



**STANDING COMMITTEE ON JUSTICE, LAW AND
HUMAN RIGHTS**

**Review of the Office of the Prime Minister 2015 Annual
Report**



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ACRONYMS

FENC	-	Funds for the Education of Needy Children
OPM	-	Office of the Prime Minister
OLPC	-	One laptop per child
SGS	-	Small grant scheme
VSATF	-	Vatukoula Social Assistance Trust Fund

CHAIRPERSON'S FOREWORD

The Office of the Prime Minister is primarily responsible for providing sound policy, administrative and technical support to the Head of Government, the Honourable Prime Minister. It also engages with international and regional development partners, Civil Society Organisations and the private sector.

The Standing Committee on Justice, Law and Human Rights of the last term of Parliament was referred the Office of the Prime 2015 Annual Report. The same report had been re-instated in this new Parliament and have been referred to the current Standing Committee on Justice, Law and Human Rights. Just as the previous Committee, the current Committee was mandated by Parliament to review these report and report back to Parliament on its findings.

Gathering from the Annual Report of the Office, 2015 had numerous highlights; from being responsible for providing support services to the Honourable Prime Minister in his first year in that role in a democratically elected Government, to various contributions to the governance, economic and socio cultural sectors.

In reviewing the Office of the Prime Minister 2015 Annual Report, the Committee noted that one of the key achievements was on its Accountability Framework, which according to Office of the Prime Minister's 2015 Annual Corporate Plan includes facilitation in decision making, support for civil society and improve cooperation with international and regional agencies and client complaint investigation.

The Committee noted the previous Committee's deliberation, which highlighted a few pertinent issues, which the previous Committee discussed extensively with the Office of the Prime Minister and is covered in this Committee Report. These pertinent issues include:

- The utilisation of the approved budget;
- The forms of complaints received by the Ministry;
- The details and status of the Vatukoula Social Assistance Trust Fund; and
- Clarification on certain perceived financial anomalies.

The Committee was also mindful of the requirements of the Standing Orders of Parliament with respect to the principles of gender equality. Therefore as part of the discussion with the Office of the Prime Minister, it was encouraging to note how the principle of gender equality was reflected in the Ministry, beginning with one of the vital part of an institution; the human resource.

This Committee Report will also provide certain recommendations that the Committee has put forth for consideration by the Office of the Prime Minister.

At this juncture I would like to acknowledge the Members of the Standing Committee on Justice, Law and Human Rights of the last term of Parliament for their efforts and input, which has greatly assisted our Committee in the compilation of this report.

I would also like to thank the Honourable Members of the Justice, Law and Human Rights Committee, Hon Rohit Sharma (Deputy Chairperson), Hon. Ratu Suliano Matanitobua, Hon. Salik Govind and Hon. Mosese Bilitavu, for their deliberations and input, the alternate members who made themselves available when the substantive members could not attend, the staff and officers of the secretariat and the representatives of the Office of the Prime Minister for their cooperation, which assisted the Committee in its work.

I, on behalf of the Committee, commend the Office of the Prime Minister 2015 Annual Report to the Parliament.



Hon. Alvick Avhikrit Maharaj
Chairperson

1.0 INTRODUCTION

The Standing Committee on Justice, Law and Human Rights of the last term of Parliament was referred the Office of the Prime Annual Report 2015. The same report had been re-instated in this new Parliament and has been referred to the current Standing Committee on Justice, Law and Human Rights. Just as the previous Committee, the current Committee was mandated by Parliament to review these report and report back to Parliament on its findings.

As part of its review the Committee conducted its own deliberation and invited the Office of the Prime Minister to clarify issues pertaining to the OPM Annual Report/2015.

The Office of the Prime Minister is responsible for providing high quality service and support to the Head of Government, the Honourable Prime Minister. The support provided is given with the aim of ensuring that all activities, engagements and policies that the Hon. Prime Minister contributes to or is involved in is in line with the Constitution, the laws of Fiji and for the betterment of all Fijians.

2.0 DELIBERATION AND FINDINGS

This part of the Report covers the Committee's deliberation process and the findings of the Committee which include points extracted from the OPM 2015 Annual Report and the submission by the Independent Legal Services Commission.

The Committee first read through the OPM 2015 Annual Report and noted issues from it. Main issues noted from this deliberation were as follows:

- Clarification was sought on the utilisation of only a certain percentage of the budget for the year 2015 and how the remainder was utilised and what this underutilisation meant in terms of the overall performance of the OPM?
- Clarification was sought on the forms of complaints the OPM receives;
- Clarification on the criteria and procedure followed with respect to 're-engagement' of employees after reaching the age of 55 years.
- Clarification was sought with regards to Vatukoula Social Assistance Trust Fund mainly with respect to the remaining 280 beneficiaries who have yet to receive their entitlements from the allocated alternative livelihood funds (\$6M)?
- Clarification was sought on the percentage of funds used for the FENC administration costs.
- Clarification was sought on the difference between the 'Child Education Sponsorship' and the 'Child Support Program'.
- Clarification was sought on the functions of the Macro-Economic Committee?
- Clarification on the Mahogany Industry Council & Fiji Mahogany Trust and the issues being faced by this Trust.
- Clarification was sought with regards to the Work Permit Committee.
- Clarification was sought on the status of the Fiji Mediation strategy for the 1991 Mine Workers Union in Vatukoula?
- Clarification was sought on the China-Aided proposed Vunidawa Sports complex mainly with respect to whether there was any further developments on the project.

- Clarification was sought on the Chinese Gratuitous Aid Projects mainly with respect to the status of the Agricultural Development on Vanua Levu?
- Clarification was sought on the status of the 'one laptop per child (OLPC)' initiative.
- Clarification was sought on certain details about the Small Grants Scheme (SGS), mainly with respect to the Administration costs and a discrepancy in the reporting of the funds used for the SGS.
- Clarification was also sought on certain issues regarding the Financial Statements of the OPM, including:
 - what happens to the funds saved as part of the lapsed appropriation;
 - certain anomalies in the Chinese Grant Trust Fund with respect to the figures for the Closing Balances of 2014 and 2015;
 - the two different financial statement formats used for the Chinese Grant Trust Fund and the Taiwan Grant Trust Fund;
 - what the term 'Retention' means as it relates to the 'Retention for Nawaka River Dredging, Retention for Ba River Dredging and Retention for Nadi River Dredging?'
 - what happens to the funds collected from the License Fees for the Mahogany Industry Council Fund (page XIV)?
 - clarification on the status of the Revolving Fund Account, which includes accountable advances that were yet to be retired.

These issues were brought to the attention of the representatives of the Office of the Prime Minister and were discussed extensively. The following is a summary of this discussion:

Clarification on the utilisation of only a certain percentage of the budget for the year 2015 and how the remainder was utilised and what this underutilisation meant in terms of the overall performance of the OPM?

The Office of the Prime Minister advised that the budget for the year 2015 was not underutilised. 88% of the approved budget was utilised but it should be noted that prudent financial management is one of the key strategy kept in mind whilst utilising the 2015 approved budget. In addition, it was advised that productivity improvement in all the areas of operation had been the target key performance indicators (KPI) of every Heads of Department to achieve.

It was also noted that the remainder from the approved budget was a result of savings from Seg.'s 1 – salaries of established staff, 10 – Capital Grants & Transfers and 13 – Value Added Tax, whereby majority of the savings was from the delay in the Construction of Rural Sports Complex project.

Clarification on the forms of complaints the OPM receives.

From the OPM Annual Report/2015 it was noted that complaints received mainly relate to Family and Housing Assistance, thus were referred to the Ministry of Local Government and Ministry of Women, Children and Poverty Alleviation. It was also advised that the currently the Client Services Unit receives complaints via emails, letters, phone calls and walk-in clients.

It was further advised that there are procedures to be followed when handling a complaint, whereby if it is something that comes under the remit of a Ministry, then that Ministry will be referred the complaint and that the OPM will uphold the rule of law and the Government Policies.

Clarification on the criteria and procedure followed with respect to 're-engagement' of employees after reaching the age of 55 years.

The Office of the Prime Minister advised that staff that are over the age of 55 (the retirement age) are mostly engaged depending on the organisation needs and whereby some positions are considered critical. A set criteria is to be met via a procedure which is to be followed by staff who are to be re-engaged.

Clarification with regards to Vatukoula Social Assistance Trust Fund mainly with respect to the remaining 280 beneficiaries who have yet to receive their entitlements from the allocated alternative livelihood funds (\$6M)?

The Office of the Prime Minister advised that the Vatukoula Social Assistance Trust Fund (VSATF) programme was initiated to provide assistance to former employees of the Emperor Gold Mining Company who were made redundant in 2006. Disbursement of benefits began in 2012 and continued till 2018 and is scheduled for closure by mid-2018. There was a total of 890 eligible beneficiaries that were registered between 2011 and 2013, but only 605 had registered their interest then.

Currently, 850 beneficiaries have benefited from the VSATF, which includes the registered beneficiaries and those employees who were members of the staff association and had brought proceedings to the High Court.

Clarification on the percentage of funds used for the Funding for the Education of Needy Children (FENC) administration costs.

The Office of the Prime Minister advised that the percentage of funds utilised for the Funding for the Education of Needy Children (FENC) and that this was an increase in the funds expended for the FENC. This increase was indicative of the actual work achieved due to the increase in work demand.

Clarification was sought on the difference between the 'Child Education Sponsorship' and the 'Child Support Program'.

It was advised that the Child Support Program was a program that aims to ensure the provision of educational materials and other related support. The Child Sponsorship is designed to allow overseas donor to support a child of their preference based on information provided.

Clarification on the functions of the Macro-Economic Committee

The Macro-Economic Committee is convened by the Reserve Bank of Fiji and is responsible for providing oversight of Macro-economic issues and is made up of the representatives from various Ministries of Government.

Clarification on the Mahogany Industry Council & Fiji Mahogany Trust and the issues being faced by this Trust.

It was advised that these issues relate to the mahogany licenses that were issued in 2011, 2013 and 2014 and which are dealt with by the Mahogany Industry Council and facilitated through the Fiji Hardwood Corporation Limited Policy.

Clarification with regards to the Work Permit Committee.

It was advised that the Office of the Prime Minister is only represented in the Work Permit Committee, and that this is a core role of the Department of Immigration.

Clarification on the status of the Fiji Mediation strategy for the 1991 Mine Workers Union in Vatukoula.

It was advised that each beneficiary received \$2 million dollars from the Fiji Mine Workers Union, whereby the Ministry of Employment was entrusted to review the claim, including the mediation process. This report is currently being considered by the Attorney General and the Ministry of Economy.

Clarification on the China-Aided proposed Vunidawa Sports complex mainly with respect to whether there was any further developments on the project.

The initial site, which was identified by the Fijian Government, was said to be prone to flooding and would not be a suitable place for a sports complex. Thus this proposal was declined by the Chinese Technical team.

A new site has been identified at Vunidawa and there has been budget allocation in the 2017/2018 budget for the land acquisition. Necessary geotechnical and topographical survey had been scheduled for February 2018 and the survey result will be submitted to the stakeholders.

Clarification on the Chinese Gratuitous Aid Projects mainly with respect to the status of the Agricultural Development on Vanua Levu?

There has been numerous developments on the Agricultural Development on Vanua Levu and these have also seen numerous trainings conducted from 2015 through to 2016.

Clarification on the status of the 'one laptop per child (OLPC)' initiative.

It was advised that this initiative is driven by the Ministry of Education.

Clarification on certain details about the Small Grants Scheme (SGS), mainly with respect to the Administration costs and a discrepancy in the reporting of the funds used for the SGS.

It was advised that the Administration costs for the SGS entails the remuneration for project officers, the accommodations and travels, refreshment for stakeholders meeting, stationaries, travels etc.

Clarification on certain issues regarding the Financial Statements of the OPM.

This was clarified in detail by the Office of the Prime Minister.

Copies of the submissions, correspondences and Verbatim Report the submissions will be uploaded along with this Report onto the Parliament website.

3.0 GENDER ANALYSIS

Additionally as part of its deliberation, the Committee is bound by Fiji Parliamentary Standing Order 110(2) which provides as follows:

“Where a committee conducts an activity listed in Clause (1), the committee shall ensure that full consideration will be given to the principle of gender equality so as to ensure all matters are considered with regard to the impact and benefit of both men and women equally”.

Therefore, the Committee sought clarification on how the principle of gender equality was implemented in the Office of the Prime Minister. The OPM representatives clarified by stating that the gender equality policy is implemented through one of the most vital part of the Ministry, which is the human resource – whereby the percentage of men and women employed, is equal.

4.0 RECOMMENDATIONS

From its deliberation, the Committee recommends that the Office of the Prime Minister continues to provide full support to the Honourable Prime Minister, to ensure that his vision for the country is fulfilled.

The Committee notes and commends the implementation of gender equality policies within the Office of the Prime Minister.

5.0 CONCLUSION

The Standing Committee on Justice, Law and Human Rights has fulfilled its mandate approved by Parliament, which is to examine and review the Office of the Prime Minister Annual Report 2015 with due diligence.

The Committee’s review findings showed no contentious matters and this was reflected in its recommendation.

The Committee through this Report commends the Office of the Prime Minister Annual Report 2015 to the Parliament.


SIGNATURES OF THE MEMBERS OF THE STANDING
COMMITTEE ON JUSTICE, LAW AND HUMAN RIGHTS



Hon. Alvick Maharaj
(Chairperson)



Hon. Rohit Sharma
(Deputy Chairperson)



Hon. Ratu Suliano Matanitobua
(Member)



Hon. Dr. Salik Govind
(Member)



Hon. Mosese Bultavu
(Member)



(Date)