

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

MONDAY, 26TH NOVEMBER, 2018

(SWEARING-IN)

[CORRECTED COPY]

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MONDAY, 26TH NOVEMBER, 2018

The Parliament met at 9.30 a.m., pursuant to notice.

The Secretary-General read the Prayer.

PROCLAMATION

The Proclamation issued by His Excellency the President of the Republic of Fiji, appointing the time and place of the meeting of Parliament was read by the Secretary-General.

ADMINISTRATION OF OATH/AFFIRMATION OF ALLEGIANCE

The following Members subscribed to the Administration of Oath/Affirmation of Allegiance and took their seats in the Chamber:

Hon. Selai Adimaitoga
Hon. Rosy Sofia Akbar
Hon. Josaia Voreqe Bainimarama
Hon. Parveen Kumar Bala
Hon. Veena Kumar Bhatnagar
Hon. Mitieli Bulanauca
Hon. Mosese Drecala Bultavu
Hon. Viliame Rogoibulu Gavoka
Hon. Dr. Salik Ram Govind
Hon. Anare Jale
Hon. Ro Teimumu Vuikaba Kepa
Hon. Sanjay Salend Kirpal
Hon. Cdr. Semi Tuleca Koroilavesau
Hon. Premila Devi Kumar
Hon. Inosi Kuridrani
Hon. Dr. Ratu Atonio Rabici Lalabalavu
Hon. Ratu Naiqama Lalabalavu
Hon. Mikaele Rokosova Leawere
Hon. Alvick Avhikrit Maharaj
Hon. Ratu Suliano Matanitobua
Hon. Osea Naiqamu
Hon. Alipate Tuicolo Nagata
Hon. Joseph Nitya Nand
Hon. Vijay Nath
Hon. Ratu Tevita Navurelevu
Hon. Niko Nawaikula
Hon. Alexander David O'Connor
Hon. Viam Pillay
Hon. Vijendra Prakash
Hon. Professor Biman Chand Prasad
Hon. Lenora Salusalu Qereqeretabua
Hon. Adi Litia Qionibaravi
Hon. Major-General (Ret'd) Sitiveni Ligamamada Rabuka
Hon. Aseri Masivou Radrodro
Hon. Salote Vuibureta Radrodro
Hon. Simione Rokomalo Rasova

Hon. Dr. Mahendra Reddy
Hon. Jese Saukuru
Hon. Aiyaz Sayed-Khaiyum
Hon. Lt. Col. Inia Batikoto Seruiratu
Hon. Rohit Ritesh Sharma
Hon. Jale Sigarara
Hon. Ashneel Sudhakar
Hon. Lynda Diseru Tabuya
Hon. Lt. Col. Pio Tikoduadua
Hon. Ro Filipe Tuisawau
Hon. Jone Usamate
Hon. George Vegnathan
Hon. Peceli Waqairatu Vosanibola
Hon. Mereseini Rakuira Vuniwaqa
Hon. Dr. Ifereimi Waqainabete

ELECTION OF SPEAKER

SECRETARY-GENERAL.- I now call for nominations for the Speaker of the Parliament of the Republic of Fiji and I call upon the Honourable Alvick A. Maharaj for his nomination.

HON. A.A. MAHARAJ.- I, Honourable Alvick A. Maharaj, move that Dr. Jiko Fatafehi Luveni do take the Chair of Parliament as Speaker.

SECRETARY-GENERAL.- Is there a seconder?

HON. LT. COL. I.B. SERUIRATU.- I second the motion.

SECRETARY-GENERAL.- I now invite the Honourable Alvick A. Maharaj to give a brief account of the nominee's credentials.

HON. A.A. MAHARAJ.- Dr. Jiko Fatafehi Luveni was born on 20th November, 1945, married with five children.

Dr. Luveni graduated as a Dentist at Fiji School of Medicine in 1967 and in Public Health Dentistry from University of Sydney in 1982. During the course of her career, she continued to undertake short courses in various disciplines of programme management; nationally, regionally and internationally.

Dr. Luveni has undertaken advisory assignments for the World Health Organization in health education and management of health learning materials in Malaysia, Japan and Tanzania. She represented Fiji as a Pacific Resource Person for the Year of the Family Conference, as sponsored by the UNFPA, held in New Zealand in 1994.

Dr. Luveni practised and provided dental service throughout all the divisions in Fiji before joining the Primary and Preventive Health Unit at Ministry of Health Headquarters.

In 1988, she joined the United Nations Population Fund, where she worked for 15 years as a Programme Manager, serving the Pacific region. UNFPA supports population programmes. She also worked for 3 years at Ministry of Health as a HIV Aids Project Officer before setting up NGO Fiji Network for people living with HIV and AIDS.

Dr. Luveni was invited to serve as Minister for Social Welfare, Women and Poverty Alleviation. During her term in the Ministry for Women, she provided assistance to more than 1,300 women groups throughout Fiji. The reforms within the Social Welfare programme has increased beneficiaries from 21,000 to more than 60,000, and all persons 70 years and over should be receiving pension.

On 6th October, 2014, Dr. Jiko Luveni was elected as the Speaker of the Parliament of the Republic of Fiji. This appointment marked as an important event, being the first female Speaker in the history of Fiji. I therefore recommend Dr. Jiko Fatafehi Luveni for the position of Speaker in our Fijian Parliament. Thank you.

SECRETARY-GENERAL.- Honourable Members, are there any other further nominations?

HON. L.D. TABUYA.- Madam Secretary-General, I move that Tanya Marion Waqanika do take the Chair of Parliament as Speaker.

SECRETARY-GENERAL.- Is there a seconder?

HON. A.M. RADRODRO.- I beg to second the motion.

SECRETARY-GENERAL.- I now invite the Honourable Lynda Tabuya to give a brief account of the nominee's credentials.

HON. L.D. TABUYA.- Thank you, Madam Secretary-General.

Tanya Marion Waqanika hails from the beautiful island of Kadavu, from Natumua in Tavuki. Her mother is from the chiefly village of Lomanikoro, Rewa.

Tanya is a lawyer by profession. She graduated from Bond University, Gold Coast in Australia, in 1996. She was admitted to the bar of the Supreme Court of New South Wales and subsequently to the High Court of Fiji in 1997.

Ms. Waqanika began her career as a graduate trainee in the Office of the Prime Minister. She then moved to the Attorney-General's Chambers as a legal officer. From there, she joined the then Department of Inland Revenue. Her next employment was as Head of the Legal Section of the Suva City Council for five years.

In January, 2007, she joined the Fiji Television until she was removed in December 2014. Presently, she runs her own law practice called Waqanika Law and Ms. Waqanika is 44 years old. Submitted, Madam Secretary-General.

SECRETARY-GENERAL.- Honourable Members, are there any further nominations?

Since there is more than one more nomination, Honourable Members, we shall proceed with the casting of votes by secret ballot, and I call on the Chamber Attendants to distribute the ballot papers to the Members.

Honourable Members, you are requested to write the name of the person whom you wish to vote for on the ballot paper and fold it so that the name written on it cannot be seen.

(Ballot papers were distributed to Honourable Members)

SECRETARY-GENERAL.- I now call on the Chamber Attendants to collect the ballot papers for counting at the Table.

Honourable Members, pursuant to Standing Order 17(8), I call upon the Honourable Alvick Maharaj and Honourable Lynda Tabuya to come forward and act as Scrutineers and observe the count at the Table.

(Honourable Alvick Maharaj and Honourable Lynda Tabuya observed the count at the Table)

SECRETARY-GENERAL.- The results of the secret ballot are as follows:

1. Dr. Jiko Fatafehi Luveni – 27 votes; and
2. Tanya Waqanika – 24 votes.

(Applause)

Having received the greatest number of votes, I now declare Dr. Jiko Fatafehi Luveni as Speaker of the Parliament of the Republic of Fiji.

(Applause)

Pursuant to Standing Order 17(11), the ballot papers will now be destroyed in the presence of the Scrutineers. May I ask the Scrutineers to come back to the Table while we destroy the papers.

(Ballot papers were destroyed in the presence of Scrutineers)

I now call upon the Honourable Lt. Col. Inia Seruiratu and Honourable Cdr. S.T. Koroilavesau to escort Dr. Jiko Fatafehi Luveni to the Table, to take the Oath of Allegiance and of Office.

(Dr. Jiko Fatafehi Luveni is escorted by Honourable Lt. Col. I.B. Seruiratu and Honourable Cdr. S.T. Koroilavesau to the Table)

SECRETARY-GENERAL.- Honourable Members, I will request you to please, rise for the Administration of Oath/ Affirmation of Allegiance by the Speaker of Parliament of the Republic of Fiji.

(Dr. Jiko Fatafehi Luveni subscribed to the Administration of Oath/Affirmation of Allegiance and took her seat in the Chamber)

(Applause)

COMMUNICATION FROM THE CHAIR

HON. SPEAKER.- The Honourable Prime Minister, Honourable Ministers and Assistant Ministers, the Honourable Members of Parliament, the Secretary-General, distinguished guests and people of Fiji; as your elected Speaker, first and foremost, I thank the Almighty God for the honour bestowed on me. I sincerely thank the Honourable Prime Minister and Honourable Members of Parliament for the trust placed on me to once again, serve as Speaker of Parliament for the second term of Parliament.

To my family, my husband, you have been my pillar of strength and honest judge in the most difficult of times and I thank you most sincerely for your unwavering support through the years.

I also thank the Secretary-General, Deputy Secretary-General and Team Parliament for the hard work and impressive achievements we have made in the past four years. The challenges that come with this responsibility, I do not take lightly and I will, to the best of my abilities, continue to ensure that this office delivers with diligence, dignity and honour.

Honourable Members, allow me to also congratulate you again, individually and collectively, for your recent Elections victory. I am pleased to note that there are 10 women representatives and is the largest ever our Parliament has had. This is truly a remarkable demonstration of the confidence that the Fijian people have in women as decision-makers and leaders in our nation.

At this juncture, I would like to acknowledge the contribution of the United Nations Development Programme (UNDP) through the Fiji Parliament Support Project for its continued support to the Fijian Parliament and its Secretariat. In this respect, I extend my utmost gratitude to our donors - the Governments of New Zealand, Australia, Japan, and the European Union.

I wish to also acknowledge the financial and technical support from the Inter-Parliamentary Union (IPU), the Commonwealth Parliamentary Association (CPA) and the People's Republic of China. Parliament has expanded our visibility through their assistance.

Our network of parliamentary partnerships have been further expanded through the signing of MOUs with Parliaments in countries such as Russia, the Republic of South Korea, Indonesia and United Arab Emirates. The Parliament of the State of Victoria in Australia requires special mention, given that it is our twin Parliament and has been instrumental in providing us both, technical and professional assistance.

Parliament takes very seriously our efforts to achieve the Sustainable Development Goals; part of a wider global 2030 Agenda for Sustainable Development. In these past four years, our Parliament has made great strides to have our voice as a Small Island Development State heard on this issue at the global level through the Inter-Parliamentary Union.

Parliaments are at the heart of the SDGs and as SDG16 suggests, strong, transparent, accountable and inclusive institutions are key to the achievement of all the goals.

Moreover, I would like to congratulate our Prime Minister for putting Fiji at the forefront of the global efforts to address climate change, which will have adverse effects on the planet we will leave behind for our children and grandchildren. The effects of climate change is a result of human action that must have global reaction.

To conclude, it is with great anticipation that I look forward to serving in this role as Speaker and work with you, Honourable Members, to ensure that our Parliament is effective and relevant to the needs of our people.

May God bless us all and may God bless Fiji.

Thank you.

ELECTION OF DEPUTY SPEAKER

HON. SPEAKER.- I now call for nominations for the Deputy Speaker of the Parliament of the Republic of Fiji. I call upon the Honourable Alvick Maharaj for his nomination.

HON. A.A. MAHARAJ.- Madam Speaker, I move that Honourable Veena Kumar Bhatnagar do take the position of Deputy Speaker of Parliament.

HON. SPEAKER.- Do we have a seconder?

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

HON. SPEAKER.- Thank you, Honourable Members. Are there any further nominations?

HON. L.D. TABUYA.- Madam Speaker, I move that the Honourable Adi Litia Qionibaravi do take the position of Deputy Speaker of Parliament.

HON. SPEAKER.- Do we have a seconder?

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

HON. SPEAKER.- Since there is more than one nomination, Honourable Members shall proceed with the casting of votes by secret ballot.

I now call on the Chamber Attendants to distribute the ballot papers.

Honourable Members, you are requested to write the name of the person whom you wish to vote for on the ballot paper and fold it so that the name written on it cannot be seen.

(Ballot papers were distributed by Chamber Attendants)

I now call on the Chamber Attendants to collect the ballot papers for counting at the Table. You may collect the ballot papers beginning from where you had started from.

Honourable Members, pursuant to Standing Order 19(7), I call upon the Honourable Alvick Maharaj and Honourable Lynda Tabuya to come forward and act as Scrutineers and observe the count at the Table.

(Honourable Alvick Maharaj and Honourable Lynda Tabuya observed the count at the Table)

HON. SPEAKER.- Honourable Members, the results of the secret ballot are as follows:

1. Honourable Veena Kumar Bhatnagar – 27 votes; and
2. Honourable Adi Litia Qionibaravi – 24 votes.

(Applause)

Having received the greatest number of votes, I now declare the Honourable Veena Kumar Bhatnagar elected as Deputy Speaker of the Parliament of the Republic of Fiji.

(Applause)

Pursuant to Standing Order 19(10), the ballot papers will now be destroyed in the presence of the Scrutineers.

(Ballot papers were destroyed in the presence of the Scrutineers)

HON. N. NAWAIKULA.- I just need a clarification. Sorry to be coming in this early on the question of whether an Assistant Minister namely, Honourable Veena Bhatnagar, can hold the position of Deputy Speaker. Can I get a clarification on that, please, Madam Speaker?

HON. SPEAKER.- Thank you. Honourable Members, Standing Order 19(3) provides that, and I quote:

“Any Member may propose an ordinary Member as Deputy Speaker ...”

Standing Order 3(1) further provides that, and I quote:

“‘ordinary Member’ means a member not holding the office of Minister, Leader of the Opposition, Leader of the Government in Parliament or Whip.”

I note that the Honourable Veena Bhatnagar does not hold any of the mentioned offices and, therefore, in accordance with the rules and procedures of Parliament, I will allow the nomination of Honourable Veena Kumar Bhatnagar for the position of Deputy Speaker of Parliament. Thank you, Honourable Members.

I now call upon the Honourable Veena Kumar Bhatnagar to proceed to the Table to take the Oath of Allegiance and of Office of Deputy Speaker.

(Honourable Veena Kumar Bhatnagar took the Oath of Allegiance and Oath of Office before the Speaker of Parliament.)

(Applause)

ELECTION – LEADER OF THE OPPOSITION

HON. RO T.V. KEPA.- Madam Speaker, it is my honour to move that the Honourable Sitiveni Ligamamada Rabuka do take the position of the Leader of the Opposition.

HON. PROF. B.C. PRASAD.- I am pleased to second the motion, Madam Speaker.

(Applause)

HON. SPEAKER.- Honourable Members, are there any other nominations?

There being no further nominations, I declare that the Honourable Sitiveni Ligamamada Rabuka is elected as Leader of the Opposition.

(Applause)

STANDING ORDERS - ADOPTION OF

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I move:

That pursuant to Section 71 of the Constitution, the Standing Orders of the Parliament of the Republic of Fiji, published and gazetted on March 20th, 2017, be adopted.

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

HON. SPEAKER.- I invite the Leader of the Government in Parliament to speak on his motion.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, this motion is purely procedural in nature. The Standing Orders, of course, lays out the rules for the order and conduct of business and the proceedings of Parliament and, therefore, it is important that after we have taken the Oaths and the Affirmations this morning, if we can proceed with the adoption of the Standing Orders for the reasons I have stated, and I would seek the Honourable Members' support for the motion this morning. Thank you, Madam Speaker.

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

Honourable Sitiveni Ligamamada Rabuka, Leader of the Opposition.

HON. MAJOR-GENERAL (Ret'd) S.L. RABUKA.- Madam Speaker, I was hoping not to give my first speech in this august Parliament against the motion but I would like to say that we are not comfortable with adopting the Standing Orders as presented to us this morning. Madam Speaker, another Honourable Member of the Opposition will be moving another motion.

We have just taken our oath, Madam Speaker, and we shared this morning in our oath that we will defend the rights of the people. One feature of the Standing Orders being presented for us to adopt is the absence of the rights of the people to present petitions into Parliament is the normal practice for other democracies. Also, Madam Speaker, the removal of the Honourable Opposition Members of Parliament as Deputy Chairpersons of the various Committees of Parliament. That also removes the bipartisan approach and I believe, Madam Speaker, that it removes our right, as the Opposition representing almost 50 percent of the voters of this country, to be participating at that senior level of the various Committees.

Also, the removal of the responsibility of the Opposition to provide the Chairperson for the Public Accounts Committee, Madam Speaker. That is a very essential element of the checks and balances in civilised democracies and Parliaments, and because of that, we would like to oppose the motion that is before the Chamber at this time.

Also, Madam Speaker, Standing Order 51 in the current Standing Orders reduces the rights of the Honourable Members of Parliament to contribute freely to the debates, and as I mentioned earlier, Madam Speaker, the right of almost half of the voting population of the country that Honourable Members on this side of this august Chamber represent.

With those, Madam Speaker, I oppose the motion. Thank you.

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

HON. N. NAWAIKULA.- Madam Speaker, I wish to speak briefly in opposition to the motion. The Honourable Minister says that it is a matter of procedure. It is not a matter of procedure, it will be totally wrong for the Opposition to be supporting the adoption of the Standing Orders in the shape and form as it is now, for a good reason. We know, of course, in 2014, we had a good Standing Order that allowed robust debate, that protected the rights of everyone, including the Opposition, then there came four amendments.

They had the motion and the intention to remove all that. Take for example, the amendment to the petition - the purpose of the petitions by tradition and by custom was to allow the lowest person in the land to bring his view into Parliament, and now with the amendment that has been taken away, because now you require a motion, which basically defeats all that.

Take another example, the suspension of three Members on this side, we need clarity and there has been a decision by the Inter-Parliamentary Union, no less, that what had happened there was a breach of their human rights, so we need certainty. If we adopt the Standing Orders as it is, tomorrow you can bring in a motion against someone for saying something like ‘Idiot’. That can lead someone to two years’ suspension, so we need a good suspending order.

We also need the amendment to Standing Order 51. Standing Order 51 has made this Parliament like a “micky mouse House”. For every single view being brought in under Standing Order 51, there should be basic restriction in relation to that, so as a matter of principle, this side of the Chamber cannot adopt the Standing Orders in the same form as it is because it has been amended with the clear intention to remove our rights and avoid a robust debate in this Parliament. Thank you.

HON. SPEAKER.- Honourable Salote Radrodro.

HON. S.V. RADRODRO.- Thank you, Madam Speaker. I rise to contribute to the motion and before I start, I would like to congratulate you on your election as the Speaker of the House.

Madam Speaker, those of us that were in the House in the last Session will know that the Standing Orders was changed four times. The very first one was used when the Parliament was called in 2014 and in my view, I believe the view of this side of the Chamber that that is the best one, which I believe mirrored the New Zealand Parliament very closely.

Madam Speaker, for example, removing or amending the clause on the petition by having the House to vote on the petition in this House and not allowing it to go to the Committee, that takes away the voice of the people through that petition, particularly in their voice in regards to the service delivery by the Government. When that is removed, it denies the voices of the citizens to be heard and that in my view, is a very undemocratic way to govern.

Also, Madam Speaker, in regards to the Committee as alluded to by the two first speakers of this side, there are instances where the Chairs of the Committees are Assistant Ministers, and being Assistant Ministers, that removes the independence of the Committee. These are things that should be looked at in the Standing Orders.

Madam Speaker, those are the issues that we raised and should be reviewed and should take us back to the 2014 Standing Orders that were first used when the Parliament first met. Otherwise, Madam Speaker, the current form of the Standing Orders denies the voice of the Opposition and denies the voice of the people to be heard adequately in the issues that are brought into the House. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, I now give the floor to the Honourable Jone Usamate.

HON. J. USAMATE.- Madam Speaker, I think it is a shame that at the beginning of this new Parliamentary Session, we are already starting with these mistruths, trying to represent what happens in Parliament is not being democratic. Madam Speaker, Standing Order 37 clearly states that there is a procedure for petitions to be allowed to be addressed. To make a statement in this Parliament that the manner in which this is being done is not democratic, is totally inaccurate and totally false.

Once again, we are beginning to see the same kind of things that were happening during the Elections campaigns, when there were untruths that were blatantly expressed as things that are true.

There is a clear provision in this. What do you call it? Standing Orders for petitions to be allowed, for petitions to be addressed in accordance with the requirements that are here (points at Standing Orders). These Standing Orders are the rules that we have established as a Parliament to guide the way in which we carry out our business. There have been some statements there about the role of the Assistant Ministers.

In the whole Standing Orders, the Assistant Ministers is just an administrative tool for the way the Government functions, but they are in reality just Members of Parliament. So once again, I think my main point is that, at the start of this Parliamentary Session, already we are beginning to see half-truths being put into place to try to influence the way in which it has been

(Honourable Member interjects)

HON. SPEAKER.- Order! We would like to hear

HON. J. USAMATE.- So I will say, Madam Speaker, that there is no need to be able to address the issues.

The issues that have been raised here are totally not correct. The Standing Orders allow for these matters to be addressed and democracy is alive in this Parliament by the fact that we are all here and we are here to discuss the things that are of importance to this nation. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker.

Madam Speaker, if I can just take us back into 2014, after eight years of dictatorship, we put together a Parliament.

HON. A. SAYED-KHAIYUM.- Here we go again.

HON. V.R. GAVOKA.- Madam Speaker, are we living in the same planet? I think we are not living in the same planet.

After eight years of darkness, we started this Parliament and we had the advantage of experts from Canada, New Zealand and the UK to help us put together a working procedures for the Parliament, which is the Standing Orders. The original one in 2014 was one of the best, Madam

Speaker, but unfortunately what I categorised as a tyranny of the majority was the one you saw four years ago.

HON. A. SAYED-KHAIYUM.- Welcome to democracy!

HON. V.R. GAVOKA.- I just want to remind my colleagues on the other side that the majority that you enjoy today is only 147 votes ...

(Laughter)

...147 voters, unlike 2014 to 2018.

So, I would like the procedures of this Parliament to reflect the way the powers were given to you - a very slim majority. The vast majority of the people did not really believe that you deserve to be sitting there. So, Madam Speaker, the way around it is to relook at the Standing Orders and we were hoping that it would be done with more input. We have learnt a lot over the last 4 years and let us do it properly as opposed to the tyranny of the majority that we saw four years ago.

We will all know today whether we are going to adopt this and take it to the next four years, or is there a process in place to relook at it, in a manner to reflect the powers that we have laid. Thank you, Madam Speaker.

(Honourable Member interjects)

HON. SPEAKER.- Thank you. Honourable Mereseini Vuniwaqa.

HON. M.R. VUNIWAQA.- Thank you, Madam Speaker. I think we have gone ahead of ourselves here and starting to discuss the merits and demerits of certain provisions within the Standing Orders. What we are here to do is to simply adopt the Standing Orders as it stands.

The reason is this: Parliament business begins today and Parliament business operates under the umbrella of the Standing Orders, and within these Standing Orders is a provision, specifically Order 128(2) which states, and I quote:

“Immediately following the first sitting of Parliament after each election, the Standing Orders Committee shall be automatically convened to—

- (a) review the Standing Orders; and
- (b) report to Parliament within 14 sitting days with recommended amendments to the Standing Orders, if any, in which case, on the third sitting day after the tabling of the report, the Speaker must put the question "That the amendments recommended by the Standing Orders Committee in [*name of report*] be adopted by Parliament".”

Madam Speaker, the procedure is clear. There is a provision within for the review of the Standing Orders immediately after the first sitting of Parliament. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Aiyaz Sayed Khaiyum.

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

Madam Speaker, just to highlight the lack of acknowledgement, what actually happened last week on Friday when the induction took place. Some sentiments across the table that have been raised this morning were raised last Friday. And again, it was explained to them that we have the provisions. Honourable Minister Vuniwaqa has highlighted in Standing Order 128(2) that it gives effect to that and for the efficiency of Parliament. Obviously some of the amendments that the other Members want are amendments that cannot be done here.

We need to go up to a Committee; we need to amend clauses; it has an impact, if you for example change clauses x, y, z, it has an impact on clause (a), (b) and (c). That cannot be done here, it is obtuse to actually even suggest that, even recommended by the Leader of Opposition, to make such a proposition. It is very simple. We are running an efficient parliamentary system. Our greatest target, our greatest objective is to ensure that the Fijian people who have voted us in have an efficient Parliament; not meandering along with the kind of claims that they are making.

And to have an efficient Parliament, Madam Speaker, we need to ensure we proceed with this week's proceedings and they have the full liberty to make any recommendations they want to the current Standing Orders and that will be debated in the select committees and will be brought back to this Parliament, and then we will vote on it. It is very simple. And the fact that they have now come here, not with clean hands, even though we all seemed to have an intimated agreement last week Friday, that that is how we will proceed.

HON. SPEAKER.- Honourable Professor Biman Prasad?

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker.

I was not going to speak on it, but just listening to Honourable Usamate, I think Honourable Vuniwaqa did the right thing, to point out the procedural matters, but just listening to Honourable Usamate, let me remind him, it is not just about the procedure, it is the way in which they amended the Standing Orders in 2016. In fact, they did it without the recommendation of the Standing Orders Committee, so we want to point that out, Madam Speaker.

HON. A. SAYED-KHAIYUM.- Madam Speaker, point of order.

HON. PROF. B.C. PRASAD.- We want to point out, Madam Speaker.

HON. A. SAYED-KHAIYUM.- Point of order!

HON. PROF. B.C. PRASAD.- I have not finished.

HON. A. SAYED-KHAIYUM.- Point of order!

HON. SPEAKER.- Point of order!

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Honourable Member, as usual, is misleading this Parliament. The entire amendments to these Standing Orders went through the committee stage. The Committee Members were all present, it came back to this Parliament, and we voted upon it. How can he say we did not have any agreement of Parliament? How can he say we did not have any agreement with the select committee on Standing Orders? This matter is finished. The reality is, the motion is about these Standing Orders and the amendments to it, he is misleading Parliament, Madam Speaker.

HON. SPEAKER.- Thank you for the clarification, please note the comments that have been made, but please carry on.

HON. PROF. B.C. PRASAD.- Let me finish, I am not misleading Parliament.

HON. A. SAYED-KHAIYUM.- You are!

HON. PROF. B.C. PRASAD.- In 2016, the Opposition Whips, if I remember correctly, we need to check, they were not part of the decision that was made by the Committee, they opposed a few conditions.

HON. A. SAYED-KHAIYUM.- Point of order again.

HON. SPEAKER.- Point of order!

HON. A. SAYED-KHAIYUM.- He is saying that he is not misleading Parliament, he thinks. He thinks that the Opposition was not there. He thinks that the Committee was not present. He thinks, thinks, thinks, the problem is, he is thinking incorrectly. The problem is, he is not thinking the right way and he is misleading Parliament by basing his statement, based on assumptions that are factually incorrect.

The Minutes of the Select Committee will actually point out that everyone was there. That Madam Speaker, you may recall, you yourself chaired that particular Committee. We went through line by line, went through about 4 different stages of amendments before it was presented to Parliament, and we voted upon it.

HON. SPEAKER.- Thank you. Honourable Members.

HON. PROF. B.C. PRASAD.- Again, Madam Speaker.

HON. SPEAKER.- Order, order!

We are now going back and talking about the same issue that has been mentioned before. And therefore, in my opinion, we have had enough debate on this particular motion and therefore, I will not allow any more input on the debate at this time. I now invite the Leader of Government to speak in reply.

HON. PROF. B.C. PRASAD.- Can I seek a clarification from you?

HON. A. SAYED-KHAIYUM.- She has made her ruling.

HON. PROF. B.C. PRASAD.- I need a clarification on your ruling, Madam Speaker.

HON. SPEAKER.- Honourable Members, you do not seek clarification on the ruling made by the Speaker. This is the general rule in all parliaments of the world, and Fiji is a party to that same rule.

Honourable Leader of the Government in Parliament, you now have the floor for your right of reply.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I thought that I had made myself very clear when I moved the motion. It was pursuant to Section 71 of the Constitution and as already stated by the Honourable Vuniwaqa, Madam Speaker, the business of Parliament starts today. Let me refer again to Section 71(1) of the Constitution, and I quote:

“Parliament may make standing orders and rules for the order and conduct of business and proceedings in Parliament and its committees....”

And if may refer to Standing Order 123, it clearly stipulates the various select committees of this Parliament and under paragraph (d), we have the Standing Orders Committee as one of the select committees of this Parliament and we go to Standing Order 128(2). It clearly states, Madam Speaker and if I may read it to the Honourable Members of Parliament:

“Immediately following the first sitting of Parliament after each election, the Standing Orders Committee shall be automatically convened to -

(a) review the Standing Orders;”

(Chorus of interjections)

HON. LT. COL. I.B. SERUIRATU.- Then, why the motion? Madam Speaker, let us get the facts right.

(Chorus of interjections)

HON. LT. COL. I.B. SERUIRATU.- Let us get the facts right!

We expect a lot of changes from the Opposition, Madam Speaker, in this next sitting of Parliament. Unfortunately, Madam Speaker, you have to do your homework and get to the facts, Madam Speaker, and I am stating the facts.

There is an avenue in which the current Standing Orders will be reviewed as stipulated under Standing Order 128(2), full stop, Madam Speaker.

(Chorus of interjections)

HON. LT. COL. I.B. SERUIRATU.- Thank you, Madam Speaker. Let us vote on the motion.

HON. SPEAKER.- Thank you. Parliament will now vote on the motion.

The Question is:

That pursuant to Section 71 of the Constitution, the Standing Orders of the Parliament of the Republic of Fiji, published and gazetted on 20th March, 2017, be adopted.

Does any Member oppose the motion?

(Chorus of “Ayes”)

There being opposition. Parliament will now vote on the motion.

Votes cast:

Ayes	-	26
Noes	-	21
Not voted	-	4

HON. SPEAKER.- There being 26 Ayes, 21 Noes, and 4 Not Voted, the motion is agreed to.

Motion agreed to.

(Chorus of interjections)

HON. SPEAKER.- Honourable Members, can I have the floor, please?

Honourable Members, pursuant to Standing Order 128(2), the Standing Orders Committee shall reconvene to review the Standing Orders and report back to Parliament within 14 sitting days.

ADJOURNMENT

HON. SPEAKER.- Honourable Members, pursuant to Standing Order 10(2), His Excellency the President of the Republic of Fiji has appointed the 26th day of November, 2018 at 3.00pm, for the Opening of Parliament and the President's Address.

I now take this opportunity to thank all the invited guests present in the gallery and in the Committee Rooms for your attendance at the Swearing-in Ceremony for the Honourable Members of Parliament.

Invited guests are requested to remain in the gallery and Committee Rooms until all Honourable Members have proceeded directly to the main steps at the Parliament entrance for the official photograph. After the official photograph, ushers will guide the Honourable Members and the invited guests for refreshments in the marquee at the car park.

Honourable Members, Parliament now stands adjourned until 3.00 p.m. for the Opening of Parliament and the Address by His Excellency the President of the Republic of Fiji. Thank you Honourable Members.

The Parliament adjourned at 12.00 p.m.