker, these are just some of the many provisions covered under the updated legislations achieved through the FijiFirst Government.

HON. MEMBERS.- Hear, hear!

HON. CDR. S.T. KOROILAVESAU.- Additionally, Madam Speaker, for any organisation to fully operationalise, there needs to be a policy framework that clearly defines the objective, goals and strategies of the organisation.

The Offshore Fisheries Sector is supported by the Tuna Management and Development Plan. This policy document sets out limits on the number of licences that can be issued in a given time using a bio-economic model, while identifying sustainable measures and activities that should be undertaken to ensure the sustainable use of our limited tuna resources.

Madam Speaker, from these two important mechanisms, the Offshore Fisheries Sector is able to focus on creating a more robust fishery that focuses on sustainability while ensuring economic efficiency. In light of this, Madam Speaker, through our robust management tools, Fiji is a model throughout the region. Our proactive and holistic approach has allowed us to gain access to niche market that includes the United States of America, Japan and the European Union. These markets pose strict requirement for all importing countries. To be able to export to these markets indicate how Fiji is dedicated to meeting exporting requirements.

Madam Speaker, to reflect on Fiji's commitment, the Offshore Fisheries Sector in 2017 collected \$1.3 million in Government revenue from costs associated with the management of the tuna fishery. This, Madam Speaker, is revenue collected from access fees, which is on the use of tuna resources and management fee, which is the fee levied for services provided to tuna vessel operators. The \$1.3 million of Government revenue is a portion of the actual value of production which in 2014 was recorded at US\$54.3 million which is equivalent to FJD\$107.6 million. This shows our Ministry's commitment in contributing to the growth of Fiji's economy.

Madam Speaker, while having to reflect on Fiji's continuous growth, I would like to inform this House on the additional work that is currently been done to help grow the offshore sector. Madam Speaker, while we have gained access to the main markets, the next step is to focus on meeting

international standards for product labelling. Fiji has achieved this by being one of the only countries in the world to be certified under the Marine Stewardship Council certification.

This achievement, Madam Speaker, is substantial because not only does it allow us to access niche markets, it also promotes ocean health. The eco-labelling and traceability components of MSC certification brings social and economic benefits to Fijians, who depend on tuna as an important resource. This certification builds on Fiji's commitment made last year at the United Nations Ocean Conference to have 75 percent of all long line vessels MSC certified.

Madam Speaker, while Fiji has achieved a re-certification status this year, we are able to add yellow fin tuna as a certified species to the previously certified catches of albacore. We, through the offshore initiatives, have also extended the area of fisheries beyond the Fiji EEZ to include high seas pockets bordering our EEZ. Madam Speaker, this is an achievement that needs to be recognized.

To add to this, Madam Speaker, like any other fishery, resources are limited. Noting that Fiji is at the tail-end of the migrating tuna stocks, we will always be left to fish for the tiny bit of stock that make it past the waters of our north or equatorial neighbours. Over the past years, we have tried to bring in foreign fleets to land its catch in Fiji. This is to help supply the much needed raw materials to our processing facilities, thus leading to the increased production, which creates job opportunities and adds value to our end products.

Madam Speaker, this is a long term goal. There are short term goals that the Ministry is working on to secure raw materials. Discussions are ongoing with development partners that operate tuna fleets in the region. The idea is to establish a bilateral with partners who are willing to catch tuna from outside Fiji and supply them to our processing facilities. The aim, Madam Speaker, is to secure raw materials, create more jobs in the processing lines, and achieve economic growth through import substitution.

Madam Speaker, I would like to end by stating that the development of offshore fisheries is ongoing. We are committed and will continue to ensure that our tuna are monitored in accordance to regional standards, where the best science is made available to those that make decisions. Through our regionally trained enforcement and surveillance officers, the Ministry of Fisheries is in the forefront of ensuring that our waters and our ports are free from illegal unreported and unregulated activities.

Madam Speaker, to help achieve a more holistic approach and promote voluntary commitments toward offshore initiatives, the Ministry of Fisheries through the establishment of the Fiji Offshore Fishing Association is able to work closely with our private partners. This in turn creates a coherent and stable platform for issues to be addressed with stakeholders.

Madam Speaker in concluding, I would like to emphasize that current initiatives are for the betterment of the Fijian people. It is to ensure that while there are enough resources available today, we are able to sustain and manage it well so that we meet regional and international standards while ensuring the sustainability of our future generations. I thank you, Madam Speaker.

HON. SPEAKER.- Thank you Honourable Members, time has caught up with us and we will have the responses to the Ministerial Statement after lunch.

At this point we will adjourn our proceedings for lunch. Please note that lunch is provided for Honourable Members in the Big Committee Room. Parliament will resume proceedings at 2.30 p.m.

The Parliament adjourned at 12.32 p.m.

The Parliament resumed at 2.32 p.m.

HON. SPEAKER.- Before we resume from where we left off, we have a very close friend sitting back there from Lautoka. Welcome to Parliament, Faiyaz.

I now call on the Leader of the Opposition or her designate to speak in response to the Minister for Fisheries' Statement.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. Allow me to respond to the Statement of the Honourable Minister of Fisheries earlier today. I would like to commend the statement that has been made in regards to the Exclusive Economic Zone (EEZ) fishing area of Fiji. Indeed, it is a vast fishing ground and in terms of enforcement and surveillance and the concern regarding the capacity of the Navy currently to be able to survey these areas and our appreciation to our neighbours (Australia and New Zealand) and other countries for providing that service to us.

The EEZ of Fiji, though it is a vast area and tuna being a highly migratory species, it is not confined to our EEZ but mostly the fishing ground is in the tropical areas that mostly are in the Nauru Agreement, where tuna breed and migrate here, to the South, at a certain period in time. That is why as far as the fish catch in our EEZ cannot be able to sustain the industry, unless we go out of the EEZ and have some kind of agreement, like the Nauru Agreement, as well as through the MSG to be able to access all those fishing grounds.

Madam Speaker, therefore my concern, is in the capacity of our local fishermen. Currently, there are 60 licences for our local tuna fishing fleet. The local companies are stressing the importance of reducing that, from 60 to 45 licences because of the economic sustainability of the industry as far as this industry for our local investors is concerned. Even though the catch has been estimated to be about 16,000, but currently from the local industry, it should be around 9,000. For the industry to be able to break even, it has to be around 45 licences and hopefully that can be addressed.

Secondly, I commend the Ministry of Fisheries for issuing the off-loaders licence. I think there are three off-loaders' licences that used to exist five years ago; to offload from foreign vessels in terms of by-catch that they can sell locally. But the current licences that have been given, have been reported to me that to access offloading is currently a problem. The boat owners are still offloading their catch which renders this assistance to nothing at all. So, I hope that is addressed so that these local off-loaders are able to offload these foreign vessels.

One of the other social repercussions of these fishing boats are the nightclubs, that is an issue now. The opening of nightclubs up to early Sundays, especially the indigenous young people are seen to be still drinking on Sundays and that is a very big social impact, especially the fishermen and fishing boats, which is their requirement. This is what they want after spending so many months in the sea and bringing in drugs, prostitution, gambling and so forth. Those are social issues that should be addressed by the Government so that this industry impacts positively in our nation. *Vinaka vakalevu.*

HON. SPEAKER.- Thank you. I now call upon on the Honourable Leader of NFP or his designate to speak in response.

HON. P. CHAND.- Thank you, Madam Speaker. I thank the Honourable Minister for the Statement.

Madam Speaker, may I thank the Honourable Minister for his really active efforts to highlight our fisheries status this week. Hopefully, Madam Speaker, this is to promote his Ministry's efforts now

because the Honourable Prime Minister has thrown Fiji's weight behind the Commonwealth Heads of Government's Blue Charter.

In a similar fashion of the Honourable Minister's efforts at the UN last year, where Fiji presided COP23 with Sweden culminating in the Oceans Pathway Partnership launched at COP23. That is all very well, Madam Speaker, but doing all the grandstanding away from Fiji while the Ministry has highlighted that the Ministry cannot find the link or research the state of our coral reefs or mangroves nationally which are basic building blocks of our pristine marine ecosystems and fisheries; it is worrying indeed.

Regretfully, our oceans are choking on plastic material and the Government was misguided in imposing that 10-cents charge on plastic bags which I am sure has done nothing to protect our oceans.

Now scientists abroad are finding that micro plastics are being found in commercial salt. Salt is found in every household in Fiji, charging 10 cents on plastic bags, has that helped? Are we allowing salt infected with micro plastics in Fiji's homes?

Madam Speaker, I recall sometime back, we asked the Honourable Minister on the UN negotiations on areas beyond national jurisdiction or ABNG and we were told that it was a technical question. Many times it seems very technical to them because they do not have all that experience. If we are struggling to protect our coral reefs, mangroves, fisheries and the big talks happening overseas, Madam Speaker, then hopefully the Minister will ensure that he gets a bigger cut in the next budget that we could look at possibly. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now call on the Honourable Minister for Youth and Sports to deliver his Statement.

#### Commonwealth Games 2018 - Gold Coast, Australia

HON. LT. COL. L.B. TUITUBOU.- Thank you, Madam Speaker. Before I deliver my Ministerial Statement, I would like to wish the students taking part in the 2018 Coca Cola Games, the best in their events. I would also like to wish the best to students who represented Fiji in the three days of competition at the Commonwealth Games.

Madam Speaker, I am delighted to inform the House on the Commonwealth Games which recently concluded, Team Fiji's performance, an update on the direction of sports development in the Pacific Island countries and the Ministry of Youth and Sports' direction moving forward.

Madam Speaker, Team Fiji made its 16th appearance in the 2018 Commonwealth Games in Gold Coast, Australia from 4th April, 2018 to 15th April, 2018. More than 6,600 athletes and team officials from 71 Commonwealth nations and territories competed across 275 events.

The 2018 Gold Coast Games featured the largest integrated sports programme in the Commonwealth Games history, comprising 18 sports and 7 para-sports. There were also a number of new sports in the women's rugby sevens, beach volleyball and para-triathlon. Of note, Madam Speaker, is that the Commonwealth Games Federation is addressing gender equality, not only in the number of athletes and events, but also in the technical officials.

Fiji, with 96 athletes, competed in 12 sports and also made our first appearance in the men's rugby sevens tournament after twelve years of absence.

I am sure that this House will join me in acknowledging and congratulating Team Fiji for their overall performance at the Games winning one gold from weightlifting (Ms. Eileen Cikamatana with

Games, senior and junior Commonwealth and records) one silver from men's rugby and two bronze medals each from weightlifting (Ms. Apolonia Vaivai) and boxing (Mr. Winston Hill).

Fiji finishes 23rd on the medals table of 71 nations participating at this year's Commonwealth Games. The Games provide the Ministry of Youth and Sports and our stakeholders an opportunity to assess areas that need attention and improvement.

Madam Speaker, while many individual sports showed significant improvement, some need to strategize and realign their plans. My Ministry will ensure that adequate support and assistance are provided to all competitive sports and an opportunity for all sports to analyse and address the way forward to improvement.

Having said that, Madam Speaker, our Pacific neighbours were well-represented at the Games with 8 Pacific nations winning a medal of any kind from the overall 29 countries on the medal table. This is good news as Pacific Island countries are competing against the rest of the developed Commonwealth countries. This obviously changes in the Olympic and Para-Olympic Games where competition is against over 200 countries.

The Pacific Island countries have also pledged exchange of ideas and best practices to address sports development in the Pacific. This was established during the First Pacific Sports Ministers' Meeting held in Nadi over Easter in March 2018, under the theme, "Strengthening Sports and Sustainable Development", Ministers engaged with presentations on action plans, policy coordination, sports autonomy, Pacific Games, regional priorities and relationships with regional organisation.

Madam Speaker, the Pacific Islands Sports Ministers' Meeting was the first to be held independently of the Pacific Games and the Pacific Mini Games. This allowed Ministers responsible for sports to take ownership of sport matters in the Pacific, to share our aspirations freely, address issues, challenges and identify solutions.

With Fiji being the host of the Pacific meeting, Madam Speaker, I was given the opportunity to present our strategies to strengthen the governance in sports on the Pacific at the 9th Commonwealth Sports Ministers' Meeting in Gold Coast, Australia.

Sports in the Pacific has unique attributes, enabling a significant contribution to the national development process. Its popularity, being a communication platform, its role in reducing the risk of non-communicable diseases, its foundation for healthy child development, together with its ability to connect people make it a tool that can be used to meet a range of development objectives. When used strategically, sports-based assistance can also make a measurable contribution to the Pacific's development efforts.

Pacific Sports Ministers' considered three main themes to guide national sports and physical education policies, including:

- a comprehensive vision of inclusive for all;
- maximising the contributions of sport to sustainable development and peace; and
- protecting the integrity of sport.

We agreed to share research outcomes across the Pacific using existing and new data sources to assess the current percentage contribution of sport to Gross Domestic Product.

We recognise the need to identify gaps in current data frameworks, measuring specific indicators, setting baseline indicators and creating an evidence base to support policy formulation. Addressing this will help meet our national priorities and contribute to the SDGs.

Sport is defined as all forms of physical activity that contribute to physical fitness, mental well-being and social inclusion. This includes play; recreation; organised, casual or competitive sport; and indigenous sports and/or games.

To strengthen ongoing collaboration, we agreed to establish the Pacific Islands Sports Ministers' Secretariat (PISM) in Tonga. The Secretariat will support national and Pacific policy development, legislation and regulations.

It will also facilitate research analysis and dissemination with a focus on priority sports to promote Pacific talents, propose a new operational and funding model for the Pacific Games and coordinate issues to be discussed by our Pacific Island Forum Leaders.

Recognising the contribution of Australia and New Zealand to the Sports for Development Agenda in the Pacific, we resolved to invite these two neighbours to relevant Pacific Islands Sports Ministers' Meeting to discuss ongoing cooperation. Madam Speaker, the Pacific Sports Ministers also called for closer links between Commonwealth Games Association and Governments.

As Minister responsible for sports in the Pacific, we also identified the need for an assessment to be done on the return on our Government's investments to making the Commonwealth Games successful through the participation of our teams. The exchange of ideas and best practices aims to curb the cost of non-communicable diseases in our Pacific Island countries.

Good health is a fundamental human right and has been recognised in the Sustainable Development Goals (SDG). Good health is fundamental to the ability of individuals to realise our full human potential.

Madam Speaker, low levels of health impede people's ability to work and earn a living for themselves and their families. When someone becomes ill, an entire family can become trapped in a downward spiral of lost income and high healthcare costs. Healthier adults are more productive and children free of disease are better able to learn at school and gain the skills needed to break out of poverty and help grow our economy.

This is particularly evident with the outbreak of the MenC disease recently, where youths have been affected. The Honourable Minister for Health and Medical Services stated that there have been 46 cases of the disease recorded from 1st January to 12th April.

Also, the Honourable Minister has stated that the life-threatening MenC disease has claimed 11 lives in the country, seven of which occurred last year and an additional four recorded this year. Other Non-Communicable Diseases (NCDs) such as diabetes, cancer, cardiovascular disease and chronic respiratory diseases are growing rapidly, particularly in low and middle income countries, like Fiji in the Pacific.

In 2008, NCDs accounted for an estimated 36 million deaths or 63 percent worldwide. In the Pacific, 75 percent of all adult deaths are due to NCDs. At the 42nd Pacific Islands Forum in 2011, Pacific Island Leaders stated that NCDs had reached epidemic proportions in Pacific Island countries and territories. The statement highlighted the huge economic costs of NCDs, and the potential to undermine the achievement of the Sustainable Development Goals.

Madam Speaker, my Ministry continues to emphasise that sports is well placed to help combat NCDs. Research shows that to reduce NCDs, we have to reduce exposure to the four common modifiable behavioural risk factors:

- unhealthy diets;
- physical inactivity;
- tobacco use; and
- substance abuse.

Sports is uniquely positioned to address physical inactivity by getting people more active more often. Sports also provides opportunities to deliver messages on the three other risk factors to large groups of people. People with disability are among the most vulnerable in developing countries. They face many barriers, preventing them from fully participating in society, facing social exclusion.

Around 15 percent of the world's population, about a billion people live with disability. Madam Speaker, research has shown that the value of sports in improving the inclusion and well-being of people with disability is improving.

Sports work at two distinct, but at the related levels. At the individual level, sports provide the opportunities for social interaction and helps build confidence, self-esteem and a positive self-image. Sports also contributes to physical fitness, strength, range of movement and independence.

At the community level, sports can be used as an effective platform to deliver messages about inclusion and the rights of people with disability. It also creates opportunities for people without a disability to encounter people with a disability in a positive context.

Gender equality is central to economic and human development. The Ministry for Youth and Sports is committed to being a firm and persistent advocate of gender equality, and has identified gender equality as a critical cross-cutting theme.

A growing body of evidence shows that sports is a viable tool for promoting gender equality and empowering women and girls. Sports can help to enhance girls' and women's health and well-being, significantly reducing the risk of osteoporosis, breast cancer and depression- conditions which disproportionately affect women. It builds self-esteem and empowerment.

Sports can also facilitate social inclusion and integration, challenge gender norms, and provide opportunities for leadership and achievement, recognising the additional barriers faced by women and girls, such as the lack of childcare, and their household and care responsibility, hinder their full participation. Sports also plays a role in empowering women within the society and delivers important behavioural messages on topics, such as sexual and maternal health.

Madam Speaker, women's involvement in sports is an entry point to normalise, in the eyes of both women and men. Well-run sports-based activities contribute to safer and more secure communities by engaging young men and women in meaningful activities, and diverting them from anti-social behaviour.

Sports helps build a sense of shared identity and fellowship among groups that may otherwise be inclined to treat each other with distrust, hostility or possibly violence.

Sports requires participants to adhere to rules regardless of participant's social, economic background or cultural status. By establishing community sports organisations and engaging community members and youth as sport volunteers, sports helps promote community leadership, foster greater

community involvement in decision-making and generate social ties and community infrastructure which contributes to improved peace and community stability.

We recognise, for example, the role women's participation in decision-making has in benefitting the whole community, not only in strengthening women's leadership but also ensuring that the broader interests of the community are taken into account.

The Ministry of Youth and Sports has taken the lead role in advocating the need for sports development in the country. We have, on multiple occasions, provided much needed support to encourage youth development through the means of sports.

The Ministry applauds the dedication, perseverance and hard work of Team Fiji and all the neighbouring Pacific Island countries during the Commonwealth Games. The Ministry applauds the vision of the Government in supporting sport as an economic development tool in promoting the reputation of Fiji internationally.

I thank you, Madam Speaker, for the opportunity.

HON. SPEAKER.- Thank you. I now call on the Honourable Leader of opposition or designate to speak in response.

HON. RATU S. MATANITOBUA.- Thank you, Madam Speaker.

Madam Speaker, I have profound pleasure to respond to the Ministerial Statement on the Commonwealth Games held at Gold Coast, Australia from the 4th April, 2018 to 15th April, 2018. Allow me to thank the Honourable Minister for Youth and Sports for this update which reveals some very interesting and informative facts.

It is a great feat indeed, Madam Speaker, that the 71 countries took part in the event and there were more than 6,600 athletes who participated in the 275 games. It is further pleasing to note that Fiji fielded 96 athletes in 12 sports and in Men's rugby after a lapse of 12 years.

The Opposition, Madam Speaker, has no hesitation to join the Government of the day and all the people of Fiji at home and abroad to congratulate our sporting bodies and felicitate athletes, who have secured one gold medal, one silver medal and two bronze medals from the Commonwealth Games in 2018.

Additionally, Madam Speaker, the Opposition would also like to put it on record that we wish to express our sincere appreciation and heartfelt thanks to all the athletes, team officials and their families and friends in Fiji and Australia, to enable Team Fiji to shine at the Gold Coast rising and waving our national banner blue proudly as a member of the Commonwealth of Nations.

The Honourable Minister put it very elaborately that the Pacific Island States, 29 altogether, participated in the Games and eight of these countries, including Fiji won medals in the various events that took place over the course of 10 days. It illustrates the enormous amount of potential we have in sports to acclaim glory and create an opportunity for job creation in our Small Island State.

Madam Speaker, the themes adopted by the Pacific Ministers to guide sports development and physical education policies in the school is commendable but unfortunately not reflected in the policies and programmes announced by the Government of the day during the last or any previous address from the throne under this Government. Let me announce it here and today, Madam Speaker, a SODELPA Government will realise those themes to realise the full potential of our youth and sports in Fiji.



Sports being a medium to achieve good health and longevity, Madam Speaker, I cannot disagree with the bold statement that the Honourable Minister for Youth and Sports has made to use realise sports to curb and control the rising cases of NCDs in Fiji and the Pacific.

However, let me say here and now that sports is not enough to arrest NCD cases in Fiji. There are other factors involved, such as the quality of life and standard of living which has not improved under the Government, despite tall claims of economic growth.

Madam Speaker, having spoken on some of the key issues raised in the Ministerial Statement, I wish to once again offer our best wishes to our retuning Seven Heroes with the win from Hong Kong and the Silver Medal from the Gold Coast.

Similarly, we welcome Eileen Cikamatana with a Gold medal in weightlifting. They have done us proud in addition to those who won the bronze medals. We urge the Government to give some consideration to the page of history they have written and honour them accordingly.

Madam Speaker, it is said, "While politics divides us, sports unite". How true! It was a welcoming and rare sight on the television and here at home in all corners of Fiji despite suffering the brunt of the recent spate of disasters, the resilience of our people to rise up and celebrate the glory and success of our sportsmen and sportswomen at the Gold Coast minus the false charade of unity of the last decade.

Finally, Madam Speaker, despite the results being accepted with some mixed feelings by our people, the experiences and achievements made at the Commonwealth Games 2018 is an eye-opener for all of us to pool our scarce resources and help build and prepare Fiji for the next Olympic, Pacific and Commonwealth Games. Thank you.

HON. SPEAKER.- Thank you very much. I now call upon the Leader of the NFP or his designate to deliver their response.

HON. P. SINGH.- Thank you, Madam Speaker. I thank the Honourable Minister for his statement. May I also take this opportunity to commend the sterling efforts of Team Fiji that has just returned from the Commonwealth Games and I also wish all the participants in the Coca-Cola Games the best.

Madam Speaker, just earlier this week, we were told from the other side of the importance of youth voice speaking freely. We support that. This is one Ministry where I think we can really empower our youths and the various programmes that are in place. Our youths need engagement and help to keep them out of problems. Sports development is a valuable outlet for the growth of our young people, so it is very confusing that another Government initiative on Young Entrepreneurs Scheme or (YES) is being spearheaded by Ministry of Trade. It looks like there could be some major disconnects happening because the client is the same, that is our young people.

Madam Speaker, the lack of sporting facilities in other divisions is also a concern. Honourable Parmod Chand had highlighted the lack of it in Labasa some time ago. Now that the Fiji Sevens team has become a brand name, it is time for us to have a Sevens Academy to develop sevens rugby across the islands. This is one area for the next budget that we will be examining very carefully. The Government is very definitive in lauding our young people but struggles in the implementation. We wish the Honourable Minister well in his budget submissions for the next budget.

Madam Speaker, I note that many of our youths were also involved in assisting with assistance to victims of the recent flood disaster in the West and the North. Many of these youths have come from the various villages, settlements and communities and they joined the forces out there to offer their help.

Madam Speaker some of the youths are concerned who have taken up sugar cane farming under the initiative of planting and growing. They have complained that the recent \$4 million initiative grant that was disbursed by the Government and administered through Fiji Sugar Corporation, the methodology of calculations of this grant is in shambles. I say this because each time we had the special payments, they were based on tonnage and there was method of calculation, but at this time there were a lot of young cane growers who have harvested 200 or more tonnes last year, they were only paid from \$39 to \$100. That is a great discrepancy. These youths who have taken up farming as an initiative, I do not think they should be short-charged. There is a deafening silence from the FSC on this and it would go a long way if the Ministry of Economy does make a statement to that effect.

Madam Speaker, we are arriving here with young youths who have taken up farming as a commercial venture. It is up to the Government to make it clear of their initiatives. I was waiting for a Ministerial Statement from the other side on the relief package. This is where the young farmers are disheartened about and they are dismayed. I hope that the Ministry push to an end through a Ministerial Statement. Thank you.

HON. SPEAKER.- Thank you. I now call on the Acting Prime Minister, Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications to deliver his second statement.

#### Unethical Use of Social Media in Fiji

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker. Madam Speaker, I rise to speak on a growing issue that is extremely important as Minister responsible for Communications to respond to the unethical use of social media in Fiji.

This, Madam Speaker, is an emerging challenge that deals directly with how we treat and communicate with our fellow Fijians and ultimately that will define our character as a society, our ability to respect each other, our ability to maintain and uphold human dignity, our ability to maintain the rule of law and of course protect our independent institutions and our sovereignty.

Madam Speaker, some Members of this House, Parliament have seen the newspaper this weekend where the grieving family members of the deceased young man were forced to respond to false ambitious posting on social media on the death of their son. The incident stemmed from a *Facebook* post week where a certain individual posted photos of the deceased young man, that post and the photographs make it very difficult viewing. I can only imagine the impact those photos may have had on his family and the loved ones. Accompanying these personal photographs on *Facebook* post was a dangerous and disturbing lie that this young man had been punched, kicked and tortured by police officers who we were talking about yesterday.

Madam Speaker, the young man's grieving family has since corrected the record. They have said that none of these allegations are true and sadly the young man contracted a very serious illness and passed away after being admitted to the Lautoka Hospital.

Madam Speaker, in the midst of an unimaginable difficult time, they have had to push back against selfish and evil lies on social media about the death of their son. They did not ask to be put in that position but because of the completely irresponsible and inappropriate actions by some social media users in Fiji, they have had their privacy deeply violated and they had to respond to these lies in their time of mourning.

Madam Speaker, we can always see very clearly that whoever posted those pictures on social media was attempting to use that tragic death of this young man to push a political agenda and suit their own purposes. They sought to take advantage of a vulnerable family and slander the women and men of the Fiji Police Force to incite mistrust, anger and hatred in our society and in particular against the Police Force and of course consequently the Government.

Madam Speaker, that *Facebook* post was engaged with by over 4,000 people and many thousands more would have seen it on social media. We cannot underestimate the impact of this kind of behaviour and what it can do. What we can do is to call out that behaviour for exactly what it is. It is evil, it is pure and simple, Madam Speaker. It is vicious, it is totally at odds with the decency and compassion of the Fijian spirit. This is deeply a tragic example of the harm that false information on social media can cause, but unfortunately it is only one example of many.

We have spoken on other examples before. We have seen crude and hurtful insults made on the basis of ethnicity and religion being thrown at ordinary people. You have seen Fijians being sexually harassed and exploited including a woman recently, whose privacy is violated to the extreme as she was live streamed while undressing without her consent in the privacy of her own home and the footage was sold and viewed by others. Tragically, we have even had young people who have committed suicide because of cyber-bullying and social media.

In some pages and forums, social media in Fiji has become a web of these lies, racism, mistruths, bullying and hatred and not surprisingly it is almost always the same cowards who hide behind the same fake profiles who are putting out these lies and false attack on social media.

We have even witnessed, Madam Speaker, fake profiles pretending to be members of a religious ethnic group. These profiles have then been used as masks saying hateful things to members of another background of faith in an attempt to create harmful divides in our national life.

Madam Speaker, what is most disturbing is that as these fake profiles go by posting blatant lies, taking advantage of unsuspecting people for their own purposes and spreading racism, religious vilification and bigotry online, never do we hear one word of condemnation from those on that side of the House, Madam Speaker. That silence, their silent is deafening as we have said before. Now, why do they choose not to speak out, Madam Speaker, and denounce this behaviour? We all know why, because the same lies, the same fear mongering have always been the favoured tactics in the Opposition's play book. They do not condemn the actions of these fake profiles, Madam Speaker. Madam Speaker, because they believe it befits them. They do not condemn the fake news; racism, hatred and other false suits because like it or not, Madam Speaker, these same fake profiles are also putting out posts in support of the Honourable Members of the Opposition.

Madam Speaker, therein lies the truth. Their lies is the only reason why SODELPA and NFP fight against any effort to protect the Fijian people from abuse, exploitation and harassment on social media, because many of the lies being spread on social media are the same lies that the Members of the Opposition have tried themselves to spread among the Fijian people many times before. The same ethnic attacks, the same false rumours, the same unfounded allegations, but while they may think this somehow benefits them politically to let these lies spread on *Facebook*, I hope they know these ordinary Fijians, Madam Speaker, who are suffering.

Madam Speaker, but really how can we be surprised? How can we be surprised that these fake profiles are telling such blatant and dangerous lies in social media when we have the lies of the Honourable Niko Nawaikula saying in this Parliament "that he can say whatever he likes even if it is false". To the Honourable Member his supporters are taking notice and they too are saying whatever they want even if it is false, even if it hurts other Fijians, even if it is evil. How can we be surprised when

we have now a former MP actively spreading fake doctored videos of our Honourable Prime Minister on *Facebook*, even going so far as to claim that the video itself was true when questioned by the media because of his complete and utter lack of judgement and integrity. Within a matter of hours, thousands of Fijians were misled by his actions. They had been misled by someone who really ought to have held himself to a much higher standards of respect and dignity.

Madam Speaker, how can we be surprised when NFP candidates have been seeing lying on social media about the way of our Honourable Prime Minister. We have seen posts claiming he was away from Fiji when in reality he was here doing his job, delivering for ordinary Fijians but we even had a political party, Madam Speaker, go as far as to echo these fake social media claims in an official party statement. Please, Honourable Prasad, let me stop you before you tell this Parliament once again that everything is fair game in politics. That is an extremely dangerous mentality. Lies is not a fair game, Madam Speaker, abuse is not a fair game and harassment and exploitation are never a fair game, Madam Speaker.

This House is called an august House for a reason and that reason is that all of us as elected representatives must be held to a higher standard. That honourability, Madam Speaker, applies in this House and outside of it as soon as soon we go outside too. We all must set the example at all times on how to engage with one another without telling lies, preying on innocent people, and without inciting hatred and division among our people. Because when we fail in that obligation, Madam Speaker, especially when we fail to condemn those words and actions from others, the Fijian people see that. Some go on to do the same and that makes all of us back into the past. Make no mistake, Honourable Prasad, your silence is compliance as I said to you numerous times and by saying and doing nothing, you are condoning those vicious words and irresponsible actions.

Madam Speaker, it is no coincidence that online fake profiles echo the same words of SODELPA and NFP politicians. It is no coincidence that they take their cues from the men and women on that side of the House. For example, Madam Speaker, when the Honourable Members of the Opposition come here and attempt to undermine and question the independence of our institutions without proof, the very foundation of our democracy, it is no coincidence that these fake *Facebook* profiles immediately scramble to attack our institutions and attack the hardworking Fijians who are on them.

Of course, Madam Speaker, the reality is that the men and women running our institutions are all fears defenders of their own independence. But unfortunately, Madam Speaker, even you have been the subject of such personal attacks for simply doing your job. Most recently, Madam Speaker, because you exercise your legal authority, your legal right to suspend Honourable Prasad, supporters of the Opposition are attacking you, your office and by doing so they are attaching an arm of the State. There are three arms to the State, one of which is the Legislature. Some of these posts are too sickening to read and repeat, Madam Speaker.

I just saw one this morning yet, they litter this forum on social media that support the Opposition Parties, and yet again, we see no condemnation from SODELPA and NFP, not one word of protest, not an ounce of effort given to solve this abuse from happening.

Madam Speaker, the vitriol we are seeing on the social media is the same politics of ethnic division and religious vilification that once inflicted untold damage upon our country but just as we condemn that language and behaviour in our communities and businesses and in politics, just as we condemn it in this Parliament, so we must condemn it on *Facebook* and other social media.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- We certainly cannot afford to remain silent like those on that side of the House choose to do so over and over again. What is really astounding, Madam Speaker, is

that after failing to condemn this sort of behaviour, the Opposition including Honourable Prasad, have the droll to come to this House and complain about electoral practices. After failing to condemn the harmful racist vitriol that once left to the creation of discriminatory and exclusionary electoral system in this country, he spends his time questioning our internationally accredited sound electoral practices, when it is this Government, Madam Speaker, this electoral system that finally gave every Fijian's vote equal value, that finally put all of our people on equal footing and finally shut the door on racist backward Election in Fiji, and finally allowed those three people to be here.

(Laughter)

Madam Speaker, some are quick to claim that any effort to protect Fijians from social media abuse and I say again, Madam Speaker, abuse is somehow or the other an attack on freedom of expression.

Many of these trials are from the same bullies who hide behind keyboards inflicting pain on their fellow Fijians. Make no mistake, Madam Speaker, Members of the Opposition explicitly or implicitly are actively enabling this abuse as well because even while innocent Fijians are suffering, they believe they stand to benefit from the lies and the attacks on this country and our democracy that we are seeing from fake profiles on *Facebook* and other social platforms.

Quite ironically, Madam Speaker, many of these faces on *Facebook* and other social media actually champion themselves as spaces of freedom of expression when the reality is that they are some of the most repressive spaces anywhere in Fiji, to even contribute to these forums, Fijians must follow the forum set for restrictive rule, share the forum's opinions and push the forum's agenda. Madam Speaker, that is hardly a free and open exchange of ideas but again we hear nothing but silence from the Opposition.

Madam Speaker, this issue is not only affecting Fijians. Just this month, the European Union announced that they are taking steps to protect their member country from the spread of fake news on social media and the EU is also concerned that social media companies are not doing merely enough to remove misleading and illegal content, including content that incites hatred and extremism.

Australia has passed the legislation on protecting children from cyber bullying and social media abuse as well. In the United States, the CEO and founder of *Facebook*, Mark Zuckerberg had just appeared before the United States' Senate Committee to be questioned on Facebook's privacy practices. There he actually admitted that *Facebook* does not do enough to prevent the platform from causing harm, including limiting the spread of fake news and hate speech. He said that it will take up to a decade to develop computer programmes that can automatically stop the spread of hate speech and false information and for now, it is up to the users to flag and report inappropriate material.

Madam Speaker, it is up to all of us so the world is waking up to this problem and we in Fiji need to wake up to this problem as well because Fijians deserve better than fake profiles, fake news sources and unaccountable irresponsible actors on social media. They deserve social media platforms that they can rely on for accurate news and reliable information because, Madam Speaker, do not get me wrong, there are many benefits to the responsible and ethical uses of social media. Social media can connect Fijians to one another within our country and build bridges between Fiji and other parts of the world. Stories of Fijians facing the brunt of climate impact, for example, are being shared all around the world on social media, educating people across the globe about the serious impact climate change is having in Fiji and the Pacific.

In times of crises, I have seen the tremendous potential for good. Myself, I was put on various groups in the recent climatic events we had when true and accurate disaster-related information and messages needed to be related as quickly as possible, so we must put value on the truth. We must protect

the truth. We must condemn those who use these platforms to cause harm, spread lies and misinform our citizens.

Madam Speaker, the ultimate purpose of any government is to look after the wellbeing of the citizens, to safeguard them from harm. That is why we need to make responsible social media-use a priority, and do what we can to protect vulnerable people from the serious harm that bad actors can cause via social media.

Harm, you would never allow to occur in our communities, business and other areas of our national life. That is why the Government has put forward the Online Safety Bill, 2018. We are confident that it is very smart to good start. The Bill calls for commission that will promote online safety, organise awareness programmes and work with relevant organisations and governments to propose new legislations to protect our people from serious emotional trauma that falls in malicious social media postings because threats to the wellbeing and the safety of our people, Madam Speaker, can harm just as easily by electronic communication, they need to be treated just as seriously.

Madam Speaker, there is no excuse for dragging our feet when it comes to protecting our people. Every day we do not take action, another Fijian is bullied, misled, blackmailed, abused, another independent institution is attacked and for the sake of our people, we must take action.

Madam Speaker, when it comes to safety on social media, the bottom line is this; if you are an everyday user, this is simple two-questions test that any Fijian can take to determine if you are the root of the problem that we need to address.

Question 1: Look at yourself in the mirror. Are you who you say you are on social media? Are you representing yourself truthfully?

Question 2: Are you being responsible and ethical on social media as opposed to spreading lies, racism and hatred? If the answer to both these questions is yes, then you are not the concern. If you are being responsible, then you should expect the same from your fellow Fijians who will be using these platforms.

But, Madam Speaker, even responsible users can be taken advantage of by bad actors and fake profiles, so, please, tread carefully. I implore all Fijians to think about the post you are liking and verify the post before you actually share them, especially post from strangers. Every Fijian within the families and communities look to that as a trusted source of information by the friends and loved ones and that trust in each other forms are the very fabric of our society. So, please, check what you are reading before sharing. I urge our community leaders, religious leaders to use the influence to raise public awareness on these issues and help create a culture on Fijian social media that values the truth and that value is mutual respect, acceptance, and compassion.

I urge Fijian parents to exercise extreme caution when it comes to the children using social media. There are evil people out there who use social media as a tool to target our young people and we need to do what is necessary to protect our youngest Fijians from harm. We all need to think critically about what we read on the social media and make sure that what we pose and share is true. I urge every Fijian to challenge and report lies and exploitation on social media whenever and wherever they see them.

Madam Speaker, none of us want to read more stories like the story of that young man and his family in Lautoka. None of us want to live in a society where you have to sort out through a mountain of lies and misinformation to find the truth. None of us want to enable cowardly individuals who hide behind fake profiles to hurt and target our fellow Fijians.

Really this issue is far bigger than social media, Madam Speaker. It is about our attitude and our embrace of the truth in Fijian society. It is about the respect we hold for our country, men and women and is about preserving the bonds of our nation that unite us in our journey forward as one nation and one people.

So, Madam Speaker, let us not desecrate the truth. Let us not desecrate all standards of decent behaviour just because you want to win the Elections, because once you cause your ruin and create mistrust with lies, it is very difficult to rebuild trust in our society after that. We all have a duty to fight for the truth and condemn lies, slander and abuse wherever we see that is happening in Fijian society, including on our social media. The truth is that we owe the Fijian people and that is what the Members on this side of the House, including that side there, are committed to doing. That is why, Madam Speaker, we must embrace the truth and reject lies wherever and whenever we encounter them. Thank you, Madam Speaker.

HON. SPEAKER.- I now call on the Honourable Leader of Opposition or her designate to speak in response.

HON. M.R. LEAWERE.- Thank you, Madam Speaker, I rise to respond to the Ministerial Statement on responsible and ethical use of social media in Fiji and the protection of Fijians.

Madam Speaker, allow me to begin with a story where once upon a time Archimedes ran naked in the streets of London. When asked why, he said that he was dreaming. That is what this Ministerial Statement is all about - cooking up and playing on non-issues in an emotional way to make a case for the regulation of social media, and it is just a swipe at those taking this Government to task by holding it to account outside this House, given the limited freedom of expression.

Madam Speaker, there are three points that I wish to raise by way of this response. Firstly, Fiji had been under Military dictatorship for eight years from 2006 to 2014 and the election of the FijiFirst Government is a continuation of that. During this period, Madam Speaker, a number of draconian legislations have been set in place which curtail the rights of the people and has limited the scope of freedom of expression. We are living in a guided democracy, Madam Speaker, in other words “constitutional dictatorship”.

Secondly, Madam Speaker, as a result of these draconian laws, the mainstream media in Fiji has imposed self-censorship upon themselves to save itself from the fate of the *Fiji Times* as an example, and that of Tanya Waqanika, Shanal Shivan and Anish Chand at *Fiji One Television* station.

The adoption of culture of silence, Madam Speaker, by the media forced our people to resort to social media. The situation of media reporting in Fiji has been reduced to becoming a mouthpiece of the Government of the day and getting painted as an enemy of the State. This again, Madam Speaker, is in a relevant post that was read a few days ago on Facebook and there was a picture of a snake holding a fish in its mouth with caption *brave snake saving the fish from drowning.*

Madam Speaker, there is a bad need to inquire into the causes of cyber warfare that is now at its peak on the social media rather than regulating the social media. The causes of this warfare, Madam Speaker, between the State and the people is resultant from the limited scope of freedom of expression, arrogant leadership, confrontational attitude adopted by this Government’s egocentric pride and selfish motive.

Madam Speaker, the cyber warfare I am talking about on the social media is further worsened by utterances made by the leadership of this country and their mock actions in ridiculing the social media.

Rather than defusing the tension, Madam Speaker, the actions and speeches made by the Government side has added fuel to the fire that is aptly summed up by one post which I quote, I am proud of my country, but ashamed of my Government.' Madam Speaker, we live in a free world and we have no right to hold the freedom of our nation to ransom. They must have the right to express themselves. These kinds of things do not happen, Madam Speaker, on the social media in countries where there is fully fledged democracy and freedom of expression, unlike our case where all the rights and freedoms are written on the paper but attached with caveats, made worse by subsidiary legislations.

Another issue, Madam Speaker, which I pick up by way of this response is that heavy handed treatment of those who agitate, express their frustration and vent anger on the social media against the Government of the day. Rather than finding the causes of those attacks and seeking to remedy the issues, there is the tendency to target these cyber warriors and we have seen the number of them tortured, charged and put behind the bars for sedition and deprived of equality in the society. It is rather disconcerting, Madam Speaker, how we are treating our own citizens here in Fiji and those overseas as aliens.

Madam Speaker, the experiences of the last one decade clearly show that the draconian law imposed upon our people has turned into a prison State. Well, having done that, I only pray that God save us from becoming criminalised by way of regulating the social media, and all these attacks on the social media have their own explanations. We all know it is very easy to speak the truth but how difficult it is to be hit back with the truth. It is pinching as they say, "What goes around, comes around". The law of karma is taking its toll.

Madam Speaker, with that response, I sum up with a quote from the former President of the United States of America, Mr. Ronald Reagan, and this is what he said (it is found on Facebook), "*The duty of the Government is to serve the people not to regulate their lives*". Thank you, Madam Speaker.

HON. SPEAKER.- I now give the floor to the Leader of the NFP or his designate to speak in response.

HON. PROF. B.C. PRASAD.-Thank you Madam Speaker. I see that the Honourable Attorney General has just gone out, maybe I should wait for him to come back because I want him to listen to what I have to say. Nonetheless, Madam Speaker, let me respond and the others can tell him. Madam Speaker, it is quite unusual that we have an Online Safety Bill which is before the Committee and I was hoping that when that Bill comes, we will have a very robust debate on it. But I can understand, Madam Speaker, Government's overdrive into fear soon after the cyclone devastation and the floods devastation. Even their Qorvis mercenaries, Madam Speaker, are getting wrong in terms of Government's PR efforts.

But I was also hoping that since the Honourable Attorney-General brought this issue, there would be some intellectual honesty, Madam Speaker, from the other side on this subject. Madam Speaker, I personally have been victim of some of the most vociferous, vicious attacks by trolls and fake news. And many of them, Madam Speaker, have been found to be supporters of FijiFirst, supporters of this Government.

(Honourable Members interject)

HON. PROF. B.C. PRASAD.- Yes, Madam Speaker, there has been no condemnation. In fact, Madam Speaker, after the 2014 Elections an Honourable Member in this House actually threatened gassing the Opposition Members with mortein.

(Laughter)



And there was no condemnation, Madam Speaker, from the Honourable Attorney-General and those on the other side. Let us have some intellectual honesty when we discuss this particular issue. We all understand that these are serious issues. We have all been victims of this particular issue on the social media and, Madam Speaker, people on all sides have had reviews one way or the other.

Some of them of course are very scary, Madam Speaker, so when the Honourable Attorney-General stands up and accuses the Opposition Members alone of not condemning or condoning all these threats and vicious attacks on social media, he should show some intellectual honesty, Madam Speaker. He talks about it all the time, yet his own people, one of the Members is sitting here in this Parliament today, Madam Speaker, on social media...

(Honourable Members interject)

HON. PROF. B.C. PRASAD.- ... actually threatened gassing with mortein, and the Honourable Attorney-General never condemned that, Madam Speaker.

(Honourable Members interject)

HON. SPEAKER.- Order! Order!

HON. PROF. B.C. PRASAD.- Madam Speaker, let me bring the issue again. As I have said there is an Online Safety Bill which is before the Committee and we are going to look at it in May. I was actually quite surprised that this issue was brought again as a ministerial statement, Madam Speaker.

In fact I was hoping that the Honourable Attorney-General will talk about the new Energy Fiji Limited which is a new company, and the shares that are going to the people because there are a lot of questions there that we could have raised. Madam Speaker, I think it is very important for us to understand when we talk about lies and truth, those who talk about truth and lies must also understand that it can also apply to them as well. And there are a lot of examples, Madam Speaker, on social media and we know. As I have said before and let me repeat this, I have been a victim of that kind of attack and these are attacks from social media, fake news, fake profiles, purportedly supporting FijiFirst and this Government.

(Honourable Members interject)

HON. PROF. B.C. PRASAD.- We have been the victims of that kind of attack as well, Madam Speaker. So, Madam Speaker, when we come into this august House, we need to understand that a vast majority of our people, you know the psychology of our people in this country is generally not one of that being violent or grossly racist or unfair. So I really question, Madam Speaker, the deliberate or otherwise the online content that is inappropriate and unlawful.

Madam Speaker, we will have a lot more to say when we have that Bill. I get this feeling now after hearing the Attorney-General bringing this issue sort of reeks some kind of insidious attempt to actually control social media, to stop people from engaging in a proper manner and that is probably the real motive behind this Bill. Madam Speaker, let me end by quoting the United Kingdom (UK) House of Commons, where in 2014, the House of Lords Select Committee on Communications, a conclusion by one of the Committee Members, "Why should the criminal law treat an electronic communication differently from a non-electronic communication, all other things being equal." Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Members.

**FINANCIAL TRANSACTION REPORTING (AMENDMENT) BILL 2018**

HON. SPEAKER.- I now call upon the Acting Prime Minister, the Honourable Attorney-General to move his motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Orders 51, I move:

- a) That the Financial Transaction Reporting (Amendment) Bill 2018 to be considered by Parliament without delay;
- b) That the Bill must pass through one stage at a single sitting of Parliament;
- c) That the Bill must not be referred to a Standing Committee or other Committee of Parliament;
- d) That the Bill must be debated and voted upon by Parliament on Thursday, 19th April, 2018

and that one hour be given to debate the Bill, with the right of reply given to me as the Member moving this motion.

Madam Speaker, before I do that, I wanted to just also say that we wanted to bring this Motion yesterday in Parliament but because we did not have the numbers, we were not able to do so. That is why it has been brought today. Thank you.

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. This Bill is bringing a small amendment to the Financial Transaction Reporting Act in respect of culpability of the officers and I am sure that we can debate about this later on and you see the Bill being circulated. It is a very short Bill, Madam Speaker but that is essentially to give the confidence to the financial institutions that operate within Fiji that they will not be able to undermine their financial operations in Fiji and that is why the amendment has been brought about, and I hope to talk about this further in the substantive Motion itself. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Motion is up for debate and I invite input if any. Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. Again, I want to raise this point which I raised in the Business Committee. I think we need to have some understanding in this Parliament that we cannot be just surprised with presentations of Bills of any kind, whether it is a small amendment or a big amendment and whether it is very urgent or not. I think we should have some understanding that there should be sufficient time. As I said, at least we should know if the Bill is coming today under Standing Order 51, we should at least know in the morning that there is a Bill probably a note which provides a very brief outline of what the Bill might be, so Members of Parliament are not caught by surprise and we can have a proper debate.

Government has the numbers, they can bring a Motion, get it passed, we can debate and be done with it. But Madam Speaker, I just feel that this is in some ways abuse of the Parliamentary process and not allowing us, especially the Opposition Members, Government Members might have the benefit of discussing this in their caucus but we the Opposition, we are caught by surprise even if it is a very minor amendment we would need at least some time. Thank you.

HON. SPEAKER.- Thank you. Honourable Gavoka.

HON. V.R. GAVOKA.- Madam Speaker, if I could just echo my sentiments. Yesterday, I used the term 'secretive' and this is exactly what I am referring to. We do not trust anything this Government does because of the way they spring surprises on us. Even though it is a very small amendment, we need to have a look at it in some detail, Madam Speaker. Thank you.

HON. SPEAKER.- Thank you. Any other input?

Actually after this, we will take a break for refreshments so that you can have time to look at the Bills before we actually debate on it. There being no other input, I now ask the Acting Prime Minister to speak in reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I accept that the presentation of the Bill now and having it debated today is somewhat extraordinary, but as I said, it is not by design. We wanted to bring it about yesterday. We were doing consultations with the Financial Intelligence Unit and the banks in Fiji and they raised an issue with us.

Madam Speaker, the reason why we were unable to do it yesterday, was because we needed 26 Members to actually vote for it. Under Standing Order 51, you need 26 Members in Parliament. If I can also allay any fears that the Members on the other side have, the issue here as they have rightfully acknowledged, you see the explanatory note that explains the amendments.

You will also see, Madam Speaker, that it is about the liability of an officer and you change the meaning to be able to give the responsible organisation or the body corporate the ability, Madam Speaker, to have a defence. So the idea is - should they for example be found to be in breach of a particular provision of the Financial Transactions Reporting Act, they have the ability to put up a defence to say, "yes, they carried out the various procedures", and notwithstanding that, the breach did actually take place.

It is a defence and Madam Speaker, this is a similar provision in Section 34 of the Accident Compensation Commission Act which the Honourable Members saw the first payment yesterday. It is in Section 51 of the Security Industry Act, Section 36 of the Tobacco Control Act and Section 186 (f) of the Consumer Credit Act.

Similar provisions Madam Speaker, also exist in the United Kingdom, Section 14 of the Bribery Act in New Zealand, Section 36(h) of the Financial Transactions Reporting Act, Section 119 of the Trademarks Act also in New Zealand and various other jurisdictions. We acknowledge, Madam Speaker, it is not ideal, it is not by design, it is not a provision that substantively changes the actual substantive law itself, but essentially incorporates some of the concerns that were raised by some of the financial institutions to be able to give them the ability to put up a defence, in the case there is an allegation of breach against them under the Financial Transactions Reporting Act. This is what it seeks to do and also, as discussed, it is quite agreeable for the Honourable Members to have a break for as long as they like, and if they want to go and consult their advisors, we are quite amenable to that but subject to your ruling. Thank you Madam Speaker.

HON. SPEAKER.- Thank you. Parliament will now vote.

Question put.

The Question is:

That pursuant to Standing Order 51, that the -

- a) Financial Transactions Reporting (Amendment) Bill 2018 be considered by Parliament without delay;
- b) Bill must pass through one stage at a single sitting of Parliament;
- c) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- d) Bill must be debated and voted upon by Parliament today, 19th April 2018,

but that one hour be given to debate the Bill, with the right of reply given to the Acting Prime Minister, and Honourable Attorney General as the member moving the motion.

Does any Member oppose the motion?

(Chorus of “ayes” and “noes”)

There being opposition, Parliament will vote on the motion.

Votes Cast:

Ayes	:	27
Noes	:	12
Not Voted	:	11

HON. SPEAKER.- There being 27 Ayes, 12 Noes and 11 Not Voted, the motion is agreed to unanimously.

Motion agreed to.

HON. SPEAKER.- As had been mentioned, we will take a break now, so we can have time read this Bill and after refreshment, then we will have to debate six motions on the Table before we actually come to this Bill. So with that in mind, how much time do you need for break; half an hour, one hour?

(Honourable Members interject)

HON. SPEAKER.- The normal tea break, half an hour?

HON. MEMBERS.- Yes.

HON. SPEAKER.- Thank you. We will now adjourn Parliament for tea break for half an hour and we will resume as half an hour from now. Thank you, Honourable Members.

The Parliament adjourned at 3.46 p.m.

The Parliament resumed at 4.17 p.m.

HON. SPEAKER.- Thank you, we have a suspension motion and I now call upon the Acting Leader of the Government in Parliament to have the floor.

### **SUSPENSION OF STANDING ORDERS**

HON. CDR. S.T. KOROILAVESAU.- Thank you, Madam Speaker, I move under the Standing Order 6:

That so much of Standing Order 23(1) is suspended to allow the House to sit beyond 4.30 p.m., today to complete all items as listed in today's Order Paper.

HON. A. SUDHAKAR.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- I now call on the Honourable Acting Leader of the Government in Parliament to speak on the motion.

HON. CDR. S.T. KOROILAVESAU.- Thank you, Madam Speaker. This will basically allow the remaining items in today's Order Paper to be completed before we finish the business.

HON. SPEAKER.- I invite comments, if any? There being none, Parliament will vote:

Question put.

The Question is:

That under Standing Order 6, that so much of Standing Order 23(1) is suspended so as to allow the House to sit beyond 4.30 p.m., today to complete all items as listed in today's Order Paper.

Does any member oppose the motion?

(Chorus of "Noes")

HON. SPEAKER.- There being no Opposition, the motion is agreed to unanimously.

Motion agreed to.

### **REVIEW REPORT ON THE FIJI POLICE FORCE ANNUAL REPORT 2015**

HON. SPEAKER.- Before I call on the Chairperson of the Standing Committee on Foreign Affairs and Defence, I wish to clarify that at the end of the debate, we will merely be voting to note the report and once the vote is taken, it ends there and the Report will not be debated again in Parliament.

I now call upon the Chairperson of the Standing Committee on Foreign Affairs and Defence to move the motion.

HON. LT. COL. N. RIKA.- Madam Speaker, I move:

That Parliament debates the Review Report of the Standing Committee on Foreign Affairs and Defence on the Fiji Police Force Annual Report 2015 which was tabled on 23rd May, 2017.

HON. H.R.T. POLITINI.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- I now invite the Chairperson of the Standing Committee on Foreign Affairs and Defence to speak on the motion.

HON. LT. COL. N. RIKA.- Madam Speaker, the Acting Honourable Prime Minister, Leader of Opposition and Honourable Members of Parliament. On behalf of the Honourable Members of the Standing Committee on Foreign Affairs and Defence, I take this opportunity to speak on the motion in regards to the Debate on the Review Report of the Committee on the Fiji Police Annual Report 2015. I wish also to express my sincere thanks to everyone who have been part and parcel of the compiling of this Review Report on the Fiji Police Annual Report 2015.

Madam Speaker, firstly the purpose of the review was to scrutinise the Fiji Police 2015 Annual Report specifically on the Maintenance of Law and Order, Protection of Lives and Property and Preservation of Public Peace, Leadership and Administration of the Force, Legislation, Budget, Organisational Structure, Functions, Policies and Programme of the Year. The finding of the Review and the recommendation put forward by the Committee were intended to assist the Force service delivery of its core functions, policies and programmes. The Review exercise was possible after a round of consultation with the Force. The Committee had identified areas of concern that needed addressing to ensure the organisation has an institution efficiently and effectively achieves its goal.

Madam Speaker, there were a few observations noted from the Annual Report and submission made by the Fiji Police Force representatives:

1. The improvement in detection rate in 2015 from the four divisions, namely, Southern, Eastern, Western and Northern;
2. The improvement in the Force mobility due to provision of new vehicles and introduction of new technology to assist investigations;
3. The need for recruitment to resolve the manpower issue; and
4. Constant review of qualifications of Police officers to sustain current and future needs of the organisation.

Madam Speaker, the above observations indicate that all the Fiji Police Force's challenges that were highlighted in the 2013 Report have been addressed accordingly by the Government through the responsible ministry.

Madam Speaker, there were also challenges faced by the Fiji Police Force:

1. Continuous change in the security and criminal landscape;
2. Technology;
3. Infrastructure; and
4. Logistics.

Madam Speaker, I would like to briefly elaborate on the first challenge that is, the continuous changes in the security and criminal landscape. Crime is continually evolving and adapting while organised crime, illicit drug trafficking and terrorism have been a major concern for the past two decades. Other forms of criminal activity are new-coming to the fold, such as cyber-crime, sexual exploitation of

children, environmental crimes and trafficking of cultural property along with piracy; an old form of crime which has re-emerged.

Madam Speaker, when we talk about modern technology and global connectivity, we must understand that it also has a dark side to it. Madam Speaker, let me share a classic example. There is a website known as *Dread Pirate Roberts* and *Silk Road* sites on the *Darknet*. This website operated in the darkness selling drugs and other illicit commodities. The man behind *Dread Pirate Roberts* is Mr. Ross Ulbricht. This man received an 8 to 15 percent commission on sales through the *Silk Road* website. He netted US\$18 million of black money in one year.

Madam Speaker, with all responsibility upon the Fiji Police Force, we must be mindful of the enormous task our Fiji Police Force are engaged in.

Madam Speaker, we also looked at the gender analysis and the ratio is well-balanced on both women officers and male officers.

Madam Speaker, there were three recommendations in the report:

1. To consider manpower right-sizing to address areas of investigation, intelligence and general force administration.
2. Consider appropriate resources and training to facilitate networking and develop database for human resource management, investigation and case management.
3. To consider improving the capacity and capability of the Fiji Police Force in sustaining current security responsibility and responding to new future demands.

Madam Speaker, with those few comments as a Member moving the motion, I thank you for this opportunity.

HON. SPEAKER.- Thank you, motion is now open for debate.

HON. H.R.T. POLITINI.- Madam Speaker, the Acting Honourable Prime Minister, Honourable Leader of Opposition and Honourable Members of Parliament.

I wish to express my sincere appreciation to the Members of the Standing Committee on Foreign Affairs and Defence for the bipartisan report on the Review Report of the Standing Committee on the Fiji Police Force 2015 Annual Report.

I concur with recommendation 2, to consider appropriate resources and training to facilitate networking and develop database for human resource management investigations and case management. The Force needs our support, and public safety and national security is everyone's responsibility.

Madam Speaker, with those few words, as a Member supporting the recommendations in the report. I thank you for this opportunity.

HON. SPEAKER.- Honourable Ratu Suliano Matanitobua you have the floor.

HON. RATU S. MATANITOBUA.- Madam Speaker, the Acting Honourable Prime Minister, Honourable Leader of Opposition and Honourable Members of Parliament.

I wish to express my sincere appreciation to the Members of the Standing Committee in reviewing the report of the Standing Committee on Foreign Affairs and Defence on the Fiji Police Force 2015 Annual Report.

I concur with Recommendation No.3, to consider improving the capacity and capability of the Fiji Police Force in sustaining current security responsibilities and responding to new and future demands.

Madam Speaker, with those comments as a Member supporting the recommendations of the Report, I thank you for this opportunity.

HON. SPEAKER.- Honourable Jilila Kumar.

HON. J.N. KUMAR.- Madam Speaker, the Acting Honourable Prime Minister, Honourable Leader of Opposition and Honourable Members of Parliament.

I wish to express my sincere gratitude and appreciation to the Members of the Standing Committee on Foreign Affairs and Defence for the bipartisan report on the Review Report of the Standing Committee on the Foreign Affairs and Defence on the Fiji Police Force 2015 Annual Report.

Therefore, Madam Speaker, I concur with Recommendation one and I would like to talk briefly on this very important recommendation, Madam Speaker. As we understand, as the nation's population grows, the demand from the outside to the Police Force is even greater than before. And to consider this third recommendation, there is some need, Madam Speaker, for the right size of manpower in the Police Force, particularly in these three very important sections, namely the Investigation Section; the Intelligence Section; and the Force Administration.

As we all know, Madam Speaker, these three sections of the Fiji Police Force play very important roles or in other words, they are the core functions of any Police Department in Fiji and the world. And that is why, Madam Speaker, it is very important to increase the size of manpower in the Fiji Police Force to enable them to execute their duties efficiently, appropriately, productively and effectively.

Therefore, Madam Speaker, the Force needs our support and prayers, in building a safe, secure and friendly Fiji. Madam Speaker, with those few comments as a member supporting the recommendation of the Report, I thank you for this opportunity.

HON. SPEAKER.- Honourable Minister for Labour?

HON. J. USAMATE.- Thank you Madam Speaker. The Honourable Acting Prime Minister, the Honourable Leader of the Opposition and the Honourable Members, I rise just to support the recommendations on the Fiji Police Force, 2015 Annual Report that was deliberated by the Standing Committee on Foreign Affairs and Defence, and in particular on all the three recommendations.

The first recommendation was to consider manpower right-sizing, to address areas of investigations, intelligence and the general Force administration. As the Attorney-General had mentioned yesterday, it is good for us to know that this exercise has already commenced within the Police Force. They have embarked on the current restructure project.

This restructure project has a three phase model and what is happening is that they are consolidating all parts of the Force into one. That means the Regular Force, the Special Constabulary and the Civilian Cadre Officers, are all being put into one structure so that they can look at it holistically, and look at the employment terms and conditions for all Force employees.



They are looking at it holistically rather than just tinkering with the system and coming up with a new structure that would be appropriate to the challenges that they will face in the future. So it is good to see that work has already commenced and that the Police Force is already being restructured.

Secondly, was to consider appropriate resources and training to facilitate networking and develop database for Human Resources Management, Investigations and Case Management. It is also good for the House to note that the Fiji Police Force has already started embarking on the upgrading and procurement of databases because the management of data and management of information is something that is very important in work like this.

It has always been a huge challenge for the Force, and the reality is that the Police organisational workforce has become 4,000 strong and is likely to increase after the restructure by 50 percent. That is a significant increase in the structure. Hence, the need to have databases and these include Human Resource Information Systems; Crime Management Systems; Case Management Systems; and Training Operations, et cetera.

The third recommendation that has been made, Madam Speaker, is to consider improving the capacity and capability of the Fiji Police Force in sustaining current security responsibilities and responding to new and future demands. We know that the rate of change in society is happening ever faster and the Police Force will need to be able to keep up with those changes.

With science and technology, the Police Force has now heavily invested in science and technology and will continue to do so. The Forensic Laboratory based in Nasova consists of pathology, chemistry and biology facilities that are heavily involved in that portfolio to regional counterparts.

The Fiji Police Force has also progressed to create specialised units to uplift the current detection rate because these specialised units come with officers who are better trained and experienced in their particular fields of investigation. So no longer will we just have one cadre of generalists but we will begin to have a group of people with specific skills targeted at specific areas.

Therefore we are thankful also to our partners and we knowledge particularly Australia, New Zealand, China, India, Malaysia, Singapore and the United Nations Interpol amongst the many who have continued to help us in the training field, particularly for investigators of the Fiji Police Force.

In conclusion, Madam Speaker, I would like to acknowledge and express my appreciation to Members of the Standing Committee on Foreign Affairs and Defence for their recommendations. They are noting all the improvements in the over-performance and the capacity building exercises within the Force shared in the Annual Report of 2015. Thank you Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Madam Speaker, I rise to give my brief contribution in support of the Committee's Report in terms of the recommendations that they have provided.

There are a few issues that I would like to pick out and speak on in terms of the infrastructure and facilities that are available to the Fiji Police Force, especially in the holding cells at the Suva Court House and the Lautoka Court House. That has been highlighted to be in compliance and to meet the standards of the OHS requirements. These are some of the areas that have been highlighted properly that need immediate attention to ensure that the work of the Police and also those who are kept at the holding cells are properly looked after and cared for.

For the work of the Police, in terms of Recommendation 2, appropriate resources and training to facilitate networking facility, I note that the IT Infrastructure of the Police has also been highlighted. Immediate attention needs to be given to ensure that information and data are properly wired in-time to ensure immediate communication between all the police officers around the country.

Also, Madam Speaker, as has been highlighted, one of the challenges that they also encountered in the infrastructure development and work of the Police is the drug cultivation which is now on the increase. So with the infrastructure development, there are also challenges confronting the Police in terms of resources, to ensure that the drug cultivation which is now being seen as a lucrative economic business needs to be attended to by the Fiji Police Force.

For recruitment, there is also a need to review. I think a new criteria that has been enforced is that, the newly recruited police officers need to have a driving licence. That could also be reviewed because as highlighted by the Fiji Police Force, a new trend of police recruitment that they have gone into the generation's head, where diplomas and degree holders are now being recruited at the Fiji Police Force. They also have difficulties in their reluctance to do basic conventional and policing duties, so that also has challenges on its own in terms of recruiting people with diplomas and degrees.

On the knowledge of laws, the Police Force needs to be properly trained and regularly trained to ensure that they do understand the law, the spirit of the law, not only the letter of the law and in terms of the international conventions, so that they are well-equipped to understand the basic requirements of the international conventions and treaties.

Also, the need that has been highlighted is the training of our officers in the areas of forensic science and technology. I fully concur with these recommendations in terms of the evolving technology and also, there could probably be an addition to that forensics and they could also go into the recruitment of forensic accounting in the Fiji Police Force.

On the operations of the Trust Fund Account, one of the highlights that has been highlighted is the amount that has been written-off in the Operating Trust Account of over \$1 million. That is a concern that the Fiji Police Force has also undertaken, although it has gone through the Ministry of Economy but it needs to be properly dealt with and we cannot just write-off \$1 million just like that.

The last one, Madam Speaker, is the Aftercare Fund. We note that not all police officers are entitled to the Aftercare Fund. Maybe, going forward, this is an area to be inclusive whereby all police officers are also entitled to the Aftercare Fund. Thank you very much, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister for Women, Children and Poverty Alleviation, you have the floor.

HON. M.R. VUNIWAQA.- Thank you, Madam Speaker. I stand in support of the Report before us and the recommendations therein.

My very short contribution is just on the gender perspective of the recommendations in there and the current reforms being undertaken in the Police Force in relation to the right-sizing of the Police Force.

I commend the Fiji Police Force for having as one of its Key Performance Indicators (KPIs) gender mainstreaming within human resources and I would like to stress the importance of keeping in mind gender parity when we are looking at right-sizing the Police Force. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I invite the Honourable Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, again just to highlight the amount of resources that are being given to the Fiji Police Force as highlighted yesterday in discussing the previous report that we are making enormous headway in respect of making the right level of financial resources available to the Fiji Police Force. I think we need to move away from the old mindset. It is not correct to say that those with degrees and diplomas will not want to do any physical training. You go to countries like Australia and New Zealand, they do have degrees and diplomas and they also do physical training. Many people in the Military have degrees and diplomas and they also do physical training. I think it is wrong to say that it is a counter-productive approach to modern day policing.

Madam Speaker, as highlighted by the Honourable Minister Usamate and also Minister Vuniwaqa, we need to take the modern approach when you talk about right-sizing. You need to also have the multi-skilled approach to policing too. So to say, "Well, it is police requirement to have a licence is wrong", I think it is completely inappropriate. For example, if a police officer who we expect to be on the beat and be responsive and you say, "Well, I cannot go to the crime scene because I do not actually have a licence". It is a fundamental requirement of policing. You need to be able to drive a vehicle. I mean, you cannot simply be dependent on getting the driver to take you to the crime scene. I mean these are modern day approaches to actually run a modern organisation. In the same way, I can tell you that conversely, in the Ministry of Justice at one point in time in 2007 when we came along, they had one person whose responsibility was to look after all the vehicles in the Ministry and then when I asked how many vehicles were in the Ministry, there was only one vehicle. So that person has been paid an entire year's salary on a yearly basis to look after one vehicle. We need to be able to change our approaches on how we run organisations. People need to be multi-skilled.

Honourable Mere Samisoni will tell you (she is not the only sole repository of knowledge in the private sector but I am just using her as a point of reference) that you need people in the private sector to be multi-skilled. People get rewarded with better salaries also and that is how you also right-size.

So, Madam Speaker, I think it is amiss to say, "Let us go back to the old ways of doing things" but the Committee, of course, I would like to thank them for the Report and again completely agree in respect of addressing the use of investigation intelligence in the general course of administration. Again, I would like to highlight the point that whenever we talk about drugs in Fiji, most people think about drugs as only *marijuana*. It is actually hard drugs too and you would be surprised to see the profile of the people who are using it. You would be surprised to see the profile of the people who are actually engaged in the selling of hard drugs in Fiji, Madam Speaker, so it is all changing. It is not sort of a low-income guy who actually just goes and smoke a bit of dope behind the toilet. It does not happen that way anymore so we need to, of course, get the right technology. We need to understand what is happening in the criminal scene today in Fiji. The level and the manner in which you gather intelligence has changed quite significantly. Similarly, Madam Speaker, yes, there is the issue in respect of the facilitating, networking and development of database for the Human Resource Management.

There has been a perennial problem within the Fijian Police Force. I am glad to say that the current Commissioner of Police has actually taken the bull by the horn so to speak, in actually trying to address that. The Honourable Usamate actually did refer to that when we referred yesterday about the need to change the structure within the Fijian Police Force, providing specific career paths. Not everyone wants to become the Commissioner of Police, but to be able to retain them within the system and reward them accordingly.

Madam Speaker, again, we need to be able to work together with the Fijian Police Force as we say, we will change the laws. Of course, like I alluded to earlier on in the Ministerial Statement, by having those kind of shenanigans, going on social media, is very demoralising for the Fijian Police Force. We had it passed over a mainstream media too, simply because it was on social media. Can you imagine what it does to the morale of the Fijian Police Force?

The Honourable Professor Prasad boiled it down to some kind of personal thing by saying, “oh, I have been attacked” we have all been attacked. That becomes part and parcel of being a public officer.

I was talking about the principles and the values of what is being used to attack people. That is the key point and whether actually people are using social media to attack independent institutions, like the Legislature, like the Fijian Police Force, like the Reserve Bank of Fiji, like the Auditor-General’s Office, FICAC or whatever it is, these are all independent institutions that do need to be protected.

We simply cannot come into this Parliament or outside and willy-nilly make accusations because these people are in independent organisations, including the Fijian Police Force. We must respect that. We must give them that space to do their job and not just for political reasons completely undermine and demoralise the officers who are actually doing a fantastic job and sometimes under trying conditions.

We saw again last week, this police officer being gang bashed by four or five people, holding into him. His photo appeared in the papers. He is doing his job. This is what we need to be cognizant about, Madam Speaker, and again, of course, we need to be able to ensure that we protect these police officers by giving the right equipment and that is what we are working towards, Madam Speaker. Thank you.

HON. SPEAKER.- Honourable Parmod Chand.

HON. P. CHAND.- Madam Speaker, I think the Police Force need to be commended for doing a good job. Yes, they get into trouble, get beatings. With the modernisation of the Fiji Police Force and bringing in new approach, it will be very good.

One of the key concerns for me in the Fiji Police Force is this, when you become a Fiji Police Force Constable or someone and then you want to climb up the rank, but you know that you are not going to end up to become the Commissioner of Police.

There is something very important. Anyone in an organisation, Madam Speaker, will only have good morale when they know that they are climbing the steps to become a better officer and they have an idea that something is out there for them. Many times, this has not happened in our country and this is something that really brings some morale to police officers.

I have been talking to a lot of police officers throughout the country. What they said was, the promotion that is due to them is not given. Before the promotion, they are removed and someone else is given the position. This is something very important in the Civil Service.

We want a very strong Police Force, the recommendations are really good, they need to be trained and when someone is trained and equipped and then he comes to a position and that is a backlog, he just stands there and he does not get right up there. There is something very important that we need to do to bring in a lot of confidence in our Police because they are the ones who go out in the night, if there is a murder somewhere, they are called overnight to go; leave their home, leave their family and that is something very important.

They are doing a great job and they need to be rewarded too. And many of them have been in acting positions many times and they continue to act and then they are put aside. If you are acting in a position for six months, you should be confirmed in that position. These are the kinds of things that are being taken care of in this, and I believe, Madam Speaker, that it is so important to look after our people that look after our country, especially Fiji Police Officers who had been living with very low pay and thank God, they have received some increment which is good.

As yesterday, the Honourable Leader of NFP talked about disparity, that is also something very important, we need to have proper channels and people. I run a business, I have got workers and they try to do their best and we pay them very well.

We pay them very well, Madam Speaker, because it is important, and I would like to tell the Government that you have a policeman trained and that policeman should climb the ladder and become the Commissioner of Police. That is very, very important. That is something that has not happened in this country and I will not mince my words but say this, "Do not bring a sari seller to become a Commander somewhere or somewhere else. You bring the right person to the right place, who has got the training right from the bottom, right up to the top." Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Dr. Mere Samisoni.

HON. DR. M.T. SAMISONI.- Thank you, Madam Speaker. I will not repeat a lot of the positives that have been brought up on this report. I commend the report, I think it is a very good report and I commend the three recommendations, I think they are very good. There are just two issues that I would like to bring up; one is the human resource management issue, which should have been addressed a long time ago. I think the Police Force has been in operation now for about 45 years. To bring this up now and there was a back-pay that should have been done a long time ago, it should have been addressed.

(Honourable Member interjects)

HON. DR. M.T. SAMISONI.- Can I finish, please?

HON. DR. M.T. SAMISONI.- As a resource management, I would like to say that I like what (e) and (f) has. There should be a policy in place, Madam Speaker.

The other issue is a leadership issue and a career structure that was mentioned also by the Honourable Minister, that is very important to motivate and empower people, especially from the bottom, that they know that they can become the Commissioner of Police. Thank you very much, and I commend the report.

HON. SPEAKER.- Honourable Viliame Gavoka?

HON. V.R. GAVOKA.- Thank you, Madam Speaker. Just a correction, the Qarase-led Government had set out to make reviews and on the verge of being implemented - implementation progressively, but then someone overthrew the government. So let us have that cleared. They did a review which was progressively being done but someone overthrew the government. Thank you, Madam Speaker. I need to clarify for that.

Madam Speaker, in terms of rightsizing, if I look at the number of officers, it is about 4,000 and relative to the population today it is about one police officer for every 225, which is quite comforting to know that we have one for the 225. But, Madam Speaker, how you divide up that number? I think I would like to see more doing the beat. More police officers walking the beat because I think one of the strength of policing is visibility.

As we look at our country, the way it is developing, our economy, the visibility of the Police will be very helpful in encouraging investors to invest in Fiji and safety, law and order is very critical. I think no place in Fiji should be unsafe for a young woman to walk alone at night or wherever. I am not saying that is not happening today, I think they are doing a wonderful job but there is still room to improve.

I always remember, Madam Speaker, there was a time when Suva was very unsafe and Commissioner Hughes then said, “we will take back the night.” You remember that he started an operation, “We will take back the night from the criminals.” And he was visibly walking up and down the streets of Suva with his officers and eventually the criminals went somewhere else, so Suva became safe. That is where I am getting at, Madam Speaker, and there are still some part of Suva that are still doing this and that is why we need visibility, Madam Speaker.

You will know Commissioner Hughes, right? The one your people overthrew.

(Laughter)

Madam Speaker, in other parts of the world, you know about New York, it used to be a very frightening place. Mayor Rudy Giuliani boosted the number of police officers on the beat and the crime rate in New York dropped. Mr. Bill Clinton, when America was requiring law and order, he just said, “Just double the number of police officers on the beat. Madam Speaker, when you look at the ratio of police officers to the population, it is comfortable but I would rather see more going to beat. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now invite Honourable Ratu Kiliraki to have the floor.

HON. RATU K. KILIRAKI.-Thank you, Madam Speaker. May I make a small contribution in regards to Recommendation 2 - Appropriate Resources and Training; and Recommendation 3 - Capacity Building, in terms of community police posts, especially in the rural areas. I think they have a more community-based role and such responsibility is very important as a preventative measure. Also, to be able to be a visible representation of the Police Force as a whole to the community, especially in the rural areas, the villages that rarely come to the urban centers for such requirements.

Looking at this Report, I hope that community policing is taken in for consideration also, empower the community and also empower the Police Force in their interactive roles as a preventative measure to crime rate. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. There being no other input. Now, I invite the Chairperson of the Standing Committee for Foreign Affairs and Defence to speak in reply.

HON. LT. COL. N. RIKA.- Madam Speaker, in reply I would like to address the issue raised by the Honourable Parmod Chand.

Honourable Chand, you must be mindful there are policies in place, considering the national security of the nation. No Tom, Dick and Harry can become a head of this organisation.

The appointment has to be the person who qualifies and meet all the criteria in place, so it is very important to understand that.

Madam Speaker, I also thank you for the support rendered by the Honourable Members, who have contributed to the debate. With those few words, thank you.

HON. SPEAKER.- Thank you. Parliament will now vote. To note the content of the Report, does any member oppose the motion?

(Chorus of ‘Noes’)

HON. SPEAKER.- There being no opposition, the motion is agreed to unanimously.

Motion agreed to.

I now call on the Chairperson of the Standing Committee on Social Affairs to move the motion.

### **REVIEW REPORT ON THE UNIT TRUST OF FIJI 2015 ANNUAL REPORT**

HON. V. PILLAY.- Madam Speaker, I move:

That Parliament debates the 'Review Report on the Unit Trust of Fiji 2015 Annual Report' which was tabled on 5th March, 2018.

HON. A. NABULIVOU.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- I now invite the Chairperson of the Standing Committee on Social Affairs to speak on the motion.

HON. V. PILLAY.- Madam Speaker, the Honourable Acting Prime Minister, Honourable Ministers, Honourable Leader of Opposition and Honourable Members of Parliament: On behalf of the Honourable Members of the Social Affairs Standing Committee, I take this opportunity to speak on the motion in regards to the Committee Review Report of the Unit Trust of Fiji 2015 Annual Report which was tabled in Parliament on 5th March, 2018.

Madam Speaker, the Committee Review Report on Unit Trust of Fiji 2015 Annual Report is a bipartisan one, which has the contribution of all Honourable Members from both sides - Opposition and Government.

During the scrutiny process, the Committee had gone through the Annual Report and had invited the General Manager of the Unit Trust of Fiji to provide presentation on their performance in 2015, and respond to questions and issues that were raised by Honourable Members for clarification.

Madam Speaker, the Committee commended the achievements of Unit Trust of Fiji in 2015 and showing a positive investment environment which enabled the Fund Management to grow by 14 percent from \$11.3 million in 2014 to \$126.9 million and the total number of unit holders recorded a steady growth from 15,512 in 2014 to 16,111.

The Committee also notes that Unit Trust of Fiji annualized dividend rate to unit holders for the year 2015 was 3.28 percent, as compared to 2014, which was 3.17 per cent and was predominantly earned from fixed income instruments.

Madam Speaker, the Committee also noted in the review that Unit Trust of Fiji's income and growth fund equity investments is spread across several sectors of Fiji's economy, with investments in the telecommunication, financial and consumer goods sectors dominating this asset class.

Madam Speaker, the Committee throughout its review took note of the report and have no major issues to bring to the attention of the House as the Unit Trust of Fiji has recorded a strong and firm growth in 2015 and this indicates how resilient and prudent the institution's current practice in trying to fulfil its vision which is to be the leading investment fund for our financial goals.

Madam Speaker, with those few comments to enlighten the House as a Member moving the motion, I thank you for the opportunity.

HON. SPEAKER.- Thank you. The motion is up for debate and I invite input, if any?

HON. A.M. RADRODRO.- Thank you, Madam Speaker. I rise to give my short commentaries on the Committee's Report. I note the performance of the Unit Trust of Fiji has been very good over the past years and also note that the corresponding investments are done locally. However, a way forward also for the Unit Trust of Fiji is to start investing by looking through the region rather than just concentrating on the national front. It should start looking to the region and also probably going abroad to increase its growth and also increase its dividend per share and returns to the unit holders.

HON. SPEAKER.- Thank you. Honourable Minister for Women and Children and Poverty Alleviation.

HON. M.R. VUNIWAQA.- Thank you, Madam Speaker. I would like to thank the Standing Committee for the report before us. My contribution again is a very short one in relation to a gender perspective of the report before us.

I note with interest a statement made by Mr. Sakiusa Bolaira in the report where he stated that:

“Gentlemen take a while to make a decision but one thing I have noticed that during our sessions with our investors that women respond faster in terms of decision making. Women have always been the greatest influence in decision making in investment. Economic empowerment of women is a very important factor in gender parity and the Unit Trust plays a critical role in that.”

But, I note that there has been no gender breakdown of the investors under the Unit Trust portfolio and I look forward to a gender breakdown of investors under the portfolio of Unit Trust and other financial institutions to further strengthen us as a Ministry in gathering data in relation to the economic empowerment of women in Fiji. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Nabulivou.

HON. A. NABULIVOU.- Madam Speaker, I rise to contribute to the Unit Trust 2015 Annual Report that is before the House.

Madam Speaker, the Unit Trust of Fiji in 2015 recorded an increase in its unit sales and positive movement in its investment portfolio reviewing it to a strong and firm growth for the year 2015. It was evident that the Trust continued developing, nurturing and continuously improving its mutual relationship in building and maintaining investor confidence as a major drive to success in creating and growing investors well by providing sustainable and competitive returns from a balanced investment portfolio.

The mandate of the Unit Trust of Fiji was to allow people, particularly in Fiji to start investing. The Unit Trust of Fiji has come a long way and now the board and staff are working towards new innovations to attract more people to start buying units.

Madam Speaker, on the same note, I would like to commend the firm for its tremendous efforts in initiating the concept of Employee Investment Scheme (EIS) to directly promote savings and investments to all Fijians in the workforce through a Memorandum of Agreement with employers. Madam Speaker, Unit Trust of Fiji has attained the platform now where it is about diversifying in the sense of trying to come up with different plans suited for different markets, generate better returns to the unit holders and modernise its investment facilities and services.

The firm has different packages for products in place and eventually would like to diversify the portfolio as well. It has generally restricted itself to certain instruments and there are opportunities for the firm to venture into other things. So it is about doing that continuously - reviewing and coming up



with new ideas. To me this particular organisation is about helping people, educating them on how to save money with its very simple plans. It caters for the diverse market.

Madam Speaker, with those few words, I support the motion that is before the House.

HON. SPEAKER.- Thank you. I give the floor to Honourable Ruveni Nadalo.

HON. R.N. NADALO.- Thank you, Madam Speaker. I rise to contribute in support of the Committee Review Report on the Unit Trust of Fiji 2015 Annual Report that is before the House. Madam Speaker, the Unit Trust of Fiji has excelled over the years since its inception of its legislation known as the Unit Trust Act, 1976 and then the Companies Act, 2015.

The Committee acknowledge UTF's policy in terms of corporate governance, management and the Board in addressing the sales expectation, lease management and investment policy statement which provides guidelines to the UTF's operation.

Further, the accounting and internal control policy were also highly recognised as these were obviously in compliance with the international standard and procurement of ICT communications. Madam Speaker, the income and growth fund components provided by the UTF have benefitted the investors in two ways:

1. A tax free dividend that comes in every six months;
2. The capital growth component.

These are the privileges given by the Government.

Madam Speaker, UTF has done a lot to its unit holders or investors and one is the Employee Investment Scheme and the other one, that is coming up is the Children's Investment Plan which is now being implemented in schools with Form 3 and Form 4 students.

Madam Speaker, on that note, I would like to commend the Unit Trust of Fiji and all its initiatives in encouraging all Fijians to invest and save for the future. Madam Speaker, with that contribution, I support the Committee Review Report on the Unit Trust of Fiji 2015 Annual Report that is before the House.

HON. SPEAKER.- Thank you. Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Madam Speaker, may I make a small contribution to the report. Firstly I thank the Committee for this report and my contribution is, whether there is enough concerted awareness programmes. As I noted from the Minute of the Committee's report, the trend that we are seeing is that the farmers are coming to invest, the people with ties are coming to withdraw. So that is the trend that we are seeing, I am quoting, Madam Speaker, in the office every day and we are quite pleased.

One thing we noticed that the campaign on financial literacy that we are doing, the people are really determined to invest. There is another factor too, Madam Speaker, that I would like to raise that is highlighted here, the trend that we are seeing is that most of the parents want their kids to go through that. That is very interesting information for us and we are quite happy and that is the trend that is happening for this investment. So probably there needs to be more awareness out there so that there is more investment into UTOF.

One thing I would like to propose is that while these provincial councils have their investments in Fijian Holdings Limited where they get dividends every year, part of that money can be invested in here to help the provincial councils in that investment portfolio by broadening the base of their investment.

I would also like to suggest that equal distribution of lease money from the iTLTB for those Under 18, whether money for these under-age landowners can be invested in here under their name rather than a group investment where we do not know how much each one owns.

May I add that there was an issue that was brought to me by the *mataqali* that there is one landowner who is now over 18 years and has been waiting for two or three months for his money to come through to his account but is still not been accounted for by iTLTB. There are a lot of issues that could arise. I note in the papers that FNPF was going to reduce the membership to six years old. So probably the lease money for those under 18 years could be invested so that when it comes to maturity they are a lot of investments not only with the Unit Trust of Fiji but also with Fijian Holdings and FNPF which is still in the pipeline. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. There being no other input, I now invite the Chairperson of the Standing Committee on Social Affairs to speak in reply.

HON. V. PILLAY.- Thank you Madam Speaker. Madam Speaker, I have no further comments.

HON. SPEAKER.- Parliament will now vote to note the content of the report. Does any Member oppose the motion?

(Chorus of “Noes”)

HON. SPEAKER.- There being no opposition the report is agreed to unanimously.

Motion agreed to.

### **REVIEW REPORT ON PUBLIC RENTAL BOARD 2015 ANNUAL REPORT**

HON. V. PILLAY.- Madam Speaker, I move that:

Parliament debates the Review Report on Public Rental Board 2015 Annual Report which was tabled on 5th March, 2018.

HON. SPEAKER.- Do we have a seconder?

HON. A. NABULIVOU.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- I now invite the Chairperson of the Standing Committee on Social Affairs to speak on the motion.

HON. V. PILLAY.- Thank you Madam Speaker. The Honourable Acting Prime Minister, Honourable Ministers, Honourable Leader of the Opposition and Honourable Members of Parliament: On behalf of the Honourable Members of the Social Affairs Standing Committee, I take this opportunity to speak on the motion in regards to the Committee Review Report on the Public Rental Board 2015 Annual Report which was tabled in Parliament on 23rd March 2018. The Committee during its scrutiny process invited the General Manger of PRB to provide a presentation for their 2015 Performance and in addition to that the Committee also visited one of PRB’s housing developments in Kalabu.

Madam Speaker, the focus area of the review was aligned to Section 109(2)(b) of the Standing Orders of Parliament in which the Committee is mandated to look into issues related to health, education, social service, labour, culture, media and their administration.

Madam Speaker, the Committee Review Report on PRB's 2015 Annual Report is a bi-partisan one in which it has the contribution of all Committee Members from both side. The Committee commended PRB's 2015 Performance in providing a foundation for people to improve their lives in the provision of affordable and quality rental housing for all Fijian housing needs. Madam Speaker, given PRB's 2015 Performance in the provision of rental accommodation and the provision of rental economic benefits to tenants, the Committee does not have any major issues to bring to the House for further consideration. However, based on the current board members of the PRB, the Committee recommends that gender equality be considered in the composition of the board to promoting gender equality in the organisation.

Madam Speaker, further for clarification purposes, the Committee throughout its review took note of the issues and challenges faced by PRB. After the consultations with PRB, the Committee anticipates that PRB had taken note of the Committee's view on how to address the challenges that were pointed out and the Committee hopes that corrective actions has been taken by PRB in going forward.

Madam Speaker, with those few comments as a Member moving the motion, I thank you for this opportunity. Thank you, Madam Speaker.

HON. SPEAKER.- The motion is now up for debate and I invite input, if any. Honourable Prem Singh.

HON. P. SINGH.- Thank you, Madam Speaker. I thank the Committee for this Report but I note that apart from recommendations on gender equality and appointments to the Board, the Committee has not made any recommendations of the \$22 million loan incurred by PRB for constructing the flats at Raiwai. The implementation of that project was a colossal disaster as far as its funding was concerned. The initial budget loan was for \$9 million but the cost of the project skyrocketed to \$22 million, Madam Speaker. Every project has some variations but nothing of the sort at Raiwai flats, an increase of \$14 million.

Madam Speaker, this financial disaster has resulted in Raiwai becoming an accommodation for the middle-class instead of providing cheap subsidised housing to our ordinary people and those living below poverty level.

The Verbatim Report on the contribution of an executive of PRB states, "Right now, the occupancy rate is 100 percent. Why the rent is slightly high is because we are fully-servicing the debt with Government to the Exim Bank of China. There is a loan that we have taken through the Government and we are servicing this loan so the rent is a little high but there is a waiting list also for Raiwai for those who are interested to move in. There is an approval that we look at those who are slightly up of the threshold of \$15, 525 maximum for Raiwai only".

This loan is serviced through repayments by PRB from revenue income, particularly Raiwai. From what was supposed to cater for low income earners, rent for a two bedroom flat (and I am being told) is over \$450 per month.

I also do not believe that only those in the threshold of \$16,500 to \$25,000 are occupying the flats because if one looks at Raiwai, it is full of flashy cars and occupied by those on high income. This is one project that has horribly gone wrong and those vested with the responsibility of oversight still have not

been taken to task, Madam Speaker. Whilst I prepared this Report, I have also given there my observation. Thank you.

HON. SPEAKER.- Honourable Bala.

HON. P.B. KUMAR.- Thank you, Madam Speaker. I rise to contribute briefly on this debate and I have seen the recommendation of the Committee but at the outset, I want to thank the Committee for this Report. It says that they were a bit concerned on the composition of the Board.

Let me make it very clear, Madam Speaker, all Board members are appointed on merit, but I can assure the Committee that we will definitely look into it in the future.

Madam Speaker, as Honourable Prem Singh has stated on Raiwai, it is 100 percent occupied at this point in time and the issue that he has raised about the cost, there was a variation and PRB has got two-three sets of units: the upper-class; middle-class; and the lower-class, so Raiwai serves for that upper-class. If it was costly and not right, there would not have been 100 percent occupancy.

Having said that, Madam Speaker, in 2015, Government provided an annual grant for PRB as rent subsidy of \$706, 256.22 to assist 710 disadvantaged tenants, so that they can have a roof over their heads.

Madam Speaker, this focus is on the tenants who are financially disadvantaged. I am also seeing here in the Report and you may see that there was an amendment done to the Housing Act, that is Decree No. 12. Most of the time the Opposition talks about decrees. This decree was done in 1989, and I stand to be corrected, by the Rabuka Government.

Furthermore, in 2015, the Government, through my Ministry allocated a grant for Low-Cost Housing Development of a sum of \$6.11 million for the construction of 84 rental flats at Kalabu; 36 flats at the cost of \$2.2 million in Savusavu; and \$3.6 million for Simla.

Madam Speaker, I can say now and I am happy to inform the House that the Savusavu Project is completed as well as the Kalabu Project. The Simla Project is going to be commenced very shortly.

In line with Section 35 of the 2013 Constitution and the National Housing Policy, my Ministry has worked closely with the Housing Authority to provide vacant housing land for PRB Housing Estates in every Housing Authority residential subdivision.

What I am trying to say here, Madam Speaker, that now we have resolved that any land subdivision by Housing Authority, we will allocate a space for Public Rental Board for their units, because they have an issue of land and we have worked out very well with Housing Authority in all their future developments that they are going to provide land for the development for the poor. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. I would like to just make some brief comments. There is no doubt and the Honourable Minister responsible for Housing has highlighted the historical basis of the separation of the Public Rental Board from the Housing Authority when at that point in time in 1989, it was a Decree, now obviously, it is called an Act, put in place by the Rabuka Government who did the separation.

Of course, the Public Rental Board at that time was lumped with the \$20 million debt that they inherited from Housing Authority. We all know the history about Housing Authority. I remember as a younger prosecutor when I was at the DPP's Office in 1999, everyone knows that there was a huge Housing Authority scam when these huge shenanigans went on and there was complicity between various contractors and those who worked for the Housing Authority.

Madam Speaker, the point about Housing Authority is that we need to be cognisant of the fact that there is a shortage of affordable housing in Fiji generally. There are two aspects of housing; one, of course, is the actual rate of home ownership in Fiji, which is very low. The other one is actually excessive homes or houses to live in, not necessarily to own but as rental property on rental basis.

The issue that is highlighted is that, "At what affordable rates?" So there are people, for example, as the Honourable Minister highlighted, some people who may be earning up to \$25,000 or \$30,000 who may actually find it difficult to get housing. On the other hand, there may be people who may earn up to \$20,000 who may also find it quite difficult. You may have up to \$10,000 and there are those who may find it difficult, so they need to have different price points, that is very important to understand.

The other point, of course, Madam Speaker, is that, as the Honourable Minister highlighted, we have been making capital grants to actually build Public Rental Housing Kalabu, Savusavu and Simla in Lautoka and, of course, here in Raiwai. I know Honourable Prem Singh highlighted one particular incident in Raiwai and he is trying to use that as a paint brush to cover all the other good work that have been done by the Public Rental Board. There would have been some increase or contingency amount that was put in place and used indeed, but the point of the matter is that, Madam Speaker, that model of making affordable public rental housing is actually quite archaic.

There are two aspects to that: firstly, the cost of construction in Fiji is comparatively quite high and the time it takes to actually put up structures is actually quite long. So we may also see, for example, the technology that is being used up here in McGregor Road, opposite the Peninsula Hotel: what those contractors are doing; and how they have already put up about six or seven storeys already using prefabricated steel structure.

You may also know of the storeys, I think, they are about six-storeys or seven-storeys (next to McDonalds Restaurant in Nadi) and how quickly they have put up that? If we use the traditional method of actually constructing those structures, we will still be up to probably Levels 2 or 3 - the basic concrete block, plaster, et cetera.

We need to adopt these new technologies, new models of building structures, firstly for the speed and also for the actual structures itself. A lot of it is prefabricated, concrete, et cetera, that we need to be able to use and also to ensure at the same time, the integrity of it.

The second aspect, of course, Madam Speaker, is the affordability of it. As the Honourable Minister responsible for Housing will tell you, that even if you need to look at Kalabu, notwithstanding the fact that there is an open tender process, the pricing that we have got, recently we have been doing some work behind the scenes from the Ministry of Economy's perspective, we invited the World Bank to actually carry out the study for us.

One of the first things they told us, they said that the cost of construction in Fiji is very high. They said in countries like Singapore, Malaysia and various other countries, the cost per square feet is far less, and the only reason why it is far less is because they have adopted new methodologies of constructing, so we need more construction companies that can do that.

What we have done, Madam Speaker, the Honourable Members of Parliament may remember, about two budgets ago, we provided a tax incentive for those companies, whether they are developer companies or whether the construction companies will actually own the development, should they get into the space of building homes, in particular affordable homes, they get a tax only in access of 10 years. They also get an investment rebate on the amount of money that they will spend in constructing, so we have at the moment a couple of companies that are interested in getting into that space. In the same way and at the same time when we presented that incentive, we had also provided incentive for private hospitals to come into Fiji which we have seen some have come into fruition just early this year and we are seeing of course, another . . . .

So, similarly we expect to see some attraction in that space regarding the construction of homes because the way we look at it, Madam Speaker, the traditional way of doing this is that Government finds money in the budget, and says, "All right, there is \$5 million here, build these apartments, and then also we will come along and subsidise the rent." Buy the better way of doing that, so the stockpile of homes that you have or flats is limited to the budget allocation.

But if you have the private sector coming along, they can come along and say "Look, we can put up a \$100,000-apartment for you, we want a rate of investment of say 6 percent, 7 percent, whatever the case maybe" even FNPF can do that. FNPF can come along and say, "We are actually talking to them", they can say "Look, we will construct the flats, provide us a rate of return of 6 percent and make sure that we get a rate of 6 percent". So, assuming for them, 6 percent could mean a \$100 a week rent hypothetically or a month. We then come along and we, for example, may get the person leasing the property or renting the property to pay \$20. The balance of that, we subsidise directly to the investor, so the only cost for us will be no capital cost. What we will do, we will subsidise that rental gap for them because all that they are happy about, and all they want is to get a good rate of return. We can provide that and we may get a stockpile of homes, and that is currently one project we are working on. We are identifying the land and that is precisely what we will be doing.

In that way, you can get a multiplicity of companies doing those projects and we can have a good stockpile of rental properties available at affordable rates.

The other issue about home ownership, Madam Speaker, and as I have elucidated previously in Parliament, is about the rate of home ownership. In Fiji generally, you will find young people do not buy homes. You will find very few people in Fiji in their 20s who are actually buying homes, very few. People who are generally in their late 30s, 40s you know when they are bit secure have doubled income, then they get married, we need to make that affordable. One of the ways of doing that again is what we call "In-strata Titling" and that is precisely what we have done but, as I have said before, we need to get away from the ghetto mentality.

Before what happened, for example, when the Government has provided affordable housing, they dedicate an area for affordable housing and in those days, we know the low-cost housing and everyone with low-cost housing rent in that area. Some of them are there for 30 years, 40 years or 50 years because they have not been able to get out of those places because their property value has not appreciated, for example, Nabua, Matavolivoli, Tavakubu, Raiwai, Raiwaqa, whatever it is, no one wants to go in there.

But the point is this, if, for example, you do Ins-strata Titling, you can say, for example, make a one-bedroom or two-bedroom affordable home at the purchase price of say \$50,000, \$60,000 or \$70,000. I get in there presuming that I am single; I am 25 years old or 26 years old; I have got a salary of \$25,000 a year. I can actually buy that flat and when I get married or get a promotion, I want to move from a one-bedroom flat to a two-bedroom flat, I should be able to dispose of that property at a price that is appreciated, not depreciated. And then I can make what we call, I can have a social mobility or I may

decide to sell the flat and go and get a piece of land and build something there for which we give a grant for that, First Home Buyers, et cetera. So, that is how the system must work.

In Singapore, just before I complete, Madam Speaker, you can go to this housing estates by the Housing Democratic Board in Singapore, you will find a three-bedroom apartment on one floor, the two-bedroom apartment, and a one-bedroom apartment and they will be all at different price points.

You could have on the same floor a pilot, a lawyer or someone maybe a grass cutter living on the same floor. The whole idea is not just about social integration but by having different price points, the property is always appreciating pricing, it never deteriorates, it never gets condemned to be a ghetto or just low cost housing. So, that is the way forward, Madam Speaker. And under those circumstances, we hope to have some very good news in respect with that in the next few months, of course, Madam Speaker, and that could also be after the Elections. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Dr. Mere Samisoni.

HON. DR. M.T. SAMISONI.- I just like to make a very short comment. I would like to thank the Committee for the Report and I would just like to comment on the gender that there were more males and females. I think this needs to be addressed.

I did note the Honourable Minister's comment, to appoint people on the board, they have got to be qualified and we have to have quality people or I think that is the word he used.

HON. A. SAYED-KHAIYUM.- Merit.

HON. DR. M.T. SAMISONI.- Yes, merit. But for me, Madam Speaker, there are a lot of good women out there who can come to the Board. Just for example, I am head of my own business and I make sure that all the way up the line, there was always 50:50, right up to the Board level and today, that is so.

Unless you believe in it from the heart, it will never happen because you will have always that God's healing, with the power of men will always take over. I just want to remind the House on that, Madam Speaker, and I commend the report. Thank you.

HON. SPEAKER.- There being no further comments, I give the floor to the Chairperson of the Standing Committee of the Social Affairs to speak in reply.

HON. V. PILLAY.- Madam Speaker, I have no further comments.

HON. SPEAKER.- Thank you. Parliament will now vote, to note the content of the Report does any member oppose the motion?

(Chorus of 'Noes')

HON. SPEAKER.- There being no opposition, the motion is agreed to unanimously.

Motion agreed to.

I now call upon the Chairperson of the Standing Committee on Social Affairs to move the motion.

**CONSOLIDATED REVIEW REPORT NO. 2 – REVIEW OF THE 2015 ANNUAL REPORTS**

HON. V. PILLAY.- Madam Speaker, I move:

That Parliament debates the ‘Consolidated Review Report No. 2 for the Review of the following 2015 Annual Reports’ which was tabled on 21st March, 2017 –

1. Ministry of iTaukei Affairs;
2. iTaukei Trust Fund Board;
3. University of the South Pacific (USP);
4. Ministry of Youth and Sports;
5. Ministry of Health and Medical Services;
6. Ministry of Education, National Heritage and Arts;
7. Fiji Public Trustee Corporation;
8. Fiji National Sports Commission; and
9. Airports of Fiji Limited (AFL).

HON. SPEAKER.- Do you have a Seconder?

HON. A. NABULIVOU.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- I now invite the Chairperson to speak on the motion.

HON. V. PILLAY.- Madam Speaker, the Honourable Acting Prime Minister, Honourable Ministers, Honourable Leader of Opposition and Honourable Members of Parliament: On behalf of the Honourable Members of Standing Committee on Social Affairs, I take this opportunity to speak on the motion in regards to the Consolidated Committee Report No. 2 for the nine institutions which was tabled in Parliament on 21st March, 2017. The Consolidated Review Report No. 2 is a bipartisan one which has the contributions of both sides.

Madam Speaker, the Consolidated Report comprises of the review made to the following 2015 Annual Reports, the:

1. Ministry of iTaukei Affairs;
2. iTaukei Trust Fund Board;
3. University of the South Pacific (USP);
4. Ministry of Youth and Sports;
5. Ministry of Health and Medical Services;
6. Ministry of Education, National Heritage and Arts;
7. Fiji Public Trustee Corporation;
8. Fiji National Sports Commission; and
9. Airports of Fiji Limited (AFL).

The Committee, during its scrutiny process, invited each of these nine institutions to provide presentation on their performance, as well as to respond to the questions raised by the Honourable Committee Members on issues for clarification.

The focus area of the review was aligned to Section 109(2) of the Standing Orders of Parliament in which the Committee is mandated to look into issues related to health, education, social services, labour, culture, media and their administration.



Madam Speaker, the Committee commended the performances of these institutions in 2015 in serving the people of Fiji, our visitors and our neighbouring island nations, to be particular USP. Given the services provided in 2015, the Committee believes that there are still rooms for improvements for all these institutions, these in terms of improving their services in all aspects and overcome the challenges that were encountered in 2015.

Madam Speaker, for instance, in the Committee Report, it was recommended that the Fiji Public Trustee Corporation Limited (FPCL) to conduct more awareness and outreach programmes so that people are aware of its services. This is on the administration of deceased person's estate, trustee services, will making and Power of Attorney services.

In addition, the Committee also proposed that it is prudent for the FPCL to establish its offices and services in all Divisions as demand increase since the Company was being corporatised in 2006.

On the other hand, Madam Speaker, the other institutions' 2015 Annual Reports were thoroughly discussed in which the Committee found that the issues and challenges that were encountered in 2015 could be dealt internally by these institutions.

Madam Speaker, further, for clarification purposes, the Committee throughout its deliberations took note of the issues and challenges faced by these respective nine institutions and further consulted these institutions individually with fruitful outcomes. Out of these consultations, the Committee anticipates that these institutions have been taken note of the Committee's view, to ease the way of addressing issues and challenges that were encountered and further, the Committee hope that corrective actions have been taken by these institutions.

Madam Speaker, with those few comments as a Member moving the motion, I thank you for this opportunity.

HON. SPEAKER.- The motion is now up for debate and I invite comments, if any.

HON. V.R. GAVOKA.- Thank you, Madam Speaker.

Madam Speaker, I just want to speak on the iTaukei Trust Fund Board 2015 Annual Reports, and in its overview it says there, "to better understand and preserve the heritage of the *iTaukei* and the Rotumans".

We are talking about preserving the heritage, Madam Speaker. I would like to touch a bit on the *cibi*. We are a rugby mad nation and I think we need to revitalise the *cibi*.

*Cibi*, Madam Speaker, as in New Zealand is called the *haka*, and any New Zealand youth, if you can ask him to do the *Ka mate Ka mate* he will do it. That is the All Blacks *haka*. But I do not think our youth in Fiji would know what a *cibi* is or how to perform the *teivovo*.

Madam Speaker, I would like us, because of our position in rugby in the world today, *teivovo* was alright in the days of newspapers and radio. Today in the days of television, optics are very important and I must say that I am always saddened that when Fiji plays against Tonga, Samoa or New Zealand, our *cibi* looks very one dimensional and does not look attractive, very appealing in terms of the optics today. So, I was wondering if through this, we can revitalise our *cibi* and make it more in tune and in keeping with what we have today. It is this funding in the Trust Fund or to actually do a competition. I mean the script as it is, is alright but the action is a bit one dimensional, compared to the Tongans, Samoans and the New Zealanders.

So, Madam Speaker, going forward revitalising our culture, heritage and being a rugby-mad nation, I think our *cibi* will be brought up to the standard of what is expected today in terms of global audience and the optics. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Leader of the Opposition.

HON. RO T.V. KEPÄ.- Thank you, Madam Speaker.

My contribution this afternoon is on the Ministry of Youth and Sports 2015 Annual Report and it is good to see the Honourable Minister is here in the House because on the challenges that it states there, Madam Speaker, there must be some male chauvinists in that Ministry, Madam Speaker, because most of the training there as reported in that consolidated report, seems to focus on men rather than women.

Women sports need a lot of help, Madam Speaker, and the stereotyping in the Ministry does not help. Now, we saw the Fijiana Team in action in the Commonwealth Games and they can tackle. They can tackle, Madam Speaker, and they finished fifth in the Commonwealth Games. They are very good but we seem to highlight the Fiji Sevens all the time, so why not also Honourable Minister, the Fijiana sports team is very good and the team that we can be proud of.

However, the other end of the scale, Madam Speaker, the Fiji Netball Team needs serious help. In 1999, they were ranked number six in the world and now they are number 12. They lost almost all their games, those are the matches they played in Wales, New Zealand and in the Commonwealth Games. So, Madam Speaker, I really plead with the Honourable Minister if he could help the Fiji Netball Team, to ensure that they have a good coach that travels around Fiji looking at the young netball players. They play netball, Madam Speaker, as you know, right from the primary age and they are very competitive. So, if we can look at them from that young age and have a good coach that can look at this game right through to national level, maybe we can rank better than we are at the moment at number 12.

Just the second part to that Report, Madam Speaker, is the Duke of Edinburgh Award. This Award provides a non-formal education framework which is very good for our young people, and it targets 14 year olds to 24 year olds. So this maybe somewhere where the discipline can come in because the Duke of Edinburgh Award is very well structured and it is open to that age group and it sounds tailor-made for our youth.

In that Report, Madam Speaker, although there are just a few lines, it says that the 339 young people participated in the Awards in 2016, so there must have been a good number in 2015. So, Madam Speaker, I would urge the Honourable Minister to look at this award in terms of bringing it into teacher training college because this would really assist in terms of discipline in the schools and providing them with skills that would be useful for them when they leave school. Thank you, Madam Speaker.

HON. SPEAKER.- I now give the floor to the Honourable Anare Vadei.

HON. A.T. VADEI.- Thank you, Madam Speaker, I wish to add to the concerns raised in the Annual Report for the Fiji Public Trustee Corporation Limited and the Airport Fiji Limited. The concern I need to raise is the appointment of Board of Directors.

In the Fiji Public Trustee, there are only two Board of Directors and in Airport Fiji Limited there are only three, looking after the millions of dollars in their various organisations. I believe those numbers should be increased and the Minister should have some due diligence in delegating those possibilities. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Dulakiverata?

HON. J. DULAKIVERATA.- Thank you Madam Speaker. I would like to thank the Committee for their Report and I would like to briefly comment on the Fiji Public Trustee Corporation Limited 2015 Annual Report. The funds for the beneficiaries that are always with the Trustee after coming into effect of the FNPF Decree of 2012...

HON. A. SAYED-KHAIYUM.- It is an Act.

HON. J. DULAKIVERATA.- Decree. The funds were transferred to the High Court.

HON. SPEAKER.- Honourable Member, is it Decree or Act...

HON. J. DULAKIVERATA.- In 2012, it was a Decree.

HON. A. SAYED-KHAIYUM.- Madam Speaker, point of order. The Honourable Member knows full well that we passed an Act in this Parliament that says that all Decrees including the Decrees that his laid outside this House and passed, the Decrees are now all called Acts. He knows that, he is deliberately doing it, Madam Speaker. As a point of order, Madam Speaker, I raise that he is misleading Parliament by calling it a Decree, it is an Act. Stop scoring cheap political points, that is what you are doing.

HON. J. DULAKIVERATA.- No, it is not cheap political points, I just wanted to make the correct reference that in 2012 it was a Decree.

HON. A. SAYED-KHAIYUM.- No, it is now an Act, Madam Speaker.

HON. SPEAKER.- Are you talking on the Decree or Act now?

HON. J. DULAKIVERATA.- Now, it is an Act.

(Laughter)

Thank you, Madam Speaker. We are talking about millions of dollars and these funds are being transferred to the High Court. Some of these beneficiaries are very young children and they would not be able to access these funds until they are 18. So when these funds are with the High Court they do not attract any interest, so this is only the sum of money that is being held with the High Court and we do not know how these funds have been administered.

We have never seen a record of the amount of funds being held by the High Court for administration purposes. What I am saying, Madam Speaker, is if a legislation be brought up to review this, to enable these people to benefit from the funds that they have, to be invested somewhere because some will be there for about 15, 16, 17 years without earning any interest. That is a long time, Madam Speaker, and if the Government is responsible for the administration of these funds, then the welfare of these beneficiaries should be looked at. We need to have some sort of legislation to properly administer these funds. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Aseri Radrodoro.

HON. A.M. RADRODRO.- Madam Speaker, I would just like to make a brief contribution. First of all, I would like to thank the Committee for reviewing nine Annual Reports for nine institutions from Ministry of *iTaukei* Affairs to Airports Fiji Limited and we commend the work of the Committee.

However, Madam Speaker, I would just like to highlight some of the challenges that the Departments have highlighted to the Committee and the Committee has also highlighted in its report.

First of all, for the Annual Report for the Ministry of *iTaukei*, the delay in the implementation of the Child Protection TOT was implemented in the fourth quarter, including the endorsement and implementation of the Code of Conduct. Some of the major external factors that hinder the deliverables of the Ministry of *iTaukei* include, the review of the provincial councils and *mata ni tikina* reporting templates, appointment of women provincial councillors in the Ministry of *iTaukei* Affairs and the delay in the TOT packages for the Child Protection Programme. I wonder whether the Ministry has reviewed and revised these challenges since the 2015 Annual Report.

Similarly, Madam Speaker, for the Ministry of Youth and Sports Annual Report, most of the challenges that has been highlighted is that most of the trainings seem to focus on men rather than women so the Ministry should also be looking at taking corrective measures to address the gender stereotypes. Also on the family gender aspect, the Ministry is trying to focus a little bit more on the peri-urban type areas as it is very easy to re-enforce in the rural areas.

The allocation of grants to youths and youth clubs is also a challenge which the Ministry should also be looking at and the other challenge is the Duke of Edinburgh Award, this is in the 2015 and I think the Ministry could also enlighten us what has now being done in terms of addressing these challenges in the Ministry of Youth and Sports.

For the Ministry of Health and Medical Services in the 2015 Annual Report, the challenges that have been highlighted is the increase in services demand, human resource constraints and this is an ongoing issue as due to the expansion of services, promotion, resignation and retirement, equipment and infrastructure needs of the Ministry and also transportation problems in the Ministry of Health. The issue with procurement and supply system's ability to meet increasing demands. What has also been highlighted is the ongoing issues, the growing burden of Non-Communicable Diseases, rapid urbanisation in Fiji and also the need for active and committed multi-sectoral involvement to address social determinants of health.

Similarly, Madam Speaker, for Ministry of Education we have a lot of achievements that have been highlighted there but the challenges are also listed and three has been there. Capital projects delay and this is also common knowledge and common concern regarding the challenges and the implementation of capital projects. The bureaucratic processes with the Government and monitoring the effectiveness of initiatives within the Ministry. That Madam Speaker, are some of the issues that has been highlighted by the respective Ministries and Departments reviewed by the Committee. It also needs to be taken into consideration by the respective stakeholders to ensure that going forward, all these issues and challenges are being addressed in a timely manner. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you.

HON. A. SAYED-KHAIYUM.- Madam Speaker, just a couple of comments in respect of what the last Honourable Member raised.

But before I do that, Madam Speaker, I keep on trying to remind myself of this but I would like to just through Parliament acknowledge the services of Honourable Viam Pillay and thank you for accommodating his absence. As we know that he has been working very hard in the Ba district in respect of the coordination of ration supplies and I would like to publicly acknowledge him for the hard work. He has been there for over a week or so and he goes back there again. Thank you. You have done a fantastic job.

(Applause)

HON. A. SAYED-KHAIYUM.- Madam Speaker, the delay in the implementation of the Child Protection TOT was due to the delay from United Nations International Children's Fund (UNICEF). As you know that Ministry of *iTaukei* Affairs is partnering with UNICEF and because of the delay on that part, that is why there was a delay. The TOT is now implemented in the fourth quarter and the Child Protection TOT has been reviewed twice in the years 2016 and 2017. Both the reviews were actually funded by the UNICEF. The implementation of the Code of Conduct for *iTaukei* institutions is ongoing based on the Annual Corporate Plans from 2015 to 2018. Lastly, but not the least, the review of the provincial council, *mata ni tikina* reporting template has been completed and there are currently two women appointed, which of course has improved from the past.

Madam Speaker, I understand that there were some comments made about the board members in respect of Airports Fiji Limited. In 2015, Madam Speaker, which was recorded, there were four board members which is a board requirement for the quorum and of course we have been accused in the past of not appointing the right people and now we are being accused of not appointing enough people. Madam Speaker, the fact of the matter is that these four board members that were there in 2015 in the Annual Report are quite capable. Of course, since then, a couple of them have changed and then we got a few other new ones in that respect but I think everyone in this Parliament would agree that the improvements at Nadi Airport is quite phenomenal compared to what it was, Madam Speaker. We hope to have the Honourable Prime Minister carry out the official opening of the AFL at the end of May. That is what we are targeting to do. Madam Speaker.

The reality is, it is quite a serious matter to have actually your gateway to your country up to international standards and I think it is not a joke. The fact of the matter is that it creates a first impression and the last impression. As you can see, there are a number of changes that have taken place and it is quite phenomenal as you are getting out of that airport and also the experience that leads up to that.

We recognise the facts in respect of the Public Trustee Corporation. There is obviously a lot more room for improvement and the way forward of course is the further computerisation and the manner in which the trust funds are managed and that work is continuing and I would like to once again thank the Honourable Members of this Committee for the Report. We, of course, continuously are seeking to improve some of the issues highlighted in the Ministry of Health and Medical Services are being addressed to increase funding and of course with the Civil Service Reforms. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Parmod Chand.

HON. P. CHAND.- Madam Speaker, just a very short one. As the Attorney-General said, the gateway to Fiji is very important and I do agree that the Nadi International Airport looks really good. But as you come to the Waiqele Airport in Labasa, for so many months there are big pot holes there and not being covered. Every time it rains, it is filled up with water and people have to come across that. That is also a gateway to the Friendly North. It really needs to be done up. It is very, very important, I do see some of the things here in the report.

HON. A. SAYED-KHAIYUM.- At the runway?

HON. P. CHAND.- Not the runway, the entry to the Labasa Airport, the airport compound, the road that leads up to there is really bad. My request to the Government would be, whilst we have a good report, the Committee has done a very good report on many of these things, but that needs to be looked at too because the Northern Division is also growing and we need people to come in and go out and see something nice right in front when they are entering the airport.

HON. SPEAKER.- Thank you. Honourable Minister for Youths and Sports.

HON. LT. COL. L.B. TUITUBOU.- Thank you Madam Speaker. I just want to contribute to the Report on Youth and Sports and the Fiji National Sports Commission. I must say that we have improved our status on the gender policy in having women taking part in sports as I had mentioned in my Ministerial Statement. I must thank the Standing Committee on Social Affairs for its report. I also thank the Honourable Members for their comments, but the Ministry is looking at it and I would like to emphasise this afternoon to the Honourable Members that the Duke of Edinburgh Awards, if we could encourage our youth to join the Awards because it brings about leadership and discipline. We are going out and conducting awareness in schools but they take it differently. It is open to the clubs, schools and the teachers.

HON. SPEAKER.- Thank you. I now give the floor to the Chair of the Social Affairs Committee.

HON. V. PILLAY.- Thank you Madam Speaker. I have no further comments.

HON. SPEAKER.- Thank you. Parliament will now vote to note the content the report. Does any Member oppose the motion?

(Chorus of 'Noes')

HON. SPEAKER.- There being no opposition, the report is agreed to unanimously.

Motion agreed to.

### **REVIEW REPORT ON THE PETITION OF NAVISABASABA VILLAGE**

HON. SPEAKER.- I now call upon the Chairperson of the Standing Committee on Social Affairs to move the motion.

HON. V. PILLAY.- Thank you Madam Speaker. I move that:

Parliament debates the report on the petition of Navisabasaba Village, Nadroga which was tabled on 9th February, 2016.

HON. SPEAKER.- Do we have a seconder?

HON. A. NABULIVOU.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- I now invite the Chairperson to speak on the motion.

HON. V. PILLAY.- Thank you, Madam Speaker. The Honourable Acting Prime Minister, Honourable Ministers, Honourable Leader of the Opposition and Honourable Members of Parliament: On behalf of the Honourable Members of the Standing Committee on Social Affairs, I take this opportunity to speak on the motion in regards to the petition which was tabled to Parliament by Honourable Viliame Gavoka on 24<sup>th</sup> August, 2015 for the review of land related requests that was made by the *Mataqali* Leweinadroga of Navisabasaba Village in Nadroga.

Madam Speaker, in brief about this petition, it is about the *Yavusa* Louvatu which consisted of *Mataqali* Leweinadroga, Tokatoka Nakabati of Navisabasaba Village, Nadroga to sign the petition and was supported by another *yavusa* known as *Yavusa* Leweiqere which consisted of three *mataqali*, these includes *Mataqali* Leweinaisalavadra, Leweiqere and Leweiveidrala.

Madam Speaker, the main objective of the petition is for Government to allocate a piece of land for village boundary extension.

At the outset, the Committee Report on the Petition is a bipartisan one with comprehensive contribution from all Members of the Committee from both the Government and the Opposition parties. The Committee acknowledges the submission and the technical support provided by the iTaukei Lands and Fisheries Commission, iTaukei Lands Trust Board, Ministry of Lands and Mineral Resources, the Nadroga/Navosa Provincial Council, *Mataqali Lewe i Nadroga*, *Mataqali Lewe i Qere* and *Mataqali Lewe i Veidrala*.

Madam Speaker, I would like to confirm to this august House that the Committee had conducted two days of consultations in Nadroga which involve the respective Government Departments, the three *Mataqali* representatives and a follow-up consultation was made in Navisabasaba Village for the Committee to get the views of Village members.

Madam Speaker, the Committee acknowledges the contribution of stakeholders in consultations in trying to address the village boundaries extension issue in Navisabasaba Village. This land issue was raised by the *Mataqali Lewe i Nadroga*, *Tokatoka* Nakabati as their piece of land that they rely upon for farming and other activities had been committed or given up for village setup which everyone from the other three *Mataqalis* are using at the moment.

Madam Speaker, given the evidence received and the village land boundaries being physically surveyed by the Committee with the support of all the relevant land authorities, the Committee recommends the following as a way forward to address the issues:

Recommendation No.1:

1. For short term solutions, that these relevant Government Departments which include the:

- 1) Ministry of Agriculture;
- 2) Ministry of Fisheries;
- 3) Ministry of Forests;
- 4) Ministry of Lands and Mineral Resources;
- 5) Ministry of Local Government, Housing and Environment; and
- 6) Ministry of iTaukei Affairs,

to conduct a comprehensive ground survey across Navisabasaba Village boundaries and provide the necessary advice, training and capacity-building the village on how to utilise their available piece of land and sea which are within their village boundaries and these include housing setups in the Village, farming development of which natural resources for commercial purpose and house to sustain water supply in the Village.

2. The iTaukei Land Trust Board, the Roko Tui Nadroga/Navosa, the Fiji National Provident Fund and the village of Navisabasaba to meet and discuss options on the available land which could be used for village boundaries, extension, including farming.
3. That the Village of Navisabasaba to follow the proper procedure and process in applying for agricultural lease and their agriculture lease application to be considered for approval by relevant Government Departments.

Madam Speaker, with those few comments on this Committee Report on the Petition, as the Honourable Member moving the motion, I thank you for this opportunity. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The motion is now open for debate and I invite input, if any? Honourable Viliame Gavoka?

HON. V.R. GAVOKA.- Thank you, Madam Speaker. As highlighted by the Chairman of the Standing Committee of Social Affairs, I was the one who brought that Petition to Parliament. These are the people of Navisabasaba, the three *Mataqalis* from my area and also people who are very close to me.

The Report, Madam Speaker, is very comprehensive and in-depth and I would like to thank the Committee for carrying out the consultation to the degree that it went to because it not only highlights the problems at the Navisabasaba, it can be applied anywhere in Fiji today.

Madam Speaker, it has been established that Navisabasaba, a Village that is sitting on the land that is very limited, very small compared to the size of the population. The *Roko Tui* in their Report has highlighted that the Village is over-populated.

Of the three *Mataqalis*, one has 4 acres of land, one has 7 acres of land and one has 26 acres of land and this is in a village of 300 people hence they approached me with their Petition to present to this Parliament on whether we could look at ways to make some land available to them.

Right next to the village, Madam Speaker, is a Crown Grant (986) with about 998 hectares of land, a couple of thousands of acres. This is land that used to belong to CSR and was returned to the Director of Lands in 1974 and it sits right next to the Village and the people notice that the land are mostly idle, hence the request by the Village of Navisabasaba, if they can have some of that land.

If you look at the reports, we have spoken with the Director of Lands, with people in authority that there are complications, they cannot go and occupy that land. They have tried to lease, the recommendation has been made by the Committee to go through the proper channel and apply through the Director of Lands because they have done that but today the application has been mostly unsuccessful.

On that land, Madam Speaker, about 231 leases of which 74 are almost expiring and what it is, Madam Speaker, is that a lot of these idle land are owned by people who reside away from that land, they do not live there. So you can imagine 300 people, very confined area, living next to almost 4,000 acres where no one lives in it and they know that it is Crown grant, it belongs to Government. So, they come to the Government and say, "Please, can you find a way to give us some of the land". It is a phenomena, Madam Speaker, that is not only in Navisabasaba.

I sit in the Standing Committee on Economic Affairs and we are scrutinising Bills No. 19 and 20 and in many areas in the Western Division and indeed in Macuata, a lot of land (Crown grants) are also lying idle and people are living overseas.

If you do not do something about it now, it can create some problems down the line. Someone will just say, "Look I need this land, no one is living on it, I am just going to go and occupy it." So we need, Madam Speaker, to look at it and bring some legislation to try and resolve this. If you are not living on that land, if you are living away and you are not using it, let us create some legislation. I know it is a contract, a lease is on that land. I know it is a contract that has to be respected but I think it behoves us given the problems that we see today to consider some legislation to help people like not only those at Navisabasaba but also the people of Vusama in the Natadola vicinity who need land. They have also been squeezed into very small parts of piece of land right next to the Natadola Complex.

If you look down the line, Natadola is going to be like Denarau, there are no two ways about it. Natadola was identified by Ratu Sir Kamisese Mara back in the 1970s. He first identified Denarau to be



first in terms of that kind of development, and it will happen. We now have the Inter-Continental, the Residential Development, Shangri La has 900 acres. Again, we have a good government where we are hearing about that.

Can we look at a legislation to accommodate our people who are crying out because, picture down the line where Natadola becomes like Denarau and you have the people of Navisabasaba and Vusama living in areas that are inadequate for their survival, picture that? That is what we should try and look down the line and visualise that. It is going to be very problematic. Natadola is going to be a very wealthy area, we are going to bring in the rich and famous. Already, our Government here is spending \$9 million a year to come and spoil the rich and famous to play golf. It is going to get bigger, so let us do something now to find a solution to help the people of Navisabasaba and Vusama in that area.

Madam Speaker, that is the gist of what is being discussed here. Surely, we can come up with a legislation, there must be a way we can resolve this as opposed to leaving our people at Navisabasaba and in Vusama landless in this day, and especially in the future like I highlighted, as Natadola and the environment begin to grow.

So, Madam Speaker, that is why we are with the petition, with the Committee and again I am grateful to the way they did it. It was very comprehensive and as I said, if you read this, you can apply this to many other areas in Fiji, even in the cane fields, Madam Speaker, a lot of these lands are not being productive. There used to be cane land before, they are sitting idle and no one can touch it because there are absentee tenants who live away from the land.

So, Madam Speaker, that is what the petition is all about and I would just urge this Parliament and the leadership today to try and resolve this issue. I think we have to craft a new legislation, do not take away anything from anyone but find a way to accommodate the wishes on the people of Navisabasaba and also the other areas in Natadola.

HON. SPEAKER.- Honourable Leader of the Opposition.

HON. RO T.V. KEPA.- Madam Speaker, on this particular Petition Report that has come before the House, I would like to thank the Standing Committee on Social Affairs for this Report because it is very good and they have gone to a lot trouble to carry out their responsibilities.

Now, Madam Speaker, just a bit of a background to the petition as according to the Standing Orders in 2015 when this was brought up, “A petition could be brought in by concerned citizens on issues important to them and it will be presented to the relevant Standing Committee for proper deliberation and in consultation with relevant stakeholders and recommendations brought back to the Parliament for decision” as this one is doing, Madam Speaker.

Sadly, Madam Speaker, powers that be have shut this route down, brought up at the Parliament Window, thrown in a 40-percent requirement through a Standing Order Amendment which cuts off the opportunity for ordinary everyday Fijian to bring in longstanding issues, and regrettably this Petition is perhaps one of the last ones to come in during this current term of Parliament.

Madam Speaker, on the Navisabasaba recommendations of which there are three, I will just speak very briefly on this.

At the time of the report which was at the end of 2015, there were 290 members at this Village. Today, it could be 300 plus with 63 percent below 35 years. So, it is a youthful population living on 26 acres of land that will have its own implications, Madam Speaker, as alluded too by the Honourable Gavoka.

The Roko Tui Nadroga has brought in the Ministry of iTaukei statistics on the Village situation where it states that this Village is over-populated so whichever way you look at it, Madam Speaker, the land is insufficient, inadequate and supporting this growing youthful population, proper facilities for each family spaced between the dwelling houses, the vacant space, the *rara*, it is very difficult to fit all these in.

Madam Speaker, I have to declare my interest here because I have a great uncle who fell in love with a woman from this village many years ago, and I remember going to this beautiful village on the train and we used to look forward to it, going through the sugarcane fields and arriving at this beautiful village. I did not realise that it was so small, with only 26 acres. So it is too small to cater for these 300 plus population. The only growth here, Madam Speaker, will be in the village population over which they have very little control. If nothing is done to increase the land acreage, the village will start looking like a squatter settlement.

However, Madam Speaker, in Recommendation No. 2, right next door to the village, there could be a solution. So I will not go into that, Madam Speaker.

About this large tract of land which is over 2,500 acres in total, this land was previously owned by CSR and purchased by the Director of Lands in 1974 as CT5149. So who owned this land, Madam Speaker, prior to CSR? If we go back in time somewhere along that timeline it will appear that the original landowners probably going back to Noah's time, Madam Speaker, was one or more of this *Mataqali*, now residing in Navisabasaba Village or Vusama Village.

So, hopefully, Madam Speaker, this land will come full circle and Navisabasaba and Vusama Villages will be provided through due legal consideration land that will meet their requirements. So, that was very brief.

May I talk on this particular report, Madam Speaker, I support the recommendations in the report and pray that the villagers will resolve the issues that are highlighted in the report. I would like to thank the Chairperson and the Committee for this empathetic and understanding Report which highlights the realities of the village situation in Navisabasaba and Vusama. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Prem Singh?

HON. P. SINGH.- Thank you, Madam Speaker. This is a short contribution. I thank the Committee for the report and it was by way of petition that this particular *mataqali* is looking for more land to accommodate its people. They have made three recommendations.

Madam Speaker, I just like to make one clarification, the crown grant that is being talked about, this is part and parcel of our legislation, that if there is a legal contract by way of a lease between the lessee and the lessor, then it is really difficult for the lessee to re-enter without any proper reasons. How they can do that? In this case, I believe 74 leases are cane farms or residential leases unless there is a breach, then re-entry can take place.

Let us not have a situation where emotions rise above reasons. We all sympathise with this and these three Recommendations, particularly Recommendation No. 1 is a short-term solution.

Recommendation No. 2, Madam Speaker, FNPF has breached the lease conditions to meet and discuss the breach, that is what it says. That showed that for FNPF to do that because FNPF is a very competent organisation.

Madam Speaker, Recommendation No. 3 - the Committee has gone beyond, I believe, in terms of reference, when it says, 'agricultural lease application be considered for approval by the relevant Government Department after consultations'. So Madam Speaker, there are avenues in place where the *mataqali* has to follow the due processes of law which is, make applications in respect of any State land that is vacant, but as far as the land is concerned and if it is leased, if it is under contract then it becomes very difficult as I said. If it is a sugarcane lease which is agricultural lease, then if the lessee does not cultivate or plant sugarcane or other crops for three years, then the Sugar Industry Tribunal can move in and transfer the contract and that becomes a breach.

So, as far as the 74 leases are concerned, if the lessees whether they are in Fiji or out of Fiji and they keep paying their rental and they are lacking breach of any of the conditions of the lease, then it becomes quite difficult for the Lands Department.

The second one is the land buyback system. During Rabuka's days there was a land buyback system but that was taken away. There is no provisions on that and the Assistant Director of Lands has mentioned it in one of the Reports.

The land buyback system would have been an option at that time, but under the present circumstances that option is not available. In a sense what I am trying to say is, when you have irrespective of land being idle, then for security of tenure of people for agricultural leases or residential leases or even commercial leases, we must send out a very clear policy as to how we can address the situation. And I think the three Recommendations, sort of, put in a nutshell as to how the *mataqali* can go about it. The applications are made, well if there is no response from the Lands Department then that is an area that we can look into but we can facilitate that application to the process on the availability of the land. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Dulakiverata?

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. I would like to thank the Committee for a very good report and I would like to make a brief comment on their Recommendations. To start with, Madam Speaker, I would like to commend the people of Navisabasaba for not being tempted to enter those land, even though they are vacant. They have to follow the law to see if they can have access to that land.

As the Honourable Member had already said, the land is now a State land and the onus is on the Ministry of Lands to find out if the lessees are still paying the rental and also if the lease conditions had been breached. So that would give them the right to repossess the land and by then, it would open the door for negotiation with the people of Navisabasaba.

I also go along with the recommendation by the Honourable Gavoka that we should look at the legislation. Before I come to that, Madam Speaker, this is an example where we can prove the notion wrong that all Fijians have land. Most Fijians do not have any land at all. The *iTaukei* and some of them have very little. One good example here is Navisabasaba. So to come back to the legislation we have to review the legislation to address these big tracts of land that are owned by individuals - these land mostly in isolated areas and now they have been accessible, some have been accessible where one or two landowners are living on the land and they are not developing it. They have benefitted from the development of the road, electricity, water, et cetera. All landowners in Fiji do not pay taxes to Government. These people have benefits to all these developments going on, on their land.

Maybe the Government should devise a legislation, to address these people who have this vast area of land that they do not occupy. They live in overseas and this land could be developed by the Government for the economic development of this country. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Samuela Vunivalu.

HON. S.B. VUNIVALU.- Madam Speaker, I rise to make a short contribution and I want to thank the Committee for this Report.

Madam Speaker, for the *iTaukei* people, we do have *yavusa*, *mataqali* and *tokatoka*. I know that a petition was brought up by the Honourable Gavoka and he knows how this land was sold. This land, Madam Speaker, was sold so it is a crown grant. This land can only be leased by the people of Navisabasaba by law and the question is, who sold this land to the Colonial Sugar Refinery (CSR)?

The *Mataqali* of Leweiqere or Leweinadroga or Leweinasalavadra, are they aware of who sold the land? Of course, Madam Speaker, we feel sorry for them now that they do not have the land. They only have 26 acres where the village boundary is and all those portions of land used to belong to the *Tokatoka*, *Mataqali* and *Yavusa Louvatu*. The question iwhich was not raised up by Honourable Gavoka, who was responsible for the selling of the land of the people of Navisabasaba with due respect of their *mataqali* and their *tokatoka*?

That is where we are now. They are there, the petition is here but the land belongs to the Crown. We feel sorry for the people of Navisabasaba, but Madam Speaker, if we go further the person who was responsible for selling the land of Navisabasaba should provide the land for them because the land in Nadroga and Navosa is quite big. If the chiefs of Nadroga can look into this issue and realise what Parliament is on debate now and maybe the chief can utilise his power. Who knows, maybe the chief sold off the land, we do not know. They know, who knows?

Madam Speaker, I feel sorry for the people of Navisabasaba. We have been there, we have seen them and only the chiefs of Nadroga and Navosa has got the power in which they have very big land in Fiji. They can provide land for them. Thank you Madam Speaker.

(Honourable Member interjects)

HON. SPEAKER.- Honourable Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker. I heard Honourable Vunivalu's comments and what Honourable Gavoka is saying. In fact, Madam Speaker, I think we need to give respect to what Honourable Vunivalu said. He may not be the best of people who can articulate, so let us not make fun of him, but I think he raised a lot of pertinent issues and in fact it goes to the heart of the issue.

The Honourable Leader of the Opposition talked about earlier or maybe some time back, who owns the land. Yes, and maybe whichever way it was disposed of to the CSR or the Colonial Government or whatever it is, the fact is that as provided for under the 1970 Constitution when the Ratu Mara Government came in, no one changed it. No one reversed it, they maintained the land tenure system as it was. You had the Ratu Sukuna land findings they went all over Fiji to do the boundaries. We used to have 22 provinces, today we have 14 provinces. There are lots of changes that took place.

The preservation of the land titles continued in the 1970 Constitution. The 1990 Constitution, the 1997 Constitution and carried through now in this Constitution. That is the law. To try suddenly somehow or the other, the Leader of Opposition to say, let us wind it all back when she was in Government, why did they not do that? The land tenure position of the Navisabasaba people was not no different then.

Madam Speaker, let us not boil down to some kind of triteness talk but talk with intellectual honesty, as we are talking about.

The first recommendation, I would like to thank the Committee for the work, was about training capacity building to the village on how to utilise their available piece of land, et cetera.

Recommendation two was that to meet and discuss any possible breaches of the lease. I have been given a note by the Permanent Secretary for iTaukei Affairs as to inform us that the team from iTLTB, Roko Tui Nadroga-Navosa based on the Committee's recommendation has visited the village of Navisabasaba and clarified that the lease was approved with the villager's consent and there are no further issues to be discussed in respect of, whether the lease was given properly or not, we have established that the lease was actually given with their consent.

Madam Speaker, Recommendation 3 again talks about procedures to be followed and again Honourable Prem Singh on one of those rare occasions actually made some very useful points where he does talk about the fact that procedures need to be followed. And in fact this petition goes to the point of this petition again, and this is in a way an abuse of the process.

Madam Speaker, the fundamental issues from the beginning was that the people of Navisabasaba do not have enough land because the village is expanding, the population is expanding. They want to access to land. That is the fundamental point and the fundamental point can be addressed by them as Honourable Prem Singh has highlighted, go and apply for leases, go and approach other landowning unit for leases. There is a land adjacent to the village which they believe they can have access to, they need to apply for that. That is the procedure, Madam Speaker.

Now if you start making exceptions, the very thing that they talk about will be undermined which is the rule of law because every person must be equal before the law. The procedures of application for leases or anything else must be applied equally to everyone. There are numerous squatters in Fiji, why are we not thinking about them also? They are "yes" Honourable Dulakiverata has highlighted, there have been some landowning units that used to be landowning units, they have actually been squeezed out of the landowning system where they may have not access to land. It is not many, but there is a few or one or two, or three or four. But there are, some of course, the size has grown and the land is not enough. Those issues need to be addressed and they need to be addressed within the context of providing accessibility to line within that greater context, Madam Speaker.

So, Madam Speaker, the reality is that here we have a situation where we have a group of people that no longer have access to land or enough land, they need to access to land and we must try and facilitate that. Honourable Prem Singh also highlighted to land adjacent to that, there may be leases there and they simply can take over that land.

I agree with Honourable Dulakiverata that the people of Navisabasaba had not gone and illegally occupied the land and we appreciate that; they must be commended for that. But should there be any leases available there, then they should apply for it and they should be equally treated like everyone else, but simply because of a petition has been brought in, it was probably misplaced in the first place, it does not give them the right or ability to go and squash other leases without adhering to the law. Honourable Prem Singh is quite correct that if a person has not breached the lease as per the lease conditions, we cannot go and occupy it. But there are numerous people who are leasing land, Crown land and *iTaukei* land who are breaching it. There is no doubt about that. There are lease holders who are breaching it and they need to be taken to task by the Lands Department and also by the iTLTB.

In fact, we have noticed ourselves and we are quite aghast by the fact that they have not actually adhered to the lease conditions by the iTLTB or in some instances now very few where iTLTB has

actually not moved into the leases and they need to do that. And if those people are not adhering to the terms of condition of the lease, they need to be removed, the leases will be terminated and other people who will actually adhere to leases should be given leases, no doubt about that.

Madam Speaker, I am concerned about what Honourable Dulakiverata is also saying that somehow or the other we should nationalise lands and that is what he is proposing. We cannot simply nationalise land, Madam Speaker, I mean technically speaking, most of the resorts are run by absentee landlords because the landlords are actually, are not necessarily here. So we need to be able to ensure, Madam Speaker, when we actually talk about issues such as taking over land because people are absentee landowners, we do look at the conditions. If it is leased land, and they are breaching the leases, by all means we need to go and fulfil the condition of the lease and if they do not fulfil, you can take over the lease, if they are not adhering, no problem. They should do that.

The iTLTB should do that, Lands Department should do that, but if they are not breaching, we cannot enter. So, Madam Speaker, again I just wanted to highlight the issue that there are numerous instances such as this and it is not only about people who live in villages, there are numerous other groups of people who do not live in villages, who live in urban areas, who are workers in the various urban centre corridors who do not have access to land also, Madam Speaker. It must be addressed through the housing issues we have, accessibility to land, it goes through problems of such an equity in terms of social welfare problems. So, we appreciate that.

I would like to thank the Committee, they obviously have done a thorough job in respect of the consultations that they had. Honourable Vunivalu did raise a very pertinent point. I think when we discuss these issues, if you want to start going back into time, you need to look at what had happened, actually subsequent to that, and what we are proposing, will it actually affect the financial system in Fiji because people lend monies to people based on the representation of the law. If there is a 99-year lease given to someone, the bank will take that as secured tenure and will rely on the representation of that lease and based on that lease, will lend that person or that company money.

We, as Government cannot come in and change the rules half way through, because no one will then lend any money to anyone. So, we have to realise the impact of that.

Madam Speaker, I just wanted to highlight to Parliament the issue that was raised by the Permanent Secretary of iTaukei Affairs in respect of recommendation 2. We, of course, empathise with the people of Navisabasaba and we must look at ways as to how we can assist them and we encourage them to also apply for leases in the nearby lands and various other places not just the Crown land that is there. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Chairperson would you like to give your right of reply.

HON. V. PILLAY.- Thank you, Madam Speaker. Madam Speaker, I have no further comments.

HON. SPEAKER.- Thank you. Parliament will now vote to note the content of the report. Does any member oppose the motion?

(Chorus of "Noes")

HON. SPEAKER.- There being no opposition, the motion is agreed to unanimously.

Motion agreed to.

## **REVIEW REPORT ON THE NATIONAL FIRE AUTHORITY 2012 ANNUAL REPORT**

HON. V. PILLAY.- Madam Speaker, I move that:

Parliament debates the Review Report on the National Fire Authority 2012 Annual Report which was tabled on 24th April, 2017.

HON. SPEAKER.- Do we have a seconder?

HON. A. NABULIVOU.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- I invite the Chairperson of the Standing Committee on Social Affairs to speak on the motion.

HON. V. PILLAY.- Thank you. Madam Speaker, the Honourable Acting Prime Minister, Honourable Ministers, Honourable Leader of the Opposition and Honourable Members of Parliament: On behalf of the Honourable Members of Social Affairs Standing Committee, I take this opportunity to speak on the motion in regards to the Committee Review Report on the National Fire Authority 2012 Annual Report which was tabled in Parliament on 24<sup>th</sup> March, 2018. The Review Report on the National Fire Authority 2012 Annual Report is a bi-partisan one which is input from both sides of the Committee.

Madam Speaker, the National Fire Authority in 2012, out of the 95 fire incidents, majority of 91 percent of the fire incidents happened to residential properties, commercial fire of 9 percent and other related incidents.

Madam Speaker, the Review Report does not have any major issues to recommend to Parliament for consideration, however the Committee has noted that the contents of the NFA 2012 Annual Report anticipates that within the past six years, corrective actions have been taken by NFA to address the challenges that were faced in 2012 and that may have affected the delivery of the services.

Madam Speaker, with those few comments as a Member moving the motion, I thank you for this opportunity.

HON. SPEAKER.- The motion is open for debate. I invite inputs, if any. There being no input, Chairperson would you like to speak in reply.

HON. V. PILLAY.- Madam Speaker, I have no further comments.

HON. SPEAKER.- Thank you. Parliament will now vote to note the content of the report. Does any member oppose the motion?

(Chorus of 'Noes')

HON. SPEAKER.- There being no opposition, the motion is agreed to unanimously.

Motion agreed to.

**RESUMPTION OF DEBATE ON THE  
FINANCIAL TRANSACTION REPORTING (AMENDMENT) BILL 2018**

HON. SPEAKER.- Pursuant to resolution of Parliament passed this afternoon, the Financial Transaction Reports (Amendment) Bill 2018 will now be debated, voted upon and be passed. Debate will be limited to one hour.

I now call upon the Acting Prime I now call upon the Acting Prime Minister, the Honourable Attorney-General to move his motion.

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

That the Financial Transactions Reporting (Amendment) Bill 2018 be considered by Parliament now.

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

HON. SPEAKER.- I now call upon the Acting Prime Minister and Honourable Attorney General to speak on his motion.

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

The motion is to seek the amendment, Madam Speaker, to the Financial Transactions Reporting Act.

Madam Speaker, by way of background, the Transactions Reporting Act 2004 regulates financial institutions such as banks, foreign exchange dealers, insurance companies and credit lending institutions to name a few.

The Act, amongst other things, requires financial institutions to put in place stringent systems and procedures for doing business with customers to ensure that Fiji is considered a financial secure place to conduct financial transactions.

Section 40 of the Act currently imposes liability on directors and other officers involved in the body corporate for any contravention of the Act by the body corporate itself.

This provision, Madam Speaker, has received numerous feedback. Whilst it is prevalent in some other jurisdictions, it is seen to be too stringent as it applies the strict liability with no available defence.

Currently, Madam Speaker, Section 40 says:

“Where anybody corporate is convicted of an offence under this Act or any regulations made under this Act, every director, controller or officer concerned in the management of the body corporate must be guilty of the offence where it is proved that the act or omission that constituted the offence took place with that person’s knowledge, authority, permission, or consent.”

What we are proposing, Madam Speaker, is that which should read now as highlighted in clause 2, if a body corporate commits an offence under this Act or any regulation made under this Act, an officer also commits the offence and is liable to the penalty prescribed for the offence whether or not the body



corporate has been prosecuted or convicted. If the officer fails to prove that he or she had taken all reasonable steps to prevent the commission of the offence by the body corporate.

For the purpose of sub-section (1) in determining whether things done or needed to be done by an officer constitute reasonable steps, a court must have regards to:

- a) What the officer knew or to have reasonably known about the commission of the offence by the body corporate;
- b) Whether the officer was in a position to influence the conduct of the body corporate in relation to the commission of the offence;
- c) Any other relevant matter.

For the purpose of this section, Madam Speaker, as highlighted in the amendment, an officer means a director, officer, employee, agent or consultant of the body corporate.

So, therefore, Madam Speaker, this amendment seeks to replace Section 40 of the Act to effectively clarify the liability of officers for corporate offences.

The Bill now includes a defence for officers of bodies corporate that the burden rests on the officer, still to prove that he or she had taken all reasonable steps to prevent the commission of the offence by the body corporate.

As highlighted earlier on, Madam Speaker, some of our existing laws in Fiji also have seen the provisions which includes:

- i) Section 34 of the Accident and Compensation Act which was unanimously approved by Parliament in July last year;
- ii) Section 51 of the Security Industry Act 2010;
- iii) Section 36 of the Tobacco Control Act 2010; and
- iv) Section 186(f) of the Consumer Credit Act 1999.

Similar provisions exists in New Zealand:

- i) Section 36(h) of the Financial Reporting Act 2013; and
- ii) Section 119 of the Trademarks Act 2002.

United Kingdom in Section 14 of the Bribery Act 2010, which is also similar.

Australia also has a similar provisions in the Australian Capital Territory, New South Wales, Queensland, South Australia and Victoria.

So, Madam Speaker, as can be seen, you have the ability with the amendment that is being proposed that you have the body corporate itself which is a person, which seems to be a person, a legal person that can be charged also and found guilty and normally they get fines but it can also have the officer that can be also held responsible and the officer now in this particular instance is able to segregate themselves, if you like, from the body corporate but also at the same time have the ability to have their defence. For example, if a teller does something that is not right, receives, for example, terrorism money or does something that is not permissible under the law, then his or her manager or the director of the bank has the defence to say, "Look we did everything, we rolled out the procedures, we have held training sessions for them, and therefore you should not hold me liable, you can hold them liable." So at the

moment, the law actually holds them culpable in any case, whether or not they have done the training or not. So this is what this provision actually does.

In a way, it is more in alignment with what we have been trained to do as far as the law has been concerned in Fiji for a number of years. But as you see in some other jurisdictions, in particular in USA or in some of the other so restricted jurisdictions where an offence or a derogation of anyone in that organisation can hold the entire organisation, even up to the Director is liable for that. So this makes the difference in that demarcation, if you like, and that is the amendment we are seeking.

Madam Speaker, I would like to also highlight that all the financial institutions, all the mainstream banks in Fiji are foreign-owned banks. The only non-foreign-owned bank is HFC. As you know, until recently, all of the banks were foreign-owned. We used to have a National Bank which, of course, went under the SVT Government but then we had all foreign banks. We have now got Home Finance Company (HFC) which is the only locally-owned bank. So there is, of course, a vast amount of our bank trading done by these foreign banks. They have requested this amendment, Madam Speaker, because the countries in which they also operate have similar provisions where they are able to provide these kinds of defences too.

HON. SPEAKER.- Thank you, the floor is now open for debate, and I invite input, if any? Honourable Semesa Karavaki?

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. I rise to contribute to the debate on this Bill. I understand from the drafting of this Bill, Madam Speaker, that this is a strict liability section, offence being imposed under this section where the burden of proof shifts to the defendant and no longer the prosecution.

My difficulty, Madam Speaker, is that without the Bill, the law clearly stating on the conduct that is taken by the defendant which can be concluded that the defendant had committed an offence, without that I have some difficulties in understanding this Bill, because without prosecuting someone, there cannot be a determination whether that person has committed an offence or not.

It is only after prosecution then it will be determined that he is guilty of the offence and thereby, would be convicted. But this amendment, says "Whether or not the body corporate has been prosecuted or convicted". My understanding, it means that without prosecuting the body corporate, the body corporate would be able to be found guilty of an offence. That is what is written over here.

If I can read, "If a body corporate commits an offence under this Act or any regulation made under this Act, an officer also commits the offence and is liable to the penalty prescribed for that offence, whether or not the body corporate has been prosecuted or convicted." That is what it says. If the body corporate has not been prosecuted, my understanding is that you cannot find that body corporate guilty of an offence and therefore, be convicted. But the beginning of this section says, "if he commits an offence, it must go through the process of prosecution because the burden shifts to the defendant and the defendant must prove that he did not commit the offence", that is what it should be. But now it says that without the body corporate being prosecuted and you also say "or convicted". It appears here that conviction is a substitution, it can be a substitution of prosecution, no it cannot. If you are prosecuted and convicted, that is the way it should be. You cannot say you are prosecuted or convicted because conviction can only come after the person has been prosecuted. After that then it is determined whether the body corporate also commits an offence. I mean the officer also commits an offence. But without that, Madam Speaker, I would say that this section, amendment is defective in itself, in law it is defective.

Why I am saying this, Madam Speaker, I would suggest if they take out, remove the part where they say, "whether or not the body corporate has been prosecuted or convicted." If they take that out and

also remove “if” but put “and”, this is defective, Madam Speaker. This is the problem of rushing laws into this House. I have said this many times before, Madam Speaker. It would be better to bring it today and we debate it tomorrow because it is possible changes to be made. But no, this is a very simple amendment and I find a lot of difficulties in understanding it. In law, I submit, Madam Speaker that this is defective and should be taken back and be corrected before it can be brought into this House again. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister for Waterways?

HON. DR. M. REDDY.- Madam Speaker, I wish to make a small contribution in support of this Bill. Unfortunately, I think the Honourable Member does not have a full understanding of the Bill. If you look at the corporate sector, Madam Speaker, you have the principal, the directors or the owners and you have the agents, the executive arm, Madam Speaker.

My general comment would be that this amendment actually gives confidence and trust to the principals about the agents running the business, the principals, the directors or shareholders because it ensures that those who are running the business, the agents, are also accountable. That does not mean that if the principal is charged then automatically they will be charged.

As the addition says, they have to prove that they did inform the directors or provided the information, Madam Speaker. My general comment would be that this amendment or this addition provides confidence and trust to the principals about the firm, the business that is being run by the agents, Madam Speaker, the executive arm.

Madam Speaker, this amendment means that knowledge holders of the company, the agents who shifts the misuse for private benefits can also be prosecuted. The current amendments can also capture an insider trading. It also addresses the importance to distinguish between the knowledge, belief, recklessness and any suspicion in relation to the severity of the offence. It can also capture other broad fraud schemes such as money laundering, et cetera, where more than one people are involved. It can also identify any transactions from proceeds to crimes, Madam Speaker, where more than one person or agents are also involved.

Madam Speaker, the Bill places a greater degree of responsibility on those with authority or dealing with financial transactions at the agent level to ensure that they are genuine transactions and avoid any dubious transaction which are committed under the pretext of valid corporate transactions.

Madam Speaker, the originator of the transaction first and foremost is liable. For the transaction, the onus is put on the agent to ensure that they must disclose full information and protect the principal as well.

So, Madam Speaker, I think this kind of seals the Financial Transactions Reporting Act 2018, and I think there was this Act which kind of created some degree of worry amongst the principal that nothing will happen to the agents, everything is loaded on them and the agents can put them on the spot, can do something and put them in trouble, Madam Speaker. So, now they know that, “Look, the agents can also be responsible and they must clear themselves up by saying ‘Look we provided, we forewarned the principal that we should not be doing this and they really pushed us to make this and that is why here is the e-mailed transaction, the warning, report that we gave them. Look, this is not acceptable and we should not be doing this.’”

So, Madam Speaker, I support the amendment. Thank you.

HON. SPEAKER.- Thank you. Honourable Prem Singh.

HON. P. SINGH.- Madam Speaker, just a short contribution. What this Bill or amendment does is, it makes the officers, agents or employees in cases of financial institutions liable for not reporting under Financial Transaction Reporting. Madam Speaker, let me give you an example, as the FIU which all banks, lending institutions report to, any transaction above \$10,000 is mandatorily provided to report to the FIU on a daily basis. Now, if a teller in a bank either he or she receives \$10,000 from a dalo farmer who during the season of harvest brings the proceeds of sale to the bank and he or she being the teller cannot reject that. She or he will have to accept that as a deposit. Now, I know why this amendment is coming as alluded to by the Honourable Attorney-General because most of our trading banks are foreign-owned and sometimes it becomes difficult to get to the right people if there is an offence.

This all comes about in unexplained wealth where when people bring moneys to the bank, sometimes no questions are asked but reported. So, Madam Speaker, what concerns me is that, as highlighted by the Honourable Semesa Karavaki, the body corporate sometimes can just escape liability because the officers are the front line people and they would find out.

HON. A. SAYED-KHAIYUM.- Read the definition of “officer”

HON. P. SINGH.- These officers, Madam Speaker, which include directors, managers, agents, consultants and everyone, so talking about the concept of a bank, the managers, the assistant managers, accountants, head tellers, credit officers - all these people, anyone of them who somehow do not comply with it, whether they have been provided with proper training or not, sometimes this is just a shift, then the whole burden sifts to that person.

What I am suggesting is that the body corporate be liable first in the first instance then they can pinpoint to whose negligence through whose inability to cater for the provisions to safeguard that particular body corporate and that is another matter. But if the body corporate are not prosecuted or convicted and the liability shifts directly to the employees, then liability are very unfair. Unfair in the sense, Madam Speaker, it depends on natural justice because the whole burden is shifted to them. They have to prove the not guilty part.

So, Madam Speaker, what is of concern to me is, the body corporate and escape liability and shift the whole burden to the employee because these are foreign owned people, they do not live here most of the time. They have a corporate structure, but that is my concern, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister for Fisheries?

HON. CDR. S.T. KOROILAVESAU.- Thank you, Madam Speaker. I will be make a short contribution on the general issue on corporate responsibility. I think any emotional presentation, like Honourable Karavaki has initially shown is basically try to plea on emotions and does not have any facts. If you look at this piece of legislation here, to me basically it just tells me of responsibility and liability - those two words are very important. It basically indicates the responsibility of all officers that are within a corporate body and the liability that they must face if they do not check what the transactions that are carried out in this financial institution.

It is very easy and it is very simple and if you compare a financial institution to a corporate body, it is basically the same thing. This is one of the things that business people nowadays are very fearful of, their personal responsibility towards the corporate body and the positions that they hold. As a Director now, you have to be fully responsible for every activity that happens within the company. You cannot hide behind that wall and say, “No, I am not aware of those responsibilities.” It is your responsibility to make sure that the people that manage your business they manage it well and there is no excuses and said “I was not aware of that transaction that has been carried out. It is a responsibility that everyone who deals with business to make sure that they know their responsibility; and make sure that the people that

manage the business for them understand the responsibility that they have been given. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now invite the Honourable Acting Prime Minister to speak in reply.

HON. A. SAYED- KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, it is a pity that Honourable Karavaki has left, I mean I have a soft spot for him but I do not want to be teaching you with 101 law.

Madam Speaker, if you read that law and this is the problem when they read only one part of the paragraph, essentially, Madam Speaker, what we are doing now is making it easier giving an escape if you like, for the officers also and it reads: "If a body corporate which is a legal person but not a natural person"

They are two distinct things. It is a legal person but it is not a natural person, it is not a human being, the student is an individual. If a body corporate commits an offence under this Act or any regulations made under this Act, an officer also commits the offence and is liable to the penalty prescribed for the offence, whether or not the body corporate has been prosecuted or convicted, "if" the officer fails to prove that he or she had taken all reasonable steps to prevent the commissioning of offence by the body corporate. It is a big "IF". So, Madam Speaker, I will give you the example.

Under Section 16 of Financial Transactions Reporting Act, it says, and I quote:

"Every person must disclose to the Unit" (which is the Finance Intelligence Unit)

- (a) the existence of any property in his or her possession or control, which to his or her knowledge, is terrorist property, or for which there are reasonable grounds to suspect is terrorist property;
- (b) the existence of any property in his or her possession or control, owned or controlled by or on behalf of a specified entity or for which there are reasonable grounds to suspect is owned or controlled by or on behalf of a specified entity;
- (c) any information regarding a transaction or proposed transaction in respect of terrorist property; ..."

Now, it has other information for example, the \$10,000 reporting business. The teller can take \$100,000 tomorrow if you go into the bank, but the teller has a responsibility to report it. It is mandatory to report it. It is mandatory to report anyone that brings in any transaction that is more or any amount of money more than \$10,000. You have to report it but you can accept it. If you believe also, it may be suspicious furthermore you have to report it.

The question then arises, Madam Speaker, is, has the teller being trained or not? Did the Director or the Manager or the Branch Manager do their job or not? The Branch Manager can say, "Well, I was not trained well enough by the Divisional Manager." The Divisional Manager can say, I was not trained by the Country Manager and the Country Manager can say, the Directors did not tell me to comply with this and this is why I have said to Honourable Prem Singh look at the definition of an "officer". An officer is the Director. The Director of ANZ sits in Australia or New Zealand. The Director Westpac sits in Australia or New Zealand the Director of Bred Bank sits in New Caledonia or France. You can go all the way up to there.

Now, there had been instances where a body corporate has committed an offence because of a breach of this compliance conditions but the company is shut down. You have seen that in USA, the

companies shut down over night. This is why individual directors of companies are now in jail in USA for 40 years, 8 years, 120 years for committing all these financial transactions, that they should not have actually committed these offences because they are now holding these individuals liable but the company is gone, finished because they have wounded it up and it is easy to do that. So, if you only had the company, the company is gone, it is not a natural person. A natural person does not disappear unless the person dies. So, this is why individuals and directors who can be sometimes shareholders or directors who actually sit and cook up things in their board rooms must be held liable too.

However, we are giving them an escape card and the escape card says, “if the officer fails to prove he or she has taken all reasonable steps.” In other words or conversely, if they show that they had taken reasonable steps then they cannot be held accountable. If they fail to show that they had taken all reasonable offences, then they are guilty of an offence but if they show then they can show it. No one has been denied natural justice. If your teller can show when he or she has been charged, then say, look I have to go reasonable steps, I actually reported it but my manager did not pass it on. That is the defence. It is a very simple law Madam Speaker, it is very simple, they have convoluted it concocted into something else. It is very simple, it provides what they call natural justice, and yes there is a very firm liability whether the burden of proof actually is reversed. Normally, traditionally in common law system the burden of proof rests on the prosecutor but as we have seen in modern day law making the burden of proof is reversed.

So, for example, as I have mentioned in the Security Industry Act in various other places, even in the Copyright Act, Madam Speaker, before the State or the owner of the copyright had to prove that there was piracy now the person against whom the piracy accusations has been made of has to prove that it is an original. The burden of proof has been reversed. So, this Madam Speaker, will give as Honourable Dr. Mahendra Reddy has highlighted that it will give this body corporate a particular level of confidence but everyone will still be accountable and Madam Speaker, we need to ensure that the Financial Transaction Report Act is adhered to. Otherwise we will be blacklisted.

There are countries even within the South Pacific at the moment where they do not have normal banking trading relationship, we are very lucky, our foreign exchange dealers are recognised, our banks are recognised, Samoa has got huge problems because of the fact that Fiji is very stringent in its adherence to the international benchmark that has been set in, in particular after the advent of terrorism, in particular after the advent of money laundering scheme that have taken place throughout the world. So, if we do not adhere to this Madam Speaker, you will be blacklisted. A lot more difficult to do trading with banks in Fiji, so this Madam Speaker, is a minor amendment but it is also substantial amendment in a sense it places Fiji at a forefront of continuing with our ability to adhere to international standards but at the same time provide provisions where the financial institutions feel comfortable. Thank you, Madam Speaker and I commend this Bill be approved by Parliament. Thank you.

HON. SPEAKER.- Thank you. Parliament will now vote. Pursuant to regulation of Parliament passed this afternoon the Financial Transactions Reporting (Amendment) Bill 2018 be debated, voted upon and be passed.

Does any Member oppose the motion?

(Chorus of “Ayes” and “Noes”)

HON. SPEAKER.- There being opposition, Parliament will vote on the motion.

Votes cast:

Ayes	:	27
Noes	:	10

Noted Voted : 13

There being 27 Ayes, 10 Noes and 13 not voted, the motion is agreed to unanimously

Motion agreed to.

Thank you and that brings to an end all the Items in today's Order Paper. The Parliament is now adjourned until tomorrow morning at 9.30 a.m. Thank you very much, Honourable Members.

The Parliament adjourned at 7.12 p.m.