

# **PARLIAMENT OF THE REPUBLIC OF FIJI**



## **PARLIAMENTARY DEBATES**

### **DAILY HANSARD**

**TUESDAY, 9TH FEBRUARY, 2021**

**[CORRECTED COPY]**

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**TUESDAY, 9TH FEBRUARY, 2021**

The Parliament resumed at 9.33 a.m. pursuant to adjournment.

HONOURABLE SPEAKER took the Chair and read the Prayer.

**PRESENT**

All Honourable Members were present, except the Honourable Minister for Forestry; the Honourable Assistant Minister for Employment, Productivity, Industrial Relations and Youth and Sports; and the Honourable I. Kuridrani.

**MINUTES**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, I move:

That the Minutes of the sitting of Parliament held on Monday, 8th February, 2021, as previously circulated, be taken as read and be confirmed.

HON. R.R. SHARMA.- Mr. Speaker, Sir, I beg to second the motion.

Question put.

Motion agreed to.

**COMMUNICATIONS FROM THE CHAIR**

Welcome

HON. SPEAKER.- I welcome all Honourable Members to today's sitting of Parliament. I also welcome all those watching the live broadcast and the live streaming of today's proceedings from the comfort of their homes, offices and electronic devices. Thank you for your continued interest in your Parliament.

Birthday Wishes

Honourable Members, at this juncture, I invite all Honourable Members to join me in wishing the Honourable Jale Sigarara a Happy Birthday, and many happy returns of the day.

Urgent Oral Question

For the information of all Honourable Members, I received notification of an Urgent Oral Question this morning from the Honourable Lenora Qereqeretabua with respect to the issue of the Savusavu Hospital Morgue. I have had a look at the Question and whilst the issue may be a matter of public importance, the Question is not of an urgent character.

I am satisfied that there has been sufficient coverage of the matter by the Honourable Minister for Health as well as the Permanent Secretary for Health, and we will leave the matter at that. In that regard, the Urgent Oral Question submitted by the Honourable Lenora Qereqeretabua is disallowed under Standing Order 43(1).

Honourable Members, I must reiterate that Urgent Oral Questions must fully satisfy the requirements clearly provided under Standing Order 43(1).

## PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS

HON. SPEAKER.- Honourable Members, I now call upon the Minister for Fisheries to table his Report.

HON. CDR. S. KOROILAVESAU.- Mr. Speaker, Sir, in accordance with Standing Order 38, I present the Ministry of Fisheries 2017 to 2018 Annual Report (*Parliamentary Paper No. 26/2020*) 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 Ministry of Fisheries 2017 to 2018 Annual Report (*Parliamentary Paper No. 26/2020*) to the Standing Committee on Natural Resources.

I now call upon the Minister for Commerce, Trade, Tourism and Transport to table his Reports. You have the floor, Sir.

HON. F.S. KOYA.- Mr. Speaker, Sir, in accordance with Standing Order 38, I present the following Reports to Parliament:

- (1) Film Fiji Report for the period from 1st January to 31st July, 2016 (*Parliamentary Paper No. 275/2020*);
- (2) Film Fiji Annual Report for the period from 1st August to 31st July, 2017 (*Parliamentary Paper No. 276/2020*).

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

(Reports handed to the Secretary-General)

HON. SPEAKER.- Under Standing Order 38(2), I refer the following reports to the Standing Committee on Social Affairs:

- (1) Film Fiji Report for the period from 1st January to 31st July, 2016 (*Parliamentary Paper No. 275/2020*); and
- (2) Film Fiji Annual Report for the period from 1st August to 31st July, 2017 (*Parliamentary Paper No. 276/2020*).

Thank you, Honourable Members. We will now proceed to the next item on the Agenda.

I now call upon the Deputy Chairperson of the Standing Committee on Justice, Law and Human Rights to table his Report. You have the floor, Sir.

## PRESENTATION OF REPORTS OF COMMITTEES

### Cybercrime Bill 2020 – Standing Committee on Justice, Law and Human Rights

HON. R.R. SHARMA.- Mr. Speaker, Sir, as time changes so does most, if not all, aspects of today's society. Today's society is at the cusp of a technology-driven way of life. This has seen numerous benefits for both, the public and private sector, however, it has also seen the growth in the

numbers of actors who use technology for malicious and destructive intentions, or for their selfish gains. Therefore, numerous jurisdictions have endeavoured to put in place mechanisms for addressing the problematic issues that attach to the proliferated impact of technology, especially those through cyber technology.

There are existing legislation in Fiji that address certain aspects of crimes committed through or on computers. However, change in time came with it, changes in technologies that provided new ways of committing cyber-related crimes. Thus, it was identified that the existing legal and regulatory frameworks do not adequately address crimes committed via or have arisen from ever-evolving cyber technology.

Therefore, the Fijian Government has seen fit to introduce a mechanism for addressing those already existent issues and those novel issues arising from cyber-related and computer-related offences. The Cybercrime Bill 2020 is a vital mechanism introduced by the Fijian Government.

The Cybercrime Bill was introduced into Parliament and was referred to the Standing Committee on Justice, Law and Human Rights for review. For review, the Committee conducted public consultation by inviting the public to provide written submissions, and also allowing for verbal consultations with key stakeholders and interested individuals.

At the initial stage of the review, the Committee noted a few key points which are as follows, that:

- (a) the Bill aims to prescribe offences and penalties for acts conducted via cyber space and computers, which negatively impacts an individual, corporate body, society and a nation as a whole;
- (b) certain provisions of the Bill is likely to provide excessive authority and power to the authorities (who, in the case of the Bill, are the police and a person authorised by the Commissioner of FICAC) to search and seize computer data and other information for the purpose of an investigation; and
- (c) certain provisions of the Bill are likely to have implications on potential risks to privacy and court-related procedures for adducing evidence.

During the later stages of the review, the Committee identified the following salient issues, that:

- (a) certain words and phrases found in the Bill should be given proper interpretation provisions;
- (b) certain provisions of the Bill may have unintended consequences on those actors that merely try to expose criminal activities;
- (c) the complex nature of cybercrime and its related matters, that is, that it is a rapidly evolving part of today's society and that it has extraterritorial implications, should be a key basis for the drafting of the provisions of the Bill;
- (d) there are unrealistic expectations on the practicability of implementing the provisions of the Bill;

- (e) certain provisions could potentially pose risks to certain rights of Fijians, which are provided in the Constitution; and
- (f) the Bill lacks coverage on certain acts, which can be considered as cybercrime.

The Committee compared pieces of legislation of other jurisdictions with the proposed law, to gauge the approaches taken by such jurisdictions in addressing cybercrime and noted that internationally, there are varying approaches in addressing the impacts of advancements in information and communication technologies.

Consideration was also given to the impact of the Bill on the Sustainable Development Goals and the National Development Plan. It was encouraging to note that the provisions of the Bill were drafted with the aim of enabling development, whilst also promoting a safe and secure cyber environment. Additionally, the objective of the Bill is as such that it applies equally to all persons, irrespective of gender.

The Committee had extensive internal deliberation on the salient issues noted from the review and legal clarifications were sought on those issues. This ensured that the primary objective of the Bill is preserved.

At the conclusion of the review, the Committee acknowledges that there were numerous issues as identified above. The Committee also realises that the Bill will bring about a new law in Fiji. However, at this stage, given the novelty of the implications that the Bill would have on the legal and justice system in Fiji and also on the lives of Fijians, enactment of this law would pose an opportunity for great learning.

Additionally, the Bill is designed to enable the implementation of the Budapest Convention on Cybercrime and sets out the minimum requirements, which would ensure Fiji's cybercrime regulatory framework is on par with international standards. It should also be noted that the Bill utilises technology-neutral drafting, thus ensuring that this proposed law is flexible enough to keep up with the ever-evolving nature of cyber-technology and its consequences. Therefore, to ensure the fruition of these aims, the Committee believes that the Bill is sufficient as it is and that no amendments are needed.

At this juncture, I would like to thank the Honourable Members of the Standing Committee on Justice, Law and Human Rights for their deliberations and input; Honourable Alvick Maharaj (Chairperson), Honourable Dr. Salik Govind, Honourable Ratu Suliano Matanitobua and Honourable Mosese Bulitavu. I would also like to acknowledge the staff of the Research Unit and Committee Secretariat, the entities who accepted the invitation of the Committee and made themselves available to make submissions and the members of the public for taking an interest in the proceedings of the Committee and Parliament. On behalf of the Committee, I hereby commend the Cybercrime Bill 2020 to Parliament.

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

(Report handed to the Secretary-General)

HON. SPEAKER.- Pursuant to the resolution of Parliament on 26th May, 2020, the Bill must be debated and voted upon by Parliament in the course of this sitting week, but that one hour be given to debate the Bill.

I now call upon the Deputy Chairperson of the Standing Committee on Public Accounts to table his Report. You have the floor, Sir.

Review Report - 2017 Audit Report for the Infrastructure Sector –  
Standing Committee on Public Accounts

HON. J.N. NAND.- Mr. Speaker, Sir, I am pleased to present the Public Accounts Committee Review Report on the 2017 Audit Report for the Infrastructure Sector. The audit specifically looks into the Ministry of Infrastructure and Transport which has consolidated the Water Authority of Fiji (WAF) and Fiji Roads Authority (FRA) receipts and expenditure with the Ministry.

The Ministry of Infrastructure and Transport was issued with a modified audit opinion on its financial performance for the 2016-2017 financial year. It is important to note that the Ministry that was scrutinised by the Committee was not invited for interview because of the COVID-19 restrictions that were in place at that time but were requested instead to provide written response on the audit issues that were raised in the audit report.

According to the Budget Estimates, the Ministry of Infrastructure and Transport was responsible for the policy and legislative formulation, as well as the administrative and regulatory functions of WAF and FRA. The Ministry provided the capital and operating grants under Heads 41 and 43 to WAF and FRA respectively.

For information purposes, the detail audit on WAF and FRA's financial performances were done separately and included under the Auditor-General's Report on Statutory Authorities. The Auditor-General had highlighted a number of significant audit findings and the Public Accounts Committee wishes to stress the importance of taking serious consideration on all proposed recommendations, given as it will address audit issues from being repeated.

At this juncture, I wish to extend my appreciation to the Honourable Members of the Committee who were part of the compilation of the bipartisan report, namely; Honourable Alvick Maharaj (Chairperson); the former Member, Honourable Vijendra Prakash; Honourable Aseri Radrodoro; and Honourable Ro Teimumu Kepa. I also extend my gratitude to Honourable Mikaele Leawere, who stood in as an Alternate Member.

With those few words, I now commend this Report to Parliament. Thank you, Mr. Speaker, Sir.

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

(Report handed to the Secretary-General)

HON. J.N. NAND.- Mr. Speaker, Sir, pursuant to Standing Order 121(5), I hereby move a motion, without notice:

That a debate on the content of the Report is initiated at a future sitting.

HON. RO T.V. KEPa.- I second the motion, Mr. Speaker.

HON. SPEAKER.- Parliament will now vote.

Question put.

Motion agreed to.

HON. SPEAKER.- I now call on the Deputy Chairperson of the Standing Committee on Justice, Law and Human Rights to table his report. You have the floor, Sir.

Review Report on the National Payment System Bill 2020 –  
Standing Committee on Justice, Law and Human Rights

HON. R.R. SHARMA.- Mr. Speaker, Sir, the Fijian Government has put in place an ambitious five-year development plan which includes placing emphasis on improving financial literacy, financial inclusion, improving access to finance, integrated digital payment systems and an overall improvement of the financial sector. The National Payment System Bill 2020 aims to bring into fruition the Fijian Government's development plan.

The National Payment System Bill 2020 was referred to the Standing Committee on Justice, Law and Human Rights for review. For review, the Committee conducted public consultations by inviting the public to provide written submissions and also allowing for verbal consultations with key stakeholders and interested individuals in various key locations around Viti Levu.

In the initial stage of the review, the Committee noted a few key points which are follows, that:

- according to the Explanatory Note to the Bill, the Bill is part of the reforms by the Reserve Bank of Fiji (RBF) towards ensuring a sound financial structure for Fiji;
- the Bill serves as a blanket legal framework for all payment systems operating in Fiji;
- the RBF will have adequate regulatory powers and oversight functions over the payment industry in Fiji;
- payment and securities systems will have a sound legal basis; and
- the Bill will enable the regulation of electronic transfers and also provide rules for payments systems, which are aimed at protecting customers.

During the later stages of the review, the Committee identified the following salient issues:

- majority of the public advised that there was little to no awareness on the Bill;
- that certain terms and phrases used in the Bill be given appropriate interpretation provisions; and
- that certain provisions in the Bill raise concerns, in that, they provide excessive power to the RBF and the Governor of RBF.

Consideration was also given to the impact of the Bill on Sustainable Development Goals and the National Development Plan.

It was encouraging to note that the Bill was introduced for the purpose of improving the financial sector and the payment systems in Fiji, which can be directly linked to socio, economic and political development of the country. Additionally, the objective of the Bill is as such that it applies equally to all persons, irrespective of gender.



The Committee consulted the initiating Ministry and also sought legal clarifications pertaining to the issues noted from the Bill. This ensured that the primary objective of the Bill is preserved.

At the conclusion of the review, the Committee acknowledges that there were numerous issues as identified above. In addressing the issues, the Committee noted that the Bill aligns to international best practices and that it has provisions which are similar to legislations in other jurisdictions.

The Committee also noted that the proposed law would bring about a uniform regulatory framework for payment systems in Fiji. As we start implementing this law, this would be an opportune moment to gauge the implications of the Bill on Fiji's financial system. Therefore, the Committee believes that the Bill is sufficient as it is and that no amendments are needed.

I would like to thank the Honourable Members of the Standing Committee on Justice, Law and Human Rights for their deliberations and input - Hon. Alvick Maharaj (Chairperson); Hon. Dr. Salik Govind; Hon. Ratu Suliano Matanitobua; and Hon. Mosese Bulitavu. I would also like to acknowledge the entities who accepted the invitation of the Committee and made themselves available to make submissions, and members of the public for taking an interest in the proceedings of the Committee and Parliament.

The Committee would like to make special mention of the contribution of the late, Mr. Sessa Reddy, of Sigatoka, who contributed immensely to the public submission on the National Payment System Bill 2020 during the public consultation in Sigatoka. It is with great sadness that the Committee had learnt of the passing of Mr. Reddy and his wife soon after the public consultation. The Committee takes this opportunity to give its condolences to the family and loved ones of the late Mr. and Mrs. Reddy.

On behalf of the Committee, I hereby commend the National Payment System Bill 2020 to Parliament. Thank you.

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

(Report handed to the Secretary-General)

HON. SPEAKER.- Pursuant to the resolution of Parliament on 11th December, 2020, the Bill must be debated and voted upon by Parliament in the course of this sitting week, but then one hour be given to debate the Bill.

Honourable Members, we move on to the next Agenda item.

## MINISTERIAL STATEMENTS

HON. SPEAKER.- Honourable Members, I will give the floor to the Honourable Attorney-General and Minister for Economy, Civil Service and Communications, who has given notice to make a Ministerial Statement under Standing Orders 40.

The Minister may speak, as you already know, for up to 20 minutes. After the Minister, I will then invite the Leader of the Opposition or his designate to speak on the Statement for no more than five minutes. There will also be a response from the Leader of the National Federation Party (NFP), or his designate, to also speak for five minutes. There will be no other debate.

I now call upon the Honourable Attorney-General and Minister for Economy, Civil Service and Communications to deliver his statement.

### Current Economic Performance and Outlook for the Fijian Economy

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, this morning, I rise to provide an update on the current economic performance and outlook for the Fijian economy and Government's financial performance for the first six months of the 2020-2021 Financial Year, which is from August 2020 to January 2021.

Mr. Speaker, Sir, we are well familiar with the realities of the crises by now. Due to this once-in-a-century COVID-19 pandemic, the Fijian economy is estimated to have had its largest ever economic decline of 19 percent in 2020, equivalent to a loss in GDP of over \$2 billion. This follows a marginal contraction of 0.4 percent at the end of the nine years of the consecutive economic growth that we have had (which was of course unprecedented).

We have recovered from ten figure hits to our GDP in the past such as *TC Winston*, but what makes this crisis more painful is its uncertain nature. The length of border closures is extending into some of our more extreme forecasts, and the impacts of *TC Yasa* and *TC Ana* as well as other disasters (we have got one forecast now perhaps, to come at Category 1 at this point in time) have dealt us devastated blows at a vulnerable time. Considering the damage done as well as the uncertainty ahead, our GDP is not likely to return to pre-COVID levels for, at least, the next three years.

Mr. Speaker, Sir, business activity is down across most sectors. The tourism sector remains the hardest hit. Visitor arrivals in 2020 declined by 84 percent to around 147,000 visitors, similar to arrival levels during the 1990s. Meanwhile, the numbers to start off 2021 mirror visitor arrivals in the 19th century and without the economic ripple effects of tourism, we have recorded reduced demand and lowered activity economy-wide.

Mr. Speaker, Sir, apart from tourism, overall investment activity is also greatly subdued. Apart from the slowdown in Government's capital investments (for obvious reasons), some major construction projects have also slowed down. However, the new tax incentives and measures announced in the 2021 financial year in particular for the private sector, has buoyed domestic investor confidence.

Mr. Speaker, Sir, we marked double digit contractions in net VAT collections. Weaker consumer demand is also reflective of the near zero activity in the tourism sector and supply chain disruptions, to some extent. Weak demand has also seen inflation remaining in the negative in the last 15 months.

Mr. Speaker, Sir, inflation has been negative since October 2019 with January inflation recorded at a negative 1.3 percent. If we are stuck in this situation for months more or even another full year, we risk erasing much of the progress we have worked for years to achieve, as our economy slowly slips back in time and falls in size. But even as the timeline for reopening of borders has dragged on, another has accelerated. Effective vaccines have been developed at an astonishing pace and they are demonstrably protecting populations from this pandemic.

Yesterday, Mr. Speaker, Sir, we spoke on the urgency of procuring and rolling out COVID-19 vaccinations. Immunising our citizens alongside the developed world and ensuring our place in the world's recovery, are our top priorities in the near term. At the moment, that is the clearest economic policy we can pursue and registration for vaccinations is the single greatest contribution every Fijian can make to revive our economy. Not only will it protect us and build confidence that

we can safely be part of the tourism industry's global revival, but the biometric technology we are using to ensure vaccines are administered on a consistent medically sound timeline, will allow Fijians to travel around the world as well. In short, it is the path back to normalcy and we must walk it together.

Mr. Speaker, Sir, labour market conditions have been fragile with over 100,000 jobs affected both, in the formal and informal sector, in the immediate aftermath of COVID-19. While some employees have returned to work, many are still unemployed or on reduced hours and are receiving unemployment assistance through the Fiji National Provident Fund (FNPf) with the Government backup. So far, Mr. Speaker, Sir, a total of \$206.7 million has been paid out to members. Of this, Government has directly paid out \$94.5 million, including \$30.6 million from the COVID-19 Response Budget and \$63.9 million from the 2020-2021 financial year.

A total of \$100 million is budgeted for this initiative in this financial year (2020-2021) which includes the \$5 million set aside for retraining and reskilling of affected employees with the Fiji National University (FNU). The FNU has provided a proposal for funding, which is currently being assessed by the Ministry of Economy and which will be rolled out very soon.

Mr. Speaker, Sir, it is important to note that Government's share of pay-outs have been increasing since the start of this initiative. Under Phase 1, Government top-up accounted for only 13.5 percent of the total payment, while under the recent round four of Phase 2, Government has paid out around 80 percent. Moving forward, Government will pay the bulk, if not all, as members' General Accounts get depleted. We are currently reviewing the assistance to ensure it remains sustainable and at the same time, provide targeted assistance to those who are most affected.

Mr. Speaker, Sir, on the balance of payments' front, foreign reserves remain at a comfortable level of around \$2.2 billion, sufficient to cover 6.7 months of retained imports. This has been underpinned by a strong foreign reserves position prior to COVID-19 and the current low demand for imports and increased offshore borrowings by Government which more than offsets the decline in tourism earnings and the sluggish export receipts.

While foreign reserves remain comfortable for the time being, Mr. Speaker, Sir, we need proactive and sustainable measures to address the underlying balance of payment challenges. The export sector has to be enhanced, new foreign drive to investments enticed, the tourism sector rebuilt and, of course, diversified. Much needed productivity improvements across the economy to regain its competitiveness is critically important.

Monetary policies stance, Mr. Speaker, Sir, continues to be accommodative with a large surplus liquidity of over \$880 million in the financial sector, which will help keep interest rates low. Lower interest rates will play an important role in the long term recovery of the economy when credit risk normalises in a post-COVID-19 environment.

Mr. Speaker, Sir, the financial sector continues to be sound, backed by the strong capital positions of banks. The banks and financial institutions have also undertaken large amounts of loan provisioning to account for the increased likelihood of payment defaults due to the COVID-19 crisis.

The Reserve Bank of Fiji (RBF) is continually monitoring the situation and will mitigate the risk of contagion effects to the finance sector, especially the non-bank financial institutions which are exposed to higher risks. To support those customers facing difficulties in loan repayments, financial institutions have agreed to provide relief with principle and interest repayment holidays until March 2021. Government has also passed a new law through this Parliament to allow homeowners to have increased access of up to 50 percent of their FNPf Reserved Account for home loan repayments.

Mr. Speaker, Sir, economic recovery is largely dependent on the safe reopening of borders and post-COVID-19 economic recovery strategies. A significant number of fiscal measures, including large tax cuts and regulatory reforms were announced as part of the financial year 2020-2021 Budget. These measures were designed to raise the competitiveness of the tourism industry in preparation for border reopening and to also incentivise domestic and foreign investments into the country. More importantly, those measures were introduced to provide confidence levels in a period of uncertainty and give Fijians access to goods on reduced prices to ease the cost of living and improve socio-economic conditions.

However, Mr. Speaker, Sir, despite the development of a vaccine, there is still a number of uncertainties which we have to encounter. For example, when will countries or which countries would allow their citizens to travel freely? When would borders fully open? Which conditions will be placed on travel and what type of other additional requirements will be placed?

Given these, Mr. Speaker, Sir, growth in 2021 had been earlier projected to range anywhere around 1.6 percent to 8 percent, depending on the timing of borders' reopening and the potential number of visitor arrivals. For 2022 and 2023, growth was expected to range from around 4 percent to 8 percent. However, these projections are currently under review.

Mr. Speaker, Sir, the new projections will be released in the coming months as we get more certainty. To give an example, if we get ourselves all vaccinated and if Australia is still vaccinating or they may say, "If you go to Fiji, you still have to come back and be quarantined", but maybe people from USA may get vaccinated, so we may get arrivals from USA. So all of this can change, the segment in the tourism sector, which ones will be targeted, where will the source markets be - all those are very much up in the air and I am sure a lot of these can get resolved in the next few months. This is why we made the point yesterday, we need to be ready and all of us need to be vaccinated.

Mr. Speaker, Sir, let me now also discuss about the state of Government finances and fiscal performance for the first half of the 2020-2021 financial year. The Government's total revenue collection for the six months stood at \$964.8 million while total expenditures amounted to \$1.5 billion. This resulted in a net deficit of \$545.8 million or 5.5 percent of GDP.

Mr. Speaker, Sir, total revenue for the six months was above the forecast by \$107.3 million or 12.5 percent. This is attributed to the higher than expected collections from both tax and non-tax revenues. Tax revenue, Mr. Speaker, Sir, was above the forecast by \$26.7 million or 3.6 percent, while non-tax revenue exceeded estimated collections by \$80.6 million or 64.2 percent.

Mr. Speaker, Sir, total revenue collection of \$964.8 million for the first six months represents around 57.7 percent of the annual projected revenue of \$1.6 billion. Based on this trend, we remain on track to realise the projected revenue collections for the 2020-2021 financial year and most likely surpass the forecast.

Of course, Mr. Speaker, Sir, if we compare these figures to the period prior to pre-COVID, it is still much lower than that. As highlighted in the last two Budgets, the COVID-19 crisis has severely impacted Government revenue, as the tourism sector came to a standstill. Business activities slowed down, trade flows declined and domestic demand plummeted. Monthly tax collections since April 2020 have averaged around 50 percent lower than, of course, the same period in 2019 (those were pre-COVID days).

Mr. Speaker, Sir, apart from the haemorrhaging of tax revenues, there is some outstanding VAT refunds which FRCS is now playing catch-up on. There is also some film tax rebates that are also in arrears and we have now, for example, with the "*Survivor Series*", a recent agreement where

they have very kindly agreed to have those rebates paid over a period of five years, and we can still get some production back into Fiji which will generate, as we know, a lot of jobs in the rural areas, all subject to the health protocol measures that need to be put in place.

Mr. Speaker, Sir, the higher than budgeted non-tax revenue collection is largely attributed to the one-off grants received during the first half of the financial year related to COVID-19 and cyclones. A total of \$78.4 million has been received in the form of grants, the first half of this fiscal year. The sources have been the European Union, Indonesia, Australia and the Asian Development Bank (ADB).

In terms of expenditure, Mr. Speaker, Sir, total expenditure for the first six months amounted to \$1.5 billion, around \$470.4 million or 23.7 percent lower compared to the forecast for the period. The total expenditure in the six months represents around 41.1 percent of the total annual budget. Compared to the same period, of course, Mr. Speaker, Sir, total expenditure for the six months is down by \$195.6 million or 11.5 percent.

While Government has had a satisfactory fiscal outturn for the first six months in the financial year, fiscal risks remain for the second-half of the financial year, associated with natural disasters, cyclones, flooding (we still have up until the month of April), rehabilitation of schools and infrastructure, timing of vaccine acquisition and risks associated with contingent liabilities.

Mr. Speaker, Sir, in terms of financing, a gross borrowing of \$2.75 billion was budgeted for the 2020-2021 financial year. This included; \$1.4 billion to be sourced externally, \$940 million to be sourced from the domestic market and utilisation of around \$400 million cash balance carried over from the previous financial year, which we had accumulated in a nice little deposit for the refinancing of the Global Bond.

In terms of external financing, Mr. Speaker, Sir, Government has, in the first six months, accessed a total of \$530 million from the ADB and the Asian Infrastructure Investment Bank (AIIB). This includes; \$424 million from ADB and \$106 million from AIIB. Currently, a total of around \$710 million external financing is being finalised with the World Bank, ADB and JICA.

Preparations and discussions for these loans are progressing well and on track with draw down likely in the coming months. Other external loan-funded capital projects will continue to be drawn down, based on the rate of the project implementation. Therefore, Mr. Speaker, Sir, external financing budget for this fiscal year remains on track.

Of the planned \$940 million in domestic borrowings, Mr. Speaker, Sir, Government has already raised around \$193.8 million in the first six months of this fiscal year, based on the financing needs. While we have noted some tightening in the domestic market, the higher than budgeted revenue collections and potential expenditure savings will mitigate this.

Government debt, Mr. Speaker, Sir, stood at around \$6.875 billion, equivalent to 69.5 percent of GDP; domestic debt at \$5.095 billion, equivalent to 51.5 percent of the GDP; while external debt was around \$1.78 billion, equivalent to 18 percent of GDP.

Mr. Speaker, Sir, you may recall that Fiji had a downward trajectory with regards to debt, which fell from 56.2 percent in 2010 to 43 percent in 2015. Then came, of course, *TC Winston*, the rebuild from which drove up expenditure. In fact, we endured 13 cyclones since 2016, 13.5 actually if you count *TC Bina*. Still, we managed a prudent debt to GDP ratio through that period, but the impacts of the COVID-19 crisis are further reaching than any single cyclone, or even 13 of them.

Unlike in the aftermath of the storm, revenues have also been repressed by this pandemic for months, while GDP is steadily in decline so, therefore, we have got a double whammy in respect of measuring the debt to GDP ratio. With the budgeted level of borrowings for this fiscal year, the debt levels are projected to increase to around \$8.3 billion or over 83 percent of GDP at the end of July 2021. A full 14 percentage points of that increase alone is attributed to the decline in our GDP.

External debt is projected to increase to 26.1 percent of GDP, while domestic debt is projected at 57.3 percent of GDP.

Contingent Liabilities, stand at \$1.45 billion, equivalent to around 14.7 percent of GDP. This, of course, Mr. Speaker, Sir includes Government guaranteed debt of \$832.9 million, callable ADB and World Bank subscriptions of \$515.5 million and other implicit liabilities of \$103 million. There is also guarantees to FSC.

In summary, Mr. Speaker, Sir, for the first six months of the 2020-2021 financial year, revenue collections have been above its forecast, while expenditure trend is slightly lower than the forecast for the first six months. External financing remains on track. While there is some tightening in domestic financing, they will be offset by the higher revenue collections and some savings in expenditure.

Overall, we remain on track as per the 2020-2021 financial year Budget. We know we have covered a tremendous amount of facts and figures, Mr. Speaker, Sir, but we can all expect that in the usual manner. Hopefully, they will not be this time, turn into a political football by the usual suspects, regardless of the economic context of this pandemic.

But we want every Fijian to know, Mr. Speaker, Sir, who is watching, we understand what these figures really mean and we understand the state of our recovery. We understand it means jobs for our people, we understand it means dignity and security, and that is why our economy's revival is the most critical priority on our agenda.

That is why we are advocating so forcefully, to secure vaccines now and roll them out as quickly as we can. We need everyone to enlist in that national effort because the only way we can come out stronger from this crisis together, Mr. Speaker, Sir, (I am about to finish) is to be able to get on this agenda.

Mr. Speaker, Sir, the Ministry of Economy has already started preparations for the upcoming 2021-2022 Budget, which will be announced in June 2021. Cabinet has already approved the financial year 2021-2022 Budget Strategy, and the Ministry has met with all the Permanent Secretaries on last Friday, to provide an update on the guidelines for the formulation of the 2021-2022 Budget.

We have started receiving submissions from the public. We are also planning more of our online and face to face budget consultations, as well as a series of budget chat forums, where we will facilitate an online conversation on the state of the economy and our economic recovery. Mr. Speaker, Sir, we encourage all those interested to join us before we make the announcements. Thank you.

HON. SPEAKER.- Honourable Members, I thank the Honourable Attorney-General for his Ministerial Statement.

As per the Standing Order, I now call upon the Leader of the Opposition or his designate. I give the floor to the Honourable Nawaikula.

HON. N. NAWAIKULA.- I wish to make a short reply to the Statement given by the Honourable Minister for Economy. Very clearly, Mr. Speaker, Sir, we have been listening and we hope that the whole of Fiji and the media is listening to that Statement.

The point is this, we are in an economic crisis but we need not be told, we already know about this. The review from the Reserve Bank of Fiji in December has stated that all major sectors were operating very badly, including agriculture and fisheries. The collection of VAT was down and we were told from the Government sources that they were in a crisis meeting. The Government needs about \$500 million revenue, to sustain itself in the month and we were drastically below that. And you know, because the Cabinet has said once or twice in relation to that, to discuss the way forward, and you cannot find a solution.

We know all those problems and we do not need to be told. The challenge for us is to identify the problem so that we can achieve what the Honourable Minister has related to as our economic revival. We need to identify what is the problem, and the problem is the Honourable Minister. The problem is him, and I know that the Honourable Ministers will agree with me. Let me clarify that, why he is the problem.

Mr. Speaker, Sir, his problem is that, he decides everything by himself, he does not take advice, he does not rely to the experts, and that has been happening to this country since 2006 and that is how he speaks for themselves. Before even coming to COVID-19, in 2017, our revenue was clear. In 2018, it went down to \$3 billion, in 2019, it went down to \$2 billion (\$1.6 billion) and the reason for that is, there is only one person on that side. He does not even listen to all of you.

We do not have a planning office as before. In Ratu Mara's time, a planning office is really important because that is where you have the extracts.

(Honourable Members interject)

HON. SPEAKER.- Order!

HON. N. NAWAIKULA.- That is the reason. The Auditor-General will also support me.

(Honourable Members interject)

HON. N. NAWAIKULA.- The findings of the Auditor-General in relation to the Ministry of Economy is that, these were done *ad hoc*. There is no procedure. There is nothing there. On the audit, even on the aid from overseas, the Auditor-General says that the Ministry of Economy does not have a procedure. Everything is *ad hoc*. It is because that he does not rely on advice.

We need to change the Minister for Economy. Obviously, there are other good people there. He has had 14 years now and we all know where he has taken us - down the drain. He has sold all our assets - FEA, Fiji Ports, so what is left? All these things were there from Ratu Mara's time for our children but they have used it. Not "they" but "him". So to identify the problem, the problem is the Minister because he does not take advice and you agree with me, I know.

(Honourable Members interject)

HON. N. NAWAIKULA.- You have all agreed with me. Honourable Ministers from that side all agree with me. We need to change the Minister for Economy. We need good ideas, we need to listen to the experts who know how to take us through this. You should stop blaming COVID-19. We should blame the problem and the solution is, let us have a new Minister for Economy.

HON. SPEAKER.- I thank the Honourable Niko Nawaikula for his contribution to the debate.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

I now give the floor to the Honourable Leader of the National Federation Party. You have the floor, Sir.

HON. PROFESSOR B.C. PRASAD.- Mr. Speaker, I thank the Honourable Minister for Economy for his update. I think he has provided a generally fair report on the assessment of the impact of the COVID-19 pandemic on our economy and I think we need to look at where this crisis is going and how we can deal with it.

Mr. Speaker, Sir, I have to say this, that while we have had a 19 percent contraction, our economy was already in a contractionary mode, even before COVID-19. I must say that some of our GDP figures, I have always suspected, were inflated and what that means, Mr. Speaker, is that our recovery back to pre-COVID GDP could take three to five years. That is why I think it is very important for us to have a recovery plan, not for three years but for five years because the impact of COVID-19 is very, very serious.

I think a lot of people cannot imagine the impact this might have, not in the next two years but probably in the next five years. When you have this kind of crisis, Mr. Speaker, if you look at crisis in the past, in the history around the world, there are three things that governments always do and target very, very specifically. The Honourable Minister rightfully talked about reduce demand, weak demand - it is correct. The problem in the economy is one of demand, it is not a problem of supply. We have to look at how we can create the demand.

Mr. Speaker, even people who have income, even people who can spend are not spending. So it is not just people who do not have income but it is people who actually have income who are not spending because the expectation of what happens in the future determines what people do today and people expect things to deteriorate in the future. The natural disasters are compounding that further.

There are three things, Mr. Speaker, Sir, that I think the Government ought to very, very carefully plan in its recovery budget. One, of course, is education. When you have a crisis and when you have hundreds of thousands of people looking for jobs, unemployed, under-employed, you do not want to reduce the budget for education or curtail access to education in any particular way at any level.

I think there are people, Mr. Speaker, Sir, who would have lost jobs, who would want free training, who would want to go back to university. We must make sure that whatever we do, if we have to cut budget of the government in other areas, we put money into education. We put money into the schools, we make sure that parents actually get supported because when we support education in that way, there will be income space for parents and the society as a whole, to spend somewhere else. When you spend in education, you are actually creating demand in the economy. It helps the economy. I am very upset Mr. Speaker, Sir, and I am very surprised that the government in its last Budget tried to curtail accessibility to TELS loan. I think we should open up as they did in 2018. This is the time to open up the floodgate for our students to get into tertiary institutions and to schools.

The second thing we need to ensure, Mr. Speaker, Sir, is health. We must make sure that we have panadol, diabetes tablets and basic medicine in all the health centres and hospitals around the



country because that is where the poor are going to spend their money, if it is not available. If you provide them there, then they have money to spend somewhere.

Mr. Speaker, Sir, if you put money into the pockets of those in the lower income, they spend almost all of it or more than 90 percent of it. You put money into the pockets of the rich, they are holding it back. I know, we had duty reduction, why would they want to give \$40,000 in tax concession to a businessman who can already afford to buy a \$200,000 land cruiser? We must make sure that we put money right now into the pockets and hands of the poor.

The third thing, Mr. Speaker, Sir, is we need to look at how we can support income and what the Government has right now in terms of income support is not enough. There are hundreds of thousands of people who cannot access FNPF. That is why I am saying, any external financing source must factor in how much money we can get to put into the pockets of the people.

For the next two to three years, Mr. Speaker, Sir, we need to look at those three sectors. We must make sure that our recovery package is based on those three things; support for education, support for health and income support for the middle class and below, because that is the surest way in which we can create demand in the economy. That will have a ripple effect, it will have a multiplier effect, it will help us grow our GDP, it will help increase our revenue because when people spend, VAT collection will go up and money actually goes back to the Government.

I think the Government needs to cut its expenditure. Why do we have 10 or 11 Assistant Ministers? They can live on \$50,000 now. We cut that expenditure and put every dollar that we can save from Government's excessive expenditure into hospitals and health centres. The hospitals, Honourable Minister, do not have panadol! They do not have panadol, so you should concentrate on that.

(Honourable Members interject)

HON. PROFESSOR B.C. PRASAD.- The Speaker will tell me, not you.

(Honourable Member interjects)

HON. PROFESSOR B.C. PRASAD.- You put panadol and diabetic tablets in the hospitals, that is your job.

HON. SPEAKER.- Order, order!

HON. PROFESSOR B.C. PRASAD.- Mr. Speaker, Sir, let me conclude, we need a five year recovery package. Thank you, Mr. Speaker, Sir. Put panadol and diabetic tablets in hospitals.

HON. SPEAKER.- I thank the Honourable Leader of the National Federation Party for his contribution to the debate.

Honourable Members, on that note, we will take a break for refreshments, we adjourn for refreshments.

The Parliament adjourned at 10.35 a.m.

The Parliament resumed at 11.08 a.m.

HON. SPEAKER.- Honourable Members, please, be seated.

**REPUBLIC OF FIJI AND SOLOMON ISLANDS  
MARITIME BOUNDARY DELIMITATION AGREEMENT**

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I move:

That Parliament approves the signing of the Agreement between the Republic of Fiji and the Solomon Islands concerning their Maritime Boundaries.

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

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. This particular Treaty was referred to the Standing Committee and the Standing Committee has come back with its recommendation, essentially requesting Parliament to endorse the Agreement for signing by Fiji for the ratification.

Just by way of a very brief introduction, Mr. Speaker, Sir, the United Nations Convention on the Law of the Sea (UNCLOS) provides for the legal principles for coastal States to define their maritime boundaries, and to enjoy the rights and obligations set out in UNCLOS, to utilise and sustainably manage their resources within their EEZ.

Mr. Speaker, Sir, as we all know in particular being maritime countries, that these boundaries are critical for governance, security, law enforcement and maritime resource management within a country's maritime zone. Fiji is progressing in securing and finalising the delimitation of its maritime boundaries through negotiation with Pacific Island Countries.

Mr. Speaker, Sir, the Committee has actually discussed at length about the benefits of ratifying this particular Agreement, and just by way of brief introduction, I would like to thank the Committee for this, and we would like to seek Parliament's support for the ratification of this Agreement. Thank you.

HON. SPEAKER.- Honourable Members, the floor is now open for debate on this motion. Honourable Jale, you have the floor.

HON. A. JALE.- Mr. Speaker, Sir, I rise to support the motion moved by the Honourable Attorney-General and Minister for Economy, Civil Service and Communications. This really is a welcome move. There are only few countries that Fiji has not been able conclude an agreement with in terms of its maritime boundaries.

We welcome the move by the Government of the Solomon Islands in Fiji to conclude one. I know that this effort has taken a few years to conclude and negotiate. I thank the Maritime Affairs Coordinating Committee (MACC) which comprise agencies of Government, for meeting, discussing and also negotiating with the Solomon Islands on the delineation of the maritime boundary that have seen the conclusion of the Agreement.

I stand here as a Member of the Standing Committee on Foreign Affairs and Defence to support the motion. It is only important now that we conclude the maritime boundaries with countries that we have not concluded agreements with because it is a matter of securing it. If we do not secure

a border, then other foreign vessels can exploit that. Solomon Islands and Fiji have concluded and agreed to a boundary which will be respected by both countries. At the moment, we do not have one, so that means foreign vessels are coming in and exploiting the resources of the two countries. So, the sooner we put in place this Agreement, Mr. Speaker, Sir, the better for the two countries.

Again, I thank the Government of Fiji and I thank the MACC for the good work that they have done to bring us this far. Thank you very much, Mr. Speaker, Sir.

HON. SPEAKER.- I thank Honourable Jale for his contribution. I give the floor to the Honourable Minister for Commerce, Trade, Tourism and Transport. You have the floor.

HON. F.S. KOYA.- Thank you, Mr. Speaker, Sir. I stand to actually support the motion, the signing of the Agreement between Fiji and the Solomon Islands on the maritime boundaries.

Mr. Speaker, Sir, among international maritime disputes between States, those concerning the delimitation of maritime boundaries are the most sensitive and these relate to the extent of sovereignty, sovereign rights over natural resources or jurisdiction of coastal areas concerned. It has been noted, Mr. Speaker, Sir, that certain global trends have also increased the emphasis on the role of oceans in international affairs, an increase in seaborne trade, and the growing demand for marine resources and climate change effects on the oceans and most importantly, the location of those resources are all actual factors that have led to a renewed focus on maritime space.

Mr. Speaker, Sir, it is actually worth noting from the Report of the Standing Committee, as submitted by the Maritime Affairs Coordinating Committee (MACC), that there were no disputes between Fiji and the Solomon Islands on the maritime boundaries and hence, the need to agree. It is good information for everyone to know, Mr. Speaker, Sir, that the boundaries actually demarcate the sea into different sectors from the baseline to a country's maritime zone, such as the territorial sea.

There are three different versions, they have territorial sea which is 12 nautical miles from the baseline, the contiguous zone which is 24 nautical miles and then you have the Exclusive Economic Zone (EEZ) which is 200 nautical miles and to some extent, the actual continental shelf. In measuring the 200 nautical miles for Fiji's EEZ boundary, it was eminent that this was actually overlapping with coastal States like the Solomon Islands, Tuvalu, Vanuatu, Tonga, Wallis and Futuna and New Caledonia.

Mr. Speaker, Sir, Fiji has actually concluded and signed Maritime Boundary Agreements of its EEZ with Tuvalu, Wallis and Futuna and New Caledonia. The negotiations are ongoing for the conclusion of this boundary agreements with Tonga and Vanuatu. The agreement between Fiji and the Solomon Islands is before us today.

The Standing Committee also alluded to sovereign rights and sovereignty. As indicated in the Report, there are two distinctive rights which the Honourable Attorney-General alluded to earlier, in terms of the law of the sea which is called the United Nations Convention on the Law of the Sea (UNCLOS). The application of sovereignty or sovereign rights is also dependent on the type of maritime zone, for example. Sovereignty means that a coastal State actually exercises control over territorial sea and no other State can exercise concurrent sovereignty, unless international law or UNCLOS prescribes. As opposed to sovereign rights, UNCLOS provides that a coastal State has sovereign rights in the EEZ for the purposes of exploring, exploiting, conserving and managing the natural resources whether living or non-living.

The overlapping EEZ boundary, Mr. Speaker, Sir, between Fiji and the Solomon Islands is actually settled through a principle called, “the equidistant principle”. That basically means equal distance from both countries of EEZ through a median line which is calculated from the base points of the respective countries and there is no dispute concerning this particular demarcation.

Mr. Speaker, Sir, one of the reasons why I stood up and spoke on this particular issue is that maritime boundaries and its zones are important to the Ministry of Commerce, Trade, Tourism and Transport, as this actually affects the safety of ships and navigation; aids to navigation, what is commonly known as ATONs, such as lighthouses or landmarks; anchorage of vessels; wreck removals; types of licences to be issued in terms of the ships travelling within the actual zones; seafarer certification; duties of Flag States; reduction and control of pollution; the maritime environment for vessels and enforcements and also in terms of cross border trade, what is considered as domestic export is also dependent on the clear demarcation of maritime boundaries.

Mr. Speaker, Sir, the agreement, obviously, will have no financial implication or place any financial implication on Fiji. The endorsement and execution of this Agreement will contribute to improving governance, security, law enforcement and the management of the marine resources within the EEZ.

Mr. Speaker, Sir, I support the motion before the House and the signing of the Agreement between Fiji and the Solomon Islands. I thank you, Sir.

HON. SPEAKER.- I thank the Honourable Minister for his contribution to the debate. I give the floor to the Honourable Leader of the Opposition, you have the floor, Sir.

HON. RATU N.T. LALABALAVU.- Thank you, Mr. Speaker, Sir. I rise, not only in support of the motion but also in raising some concerns that have recently been alluded to by the Honourable Minister for Commerce, Trade, Tourism and Transport just a while ago. The concern is really to do with the positioning of the maritime boundaries and how that relates to the ocean shelf.

I understand we used to have a problem with the Kingdom of Tonga because of the way the ocean shelf was structured, it was kind of protruding towards Tonga and Fiji. The Government at that time thought that, that was part of the boundary as well but then it was well within the Tongan boundary as well. I understand where the Honourable Minister for Commerce, Trade, Tourism and Transport is coming from, relating to the position and the distance from some kind of an aligned agreement that has been imposed to ensure that there is no conflict.

Again, the other concern that we have on this side of the House is under sea mining. I understand a company that operates in Papua New Guinea, Nautilus had done some exploration rights in the boundary between Vanuatu and Fiji. I heard from the Honourable Minister for Commerce, Trade, Tourism and Transport that, that is another boundary that is still to be finalised.

Again, sea mining has been successfully done there, the exploration side of it but these are some of the issues that we are concerned about because it affects the resources that we have, whether it is under the sea or on the land. Secondly, when we determine boundaries such as this, the marine boundaries, how does that relate to the air space? I mean, the sovereignty of the country. I do not know whether the Air Services Agreement with the Solomon Islands is still outstanding or has it been successfully negotiated. Does that, in any way, connected to the maritime boundary that we now have before us here? These are some of the concerns that we would like to raise, Sir. Thank you.

HON. SPEAKER.- I thank the Honourable Leader of the Opposition for his contribution to the debate.

Since there is no one else wishing to take the floor, I give the floor to the Honourable Attorney-General to speak in reply. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I would like to thank all the Honourable Members who have spoken in support of that.

Mr. Speaker, Sir, just a couple of issues. The Air Services Agreement, a completely different cattle of fish, if you like, because it has no correlation with the maritime boundaries. Then, of course, the Air Services Agreement is all about aviation travel itself in terms of the number of flights and the number of seats available.

In respect of the issue that the Honourable Leader of Opposition talked about on Tonga, that is the Minerva Reef issue which, of course, Tonga disputes because of the continental shelf issue. At one point in time, New Zealand also had some interest because of the stretching of that continental shelf, coming northwards from New Zealand. That I think, will require a lot of negotiations. We have already lodged our baseline with UNCLOS regarding that and that has to be resolved through the UNCLOS mechanism.

But of course, as it has been highlighted in respect to Solomon Islands, there has been no dispute as such. We are fully aware of our boundaries. This is essentially now just puts that agreement in place as a ratification now and the formal recognition of those boundaries. Indeed, the enforcement of those boundaries because it also helps us to be able to collaborate, in particular now with things like human trafficking, fishing and movement of cargo, et cetera, those all have an impact in respect of our ability to enforce and also to gain revenue both, for Solomon Islands and also for Fiji .

Sir, I would like to thank the Committee and the Solomon Islands authority and we look forward to the ratification of this particular Agreement.

HON. SPEAKER.- I thank the Honourable Attorney-General for the right of reply. Honourable Members, the Parliament will now vote.

Question put.

Motion agreed to.

HON. SPEAKER.- I now call upon the Attorney-General and Minister for Economy, Civil Service and Communications, the Honourable Aiyaz Sayed-Khaiyum, to move his motion.

#### **PARIS DECLARATION ON THE INTERNATIONAL SOLAR ALLIANCE – ACCEPTANCE OF THE AMENDMENTS TO THE FRAMEWORK AGREEMENT**

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I move:

That Parliament approves that Fiji accepts the Amendments to the Framework Agreement of the Paris Declaration on the International Solar Alliance (ISA) of 30th November, 2015.

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

HON. SPEAKER.- I now invite the Honourable Attorney-General to speak to his motion. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I will be very brief in my introductory remarks, as this particular Amendment to the Framework for the Agreement was actually sent to the Committee which has fully endorsed the ratification to the Amendment to the Framework Agreement.

Just very quickly, by way of introduction, Mr. Speaker, Sir, the International Solar Alliance (ISA) was officially launched through the Paris Declaration by the Indian Prime Minister, Honourable Sir Narendra Modi, and the French President, Honourable Sir Francois Hollande, at that point in time at the margins of the 21st Conference of Parties (COP 21) in Paris.

The ISA aims to provide a dedicated platform for cooperation amongst solar resource-rich countries where the global community, including bilateral and multilateral organisations, corporate organisations, corporate industries and other stakeholders can make a positive contribution to assist and help achieve the common goals of increasing the use of solar energy in meeting energy needs of prospective alliance member countries in a safe, convenient, affordable, equitable and sustainable manner.

Mr. Speaker, Sir, of course, there is a need to also harmonise, not just this technology but also the solar finances and the innovative capacity across all the different countries. Fiji, of course, with its framework and its objective in respect of doing as much as possible in the mitigation space, our target of net zero initially by 2050 and, of course, our Honourable Prime Minister, in the COP 22 in Marrakesh in Morocco in September 2015, deposited the Instrument of Ratification during the 5th Meeting of the International Standing Committee of ISA in New Delhi.

Mr. Speaker, Sir, these amendments actually now cater for a wider group of people and a number of parties and a number of members to this particular Agreement and, therefore, we seek the ratification of that which we are glad that the Committee has actually agreed to. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Attorney-General.

Honourable Members, the floor is now open for debate on this motion. Honourable Minister for Infrastructure, Meteorological Services, Lands and Mineral Resources, you have the floor, Sir.

HON. J. USAMATE.- Thank you, Mr. Speaker, Sir. I would like to stand in support of the motion that is before the House, supporting the Amendment that Fiji be part of this Amendment on the Framework Agreement for the International Solar Alliance (ISA).

Fiji has been a member of this organisation for some time and it has been born out of the leadership of the Honourable Prime Minister in terms of issues relating to climate change which, in turn, has led to calls around the world for us, as a planet, to move more towards renewable energy.

In Fiji's case, the ISA has been something that has been very useful to us. As the Honourable Attorney-General has pointed out, the ISA was initially conceived to be an alliance of those countries that are within the two tropics because they have a lot of sunshine but now is being opened up to all the member-countries of the United Nations so it gives an opportunity for all the parties that want to move this agenda for renewable energy to become involved in this phase.

In Fiji's case, we have particular targets to do with renewable energy and that is, we should be approaching 100 percent renewable energy by the year 2030, which means moving more of our power-generation away from fossil fuel and more towards hydro and solar. We have seen over the past few years that there has been a lot of investments into hydro. Now, we need to ram up the issues around getting more solar into the ground in Fiji.

As has been pointed out also, as of September 2019, this Framework Agreement had been signed by almost 80 countries, but only six had ratified it. This new Amendment that we are talking about here, the Framework Agreement of the Paris Declaration on the International Solar Alliance has already been ratified by 12 countries. Ratifying the Amendment Framework will provide furtherance in Fiji to continue establishing networks and develop synergies with ISA member countries and partners to help achieve Fiji's efforts in a sustainable and targeted manner for the energy sector.

The ISA provides opportunities for member countries to access their technical programmes within ISA which includes; scaling solar appliances for agriculture use - using solar mini-grids; scaling rooftop solar and scaling solar e-mobility and storage. All of these things are very important, especially for island countries like us and I think, very importantly, it allows us access to their three cross-cutting programmes which includes:

- affordable finance because this is always going to be a big challenge in terms of putting the solar system into any country and getting the finance for it;
- online information and communication platform;
- capacity building;
- standardization; and research.

Ratifying the amended Framework Agreement will additionally reinforce Fiji's commitment towards climate change and reiterate Fiji's demonstration of climate change leadership. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister for his contribution to the debate. Honourable Bulitavu, you have the floor.

HON. M.D. BULITAVU.- Mr. Speaker, Sir, I rise to support the motion which is before the House and I thank the Committee for completing that Report and agreeing in consensus. The importance of this Framework Agreement on the Paris Declaration of International Solar Alliance was first brought in by the United Nations Climate Change Conference (UNCCC) in 2015 and, again, signatures were open for the Framework in Marrakesh, Morocco, in 2016.

The importance of this great alliance was the brainchild of the Indian Prime Minister, Mr. Narendra Modi, who had brought this up and also how that benefitted us. I think there is an ongoing programme currently in our Government's National Policy in terms of our Barefoot College and also a big arrangement of technical help and assistance to encourage and upskill our rural people in moving into renewable energy, moving away from fossil fuel.

I think the effects of climate change in Fiji, as we all know, most of the main energy lines are down after any cyclone or depression or any other climate or weather change that affects us. So, one of the greatest needs that arise is energy and I think solar is the way forward and it really helps people who live in rural areas and those in urban areas to stay connected in terms of charging their mobile phones, lights, et cetera, that are used for household activities.

This is a very important Agreement and also the domestication of this. The various measures that come with it and also other technical aspects of this Agreement will come in the funding that will help us especially as a vulnerable country to climate change, given our ability to adapt to changes brought to us today, given the effects of climate change. This is something that we can use to mitigate and also adapt to what we are currently facing.

Those are some of the things I would like to share, our view from the rural community and also the people out there on how they will actually benefit after we agree to this. *Vinaka vakalevu*, Sir.

HON. SPEAKER.- I thank the Honourable Bulitavu for his contribution to the debate. Honourable Aseri Radrodro, you have the floor.

HON. A.M. RADRODRO.- Thank you, Mr. Speaker, Sir. I just want to join my fellow colleagues in thanking the Committee for having a bipartisan report on this motion. After hearing everything that has been mentioned, I just want to request updates, once we adopt this Amendment, in terms of the capability and the resources that we have on the ground. Do we have the resources to start implementing this solar project, Mr. Speaker, Sir?

I will give an example. When we visited Vio Island which is one of the beneficiaries of the programmes of DiCaprio Foundation, when we visited the villagers, their houses were installed with solar which is part of the COP 23 succession, but they had limitations in terms of the usage of solar. They could not fully utilise the electricity in their homes - they could only use it for light which is what had been allowed for them to use when the solar was installed. If they have further requests to use the fridge or television, they will have to request the provider to be given the 'okay' to use solar power for other things, apart from the lights. Those are some of the experiences that we found out when the Public Accounts Committee did a follow-up on the solar installation at Vio Island in Lautoka, Mr. Speaker, Sir.

Mr. Speaker, Sir, as we all know, it is always a huge funding requirement to install solar as a start-up capital and to do it on a commercial basis, I think it is going to cost millions of dollars. Whether the Government or the EFL will be able to assist villages or the companies that will be conducting this exercise, together with the Government on an independent power producer arrangement or PPP arrangement, is something that this House will probably need to be advised of and informed once we ratify this Agreement. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Radrodro. Honourable Minister for Defence, you have the floor.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Mr. Speaker, Sir. I rise to contribute and, of course, support the motion and thank the Committee for the work they have undertaken.

I rise, Mr. Speaker, Sir, having been a member of the Presidency Team for COP 23 and also as the Minister responsible for rural development, where such new innovations and technologies will be very helpful for us, not only in terms of honouring our commitments, particularly our international commitments as per the Paris Agreement, but with sustainable development as well in our rural Fiji.

Mr. Speaker, Sir, definitely we need these new technologies. On the issue raised by the Honourable Radrodro, I know that even for now, with the Rural Electrification Programme under the Ministry for Infrastructure, we do provide lights only for the communities, but there are avenues as well in which we can expand. That basically means more panels and, of course, storage capacities as well, particularly on batteries.



The good thing is that, technology keeps improving. I just noted very lately that there is a new generation of batteries coming online now, that will address most of the issues in the initial technology and, of course, once we have access to that, it will bring a lot of benefit to our communities. Not only that, Mr. Speaker, Sir, the good thing is that, as technology improves over time, costs are getting lesser. That is perhaps beneficial for us when we want to access those new technologies.

On our commitments, Mr. Speaker, Sir, we have had cyclones recently, climate-induced disasters and this is why we, as with vulnerable and developing countries, want to develop and progress. We also need to be mindful of the fact that we need to be clean in terms of our energy use and, of course, access such technologies that will support our commitment, particularly as the first country that ratified the Paris Agreement and our role, not only globally but in the region. We need to be leading by example as well and that is why such commitments need to be honoured and we also need to live by it.

The work of the Climate Champion is very much involved in the implementation of the Paris Agreement. It is about the new innovation, it is about the new technology and how this technology can be shared, particularly with developing countries. I had the opportunity to visit the ministry in India way back in 2017 on a Climate Champion meeting. I was surprised to see that India has a target to reach by 2022, to provide 220-plus (I do not have the actual figure) gigawatts of power by solar energy. Of course, for us, perhaps it is only megawatts that we will need.

When I was in India in 2017, Mr. Speaker, Sir, they had already achieved about 60 gigawatts of power generated through solar. I hope that through the membership and through the partnership, we will access the benefits of the technical programmes and, of course, it helps us as well in qualifying for funding because of the partnerships that we have. I very much look forward to perhaps, a few megawatts in Fiji. Vanua Levu perhaps, needs a lot of this new technology, as well our outer islands.

On rural development benefits, Mr. Speaker, Sir, I had discussions with one of my former schoolmate recently. He came from New Zealand on holiday recently and he wanted an ice plant on his island. In our discussions, I suggested to him why an ice plant when we have new technologies now and I was referring to, “all that you will need now is solar energy, with battery storage. You can go straight into refrigeration, cold storages through solar energy generated by solar and you do not need ice plants.”

In terms of economising but at the same time addressing our development needs and fast tracking the programmes, particularly in the agriculture sector or the primary industry sector, as I always and often mention in this House, agriculture and fisheries products are perishable. When it loses its quality, it loses its value and the rural communities in Fiji, once they have more of this technology, they will contribute more into the economic growth and the development of this country and at the same time the economic empowerment of our people.

I fully support the motion before the House and I look forward to the day in which we will have more of this through the partnerships that we have with our key partners.

HON. SPEAKER.- I thank the Honourable Minister for his contribution to the debate. I give the floor to the Honourable Ro Filipe Tuisawau. You have floor, Sir.

HON. RO F. TUISAWAU.- Mr. Speaker, Sir, I rise to support the motion on solar energy. As explained by the Honourable Ministers, it is quite critical to our nation in terms of renewable energy targets as a replacement to fossil fuel. I commend the initiatives on solar energy.

In 2018, just prior to the Elections, I was on Beqa Island. There was a quite intensive preparation and also installation going on just before the elections. I commend the Government on that, and the time was probably related to the elections, but I see that it really benefited the people in terms of lighting, especially the students and also in relation to that, there was no power generation in terms of diesel on the island. It was quite a critical alternative.

The other issue in terms of solar is the battery. There is one or two villages had quite outdated batteries and that is probably an issue which the Ministry needs to review in terms of solar energy and the storing of power in terms of the usage of solar. I understand it is great to have these kinds of international agreements and protocols, et cetera, with not only this particular one but also with international renewable energy organisation overall.

In terms of the National Development Plans (NDP), I suppose the question is how does this contribute or can we look at monitoring and evaluation and how does these kinds of international arrangements impact on our overall targets? In terms of renewable energy, does some of the strategies set in place implement, research, data collection, investment identification programmes to accelerate renewable energy share in electricity generation, net metering for small companies or households to feed excessive electricity from renewables and economically justified, Fiji interact of pricing network, undertake start and development, independent power producer framework and establishing transparent process for procurement of new lasted capacity from independent power producers. The question is, to what extent has this been achieved, in terms of our renewable energy targets?

There is the issue about the number of Nabou Biomass and we made a visit there, the Standing Committee on Economic Affairs. When we made the visit, it was not operating, some of the issues relating to that is the supplier of biomass material. There was an arrangement with regards to planting biomass material beside the plant, but that somehow did not come through. I suppose that is the independent power producer which we need to relook at.

At the moment, it is still there, but not operating and I am urging the Ministry to relook at that in terms of the supply of biomass. If the Ministry could partner with the Provincial Councils in terms of looking into a logistic arrangement on the supply of biomass from the nearby provinces of Nadroga, Ba and even, Serua. The biomass, especially on waste biomass materials which are not useful or considered as invasive species such as African tulips.

That is some of the solar targets we have there, solar number of areas, annual targets 15, up to 2022, 2017 to 2022 and then we have renewable energy in electricity generation which is from 67 percent up to 81 percent in 2020. Renewable energy in solar energy consumption which is supposed to be related to what we are discussing today, 13 percent in 2015 to 18 percent in 2020. The number of solar home systems installed is 2,500 per annum up to 2021 and 2022. It would be good to assess the impact on this particular types of initiatives on our annual targets in terms of our National Development Plan.

I, again support the motion at hand, given the importance of renewable energy to our nation. Thank you.

HON. SPEAKER.- I thank the Honourable Ro Filipe Tuisawau for his contribution to the debate.

There being no further wishes to take the floor, I give the floor to the Honourable Attorney-General for your right of reply. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker. I would like to thank all the Honourable Members for their support for Fiji to ratify this amendment.

Mr. Speaker. Sir, just some of the points or the issues that were raised by some of the speakers but very interesting, we are talking about renewable energy and one thing I just noticed earlier on this morning, looking across the table and talking about renewable energy, we are talking about green and it is interesting that all Honourable Members across on the other side are wearing green today - Honourable Kupa, Honourable Qionibaravi, Honourable Radrodro, Honourable Tabuya, and this is completely a coincidence that I am also wearing green.

Mr. Speaker, Sir, on the issue about Vio Island, Honourable Aseri Radrodro raised the issue about how they need to get permission because it is a centralised system. When you have standalone solar systems, obviously you know what the capacity is. When you have a centralised system with battery operation, then you cannot just have one person, for example, fixing the entire big deep freezer, et cetera, which will actually be to the detriment of all the other users. So it is a community-driven centralised system where people need to know exactly what energy requirements are there. So there is nothing negative about that, but it is also about community sharing.

Mr. Speaker, Sir, just in respect of that, I just wanted to highlight as a result of that Vio Island programme, we have already identified five other sites that will actually be electrified through solar systems and these are very remote areas. There is one in Sawaieke Village in Gau, Lomaiviti; Yadrana Village in Lakeba, Lau; we have one in Nabuyanitu Village in Navosa; the Bainimarama Primary School which is very remote in Noikoro, Navosa; we have one in Nagado, Ba; there is a particular village, Dridrisina Settlement and this actually will be at a cost of FJ\$1.8 million and completely funded by the UK Government. When you have these types of projects and you have these pilot projects that are run well, it needs to be administered well.

An NGO that is working with us in respect of these projects. People need to also contribute towards these centralised systems of solar energy provisions because they need to have a stake in it. In areas where people are just simply given this system, they do not actually look after the infrastructure at all, so they need to be able to contribute towards that.

The issue about these types of agreements, Mr. Speaker, Sir, as the Honourable Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management highlighted that access to finance is critically important. When you belong to these international treaty framework member countries, then you are able to access finance and you are able to fund these projects. Of course, Fiji like many of the other Pacific Island countries, do not have vast tracts of land that can simply be given away where solar panels are put everywhere.

We do not have that sort of vastness of land but we have what we call photovoltaic projects. The one that we are talking about now which is being funded through the Green Climate Finance, including some funding by the Fiji Development Bank and also by the Koreans is what we have talked about this in this Parliament which is going to be carried out in Levuka. So, you will actually have the solar panels on top and then you basically have your agriculture below that. It is better utilisation or optimum utilisation of the land.

With those remarks, Mr. Speaker, Sir, I would like to thank everyone for their support and as has been stated by all the other Honourable Members, we need to take advantage of this and we need to be clever about it. It is not only giving people access to electricity which they do not enjoy, it also has the double whammy effect, in the sense that it also reduces our carbon footprint by accessing renewable energy. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Attorney-General for his right of reply. Honourable Members, Parliament will now vote.

Question put.

Motion agreed to.

HON. SPEAKER.- We move on to the next Agenda item. I now call upon the Honourable Attorney-General and Minister for Economy, Civil Service and Communications to move his motion.

**RATIFICATION OF THE OPTIONAL PROTOCOL –  
CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE  
OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY**

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I move:

That Parliament approves that Fiji ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

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

HON. SPEAKER.- Honourable Members, I now invite the Honourable Attorney-General and Minister for Economy, Civil Service and Communications to speak on his motion. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I would like to thank the Committee for their recommendation, that Fiji ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

Mr. Speaker, Sir, now as we know, Fiji has ratified the nine core international conventions pertaining to rights. If I could reiterate and they are as follows:

- Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment;
- International Covenant on Civil and Political Rights;
- International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED);
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD);
- International Covenant on Economic, Social and Cultural Rights (ICESCR);
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- Convention on the Rights of the Child, which is the Optional Protocol we are agreeing to ratify as recommended by the Committee; and
- Convention on the Rights of Persons with Disabilities.

Mr. Speaker, Sir, I think it would be from one perspective an abomination, if anyone actually objected to the ratification of this Optional Protocol. In Fiji, apart from the fact that legally, we are obliged to follow the Convention on the Rights of the Child (CRC) as a society, we are very much in the protection of children. Children are very much part and parcel of our society. We, of course,

have recently seen a number of instances where children have been put in very vulnerable situations where they have been exploited also and we need to be able to address that as a society.

We need to ensure that the laws are in place and the laws, in fact, get enforced. This ratification, Mr. Speaker, Sir, will, again, send a signal to the rest of the world that are willing to participate in the enforcement of these particular rights.

The Fijian Constitution, Mr. Speaker, Sir, of course, under Sections 10 and 11, guarantees all Fijians freedom from slavery, servitude, forced labour and human trafficking and freedom from cruel and degrading treatment. Furthermore, Section 41 of the Fijian Constitution recognises the right of every child to be protected from abuse, neglect, harmful cultural practices, any form of violence, inhumane treatment and punishment, and hazardous or exploitative labour. It further states that the best interests of a child are the primary consideration in every matter concerning the child. Therefore, Mr. Speaker, Sir, the sale of children, child prostitution and child pornography would be most clearly in violation of Section 41 of the Fijian Constitution.

Sections 226 and 227 of the Crimes Act 2009 respectively provide that the selling and buying of minors under the age of 18 years for prostitution, illicit sexual intercourse, or for any unlawful or immoral purposes, are criminal offences. Divisions 5 and 6 of the Crimes Act 2009 respectively create offences with respect to slavery, sexual servitude and deceptive recruiting and trafficking in persons and children which also have extended jurisdiction whether or not the conduct constituting the alleged offences occurs in Fiji.

Of course, this extends across the boundaries. As we know, many countries did adopt that. Fiji followed suit when we actually got rid of the Penal Code and put in place the Crimes Decree because you could actually have Fijians committing these offences offshore. They should be brought to the law. Similarly we have people who may be committing those offences in Fiji and they will be equally culpable back in their own domestic jurisdictions too. We had increased the tariff that was applicable. The range is, of course, from 12 years imprisonment to 25 years imprisonment.

Linked to that also, Mr. Speaker, Sir, is the Online Safety Act which was introduced, which renders it an offence to post-intimate visual recording of an individual, unless that individual consents to the specific post that is online. We have seen quite a lot of that. I think once mentioned in this Parliament where we had in particular, a lady whose room and bathroom was bugged with cameras where whatever you do in your bedroom - you change, you have a shower, was all being caught on camera and being live streamed. This leads to enormous psychological and emotional impact, let alone the exploitation. But it also has applied to children. We have also seen a couple of cases where children were also filmed and the individuals or the adults who were doing that were actually selling those images online to offshore people who used to come to Fiji.

Mr. Speaker Sir, we have also linked to that under the Extradition Act 2003, an offence is an extradition offence if the conduct that constitutes the offence, if committed in Fiji would constitute an offence in Fiji for which the maximum penalty is life imprisonment or other terms of imprisonment.

Mr. Speaker, Sir, we have, in recent times, because of the laws that have now been put in place where there is a lot more liberal approach to discussing these issues, has meant a number of individuals have come forward or their families have actually come forward and brought things like sexual exploitation of children, sexual assaults on children, they feel a lot more confident with the law and, therefore, they are bringing them a lot more forward before the law. I think that is critically important to note and we will see that.

At the same time, we should not use that as an excuse or a reason to say, “Well, they are only doing it now because the law has been put in place.” We need to also try and curb any new offences and that, of course, comes about through strategies put through the respective Ministries and different agencies, through the Police, of course, through our faith-based organisations and the society as a whole.

But we also need to be able to adopt new international standards that can be, of course, followed by our judiciary, our law enforcement agencies, our families, our communities and NGOs at large become sensitised towards and, in fact, are able to then fulfil the requirements, not just under the Convention itself but also the Optional Protocol that we are agreeing to ratify. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Attorney-General for his motion.

Honourable Members, the floor is now open for debate on this issue. I give the floor to the Honourable Minister for Women, Children and Poverty Alleviation. You have the floor.

HON. M.R. VUNIWAQA.- Thank you, Mr. Speaker, Sir. I stand in support of the motion before the House. Fiji ratified the Convention on the Rights of the Child (CRC) in 1993. This Convention sets out standards and protocols to safeguard the rights and welfare of our children. As a signatory, Government is mandated to implement child protection laws and initiatives aligned to the Convention.

The Ministry of Women, Children and Poverty Alleviation is the agency responsible for reporting on the Convention on a periodic basis. The next State Report which was due in September 2020 is now due in June 2022 due to changes within the CRC reporting mechanism. Fiji signed the Optional Protocol which is before the House today on 16th September, 2005, but has yet to ratify it. If Fiji ratifies the Optional Protocol, we must then submit a report to the Committee on the Rights of the Child within two years, providing comprehensive information on the measures it has taken to implement the provisions of the Protocol.

The purpose of the Optional Protocol, as clarified by the Honourable Attorney-General, is to prohibit the sale of Children, child prostitution and child pornography. It also requires state parties to adopt appropriate measures to protect the rights and interests of child victims at all stages of the criminal justice process.

The Optional Protocol requires state parties to:

- (1) at a minimum, ensure that offences related to the sale of children, child prostitution and child pornography are fully covered under its criminal law and to establish jurisdiction over such offences when the offences are committed in its territory on board a ship or aircraft registered in that State; and
- (2) it makes such offences extraditable within its existing extradition treaties and in any subsequent extradition treaties entered into.

Mr. Speaker, as enunciated by the Honourable Attorney-General, the 2013 Fijian Constitution, the Crimes Act 2009 and Online Safety Act 2018 clearly represent Fiji’s position against the sale of children, child prostitution and child pornography. Thus, the ratification of this Optional Protocol will go a step further in showing our national commitment on the international arena. Fiji’s ratification of the Protocol will further strengthen our commitment towards safeguarding Fijian children.

I also would like to take this opportunity to thank the Office of our Permanent Representative to the UN Office in Geneva for the push to have this ratified, UNICEF and the AG's Office for the technical and legal support to get this Optional Protocol to this stage and, of course, the Parliamentary Standing Committee in considering this.

I fully support the motion before the House, therefore, Mr. Speaker, that Fiji ratifies the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. Thank you, Sir.

HON. SPEAKER.- I thank the Honourable Minister for her contribution to the debate. I give the floor to the Honourable Salote Radrodoro. You have the floor, Madam.

HON. S.V. RADRODORO.- Thank you, Mr. Speaker. I rise to contribute to the debate on the ratification of the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. I also rise to support that ratification.

As alluded to by the Honourable Minister for Women, Children and Poverty Alleviation and also by the Honourable Minister for Economy that Fiji ratified the Convention on the Rights of the Child in 1993 and now, we are here in this House to debate on the ratification of the Optional Protocol to the Convention on the Rights of the Child (CRC). We have almost 28 years after the signing of the CRC, Mr. Speaker, so a question I would like to raise is, what have we achieved as a country in regards to the protection of our children?

We continue, Mr. Speaker, and I raise this, I know this Government and the previous one have focussed our efforts on the legislation, localising the CRC on the various programmes. For example, we have various programmes that pursue to protect our children under the social welfare system but the question I would really like to ask this House is, are the legislation and all these various programmes achieving the societal behavioural change that these legislations and programmes intend to achieve or the objectives of these legislations?

To me that is the crux of these legislations, Mr. Speaker. Having to ratify an Optional Protocol to a main UN Convention just does not give us that good feeling that we are satisfying all those UN requirements or maybe UNICEF requirements which specifically look after our children. So, I would like to focus my contribution on the societal behavioural change that these legislations and programmes target to achieve.

I know there has been a lot of work done by the Government and also by Non-Government Organisations (NGOs), for example, the Save the Children Fund and all other organisations that do undertake work in the protection of our children but as we see, we continue to have children who are missing in Fiji. I know I have raised this in one of my previous contributions of our grave concern on our missing children and the non-action by the Government in regards to pursuing that we find these children.

I know there was a three-year old girl that disappeared somewhere in Veisari and up until now, we still do not know what has happened to that child, and that to me is important rather than just bringing in conventions or optional protocols to sign. What we must be doing as a country and as legislators in this House is for us to be looking at - what do we achieve? Are we achieving the targeted objectives of these conventions or not?

Mr. Speaker, Sir, while out in the community after *TC Yasa*, I found out that we, in Fiji, have a strong traditional governance system in place and that is working together with our faith-based

organisations. I believe that one of the key aspects to all these conventions that we are ratifying and have signed this one, for example, is, how will it affect us?

I heard the Honourable Minister for Economy mention about enforcement of these legislations and that is the key but he did not further add, neither the Honourable Minister for Women, Children and Poverty Alleviation, on the resources that we need as a country to be able to achieve the targeted societal behavioural change that is needed. Only then can we say that we have achieved what these conventions are - the Convention on the Rights of the Child, and now we are trying to ratify the Optional Protocol, Mr. Speaker.

One of the recommendations I would like to put on the floor now is for the Government to recognise the importance of community-based child protection mechanisms and work with all those organisations that undertake these types of work and also to ensure that they are resourced accordingly. Otherwise, Mr. Speaker, this signing of the Optional Protocol aligned to the Convention on the Rights of the Child, if the Government does not accord the appropriate level of resources, not only to the Ministry but also to NGOs (including faith-based organisations and community-based organisations), for us to be able to synchronise the formal and traditional mechanisms that are out in the community to be able to work better to protect our children.

I call on the Honourable Minister for Economy and also the Honourable Minister for Women, Children and Poverty Alleviation that we take it a little bit further and look at implementation, look at the localisation of these Conventions and the localisation of this Protocol, shift from the usual social welfare assistance that we are giving, but focus more on the community-based child protection mechanisms that are already there and work together so that we are able, as a country, to achieve more and take us out from being listed under Tier 2 of the United States Department on the Trafficking of Persons. Thank you, Mr. Speaker.

HON. SPEAKER.- I thank the Honourable Salote Radrodro for her contribution to the debate. Honourable Lynda Tabuya, you have the floor.

HON. L.D. TABUYA.- Thank you, Mr. Speaker. I rise in support of this motion to ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Pornography and Child Prostitution but before I do so, Honourable Speaker, allow me to enlighten the Honourable Attorney-General. The SODELPA Women Members of Parliament are wearing green today in solidarity for good governance at USP.

Mr. Speaker, the Honourable Minister for Women stated that our laws, the 2013 Fijian Constitution, the Crimes Act 2009 and the Online Safety Act 2018 clearly represent Fiji's stand to combat the sale of children, child prostitution and child pornography.

Yes, Mr. Speaker, Sir, the laws deal with the sale of children and child prostitution but there is nothing much in our laws on child pornography. Exploitation is defined as the exploiter and the victim, and defined generally as the exploiter's conduct that causes the victim to enter into sexual servitude. There is also the definition of sexual service which means the commercial use or display of the body of the person providing the service for the sexual gratification of others.

Now, the Honourable Attorney-General mentioned that the Online Safety Act 2018 deals with consent. The miscellaneous provision, Mr. Speaker, Sir, in the Miscellaneous Offences - section 377(1) of the Crimes Act states that a person commits a summary offence if he or she, by way of trade, distributes photographs or films tending to corrupt morals. Now, there is no definition of the phrase, "tending to corrupt morals". So, our current laws are weak in realising the gravity of child pornography and pornography in general.



Mr. Speaker, Sir, in the Commonwealth Criminal Court of Australia, it defines this phrase, “child abuse material”, which includes material that depicts a person under 18 years of age, who is engaged in or appears to be engaged in a sexual activity whether or not in the presence of other persons and does this in a way that reasonable persons would regard as being in all circumstances, offensive.

Now, there is a specific offence of possession, control, production, supplying and obtaining child abuse material through the internet. I note that both, Australia and Fiji, do not define this phrase, “child pornography” in our criminal laws. We need to define this term, Mr. Speaker, in our laws. The Federal Laws in the USA define child pornography as any visual depiction of sexually explicit conduct involving a minor that is under the age of 18 years old.

Mr. Speaker, Sir, you have heard in my statement last year on fighting this new drug - pornography, how the victims are getting younger and younger and it is harder to discern the age of the victim in the films and photos produced by the porn industry. Now, global payment platforms like *PayPal*, have pulled out from porn hub because of the increasing violence depicted in the videos being displayed and the millions of videos that depict adults, role playing as children dressed in schoolgirl uniforms and being exploited.

Predatory porn sites, like *XVideos*, is being called out throughout the world for profiteering from videos containing child sexual exploitation. In late last year, a 15-year-old girl, Mr. Speaker, went missing in Florida. Her mother found her on *Pornhub* and she was in 58 sex videos. A 14-year-old girl in California was sexually assaulted and the videos were posted on *Pornhub*. The offenders were arrested for the assault but *Pornhub* escaped responsibility for sharing the videos and profiting from them.

Mr. Speaker, Sir, and Honourable Members, we think that this problem is only happening in America, it is happening all over the world. Fiji continues to rank high with searches in *Pornhub*. This is why I will continue to advocate for us to ban porn sites, like *Pornhub* and *XVideos*. Our children are getting more and more exposed freely to pornography. Children are taking videos of children engaging in sexual acts and sharing it with their friends when it gets out. Even adults are doing it.

Now, rather than the law makes child pornography illegal, this terms does not even begin to describe the true horror that is faced by countless children every year. When a video or a picture is produced and circulated, it is a permanent record of the child’s sexual abuse. We need to protect our children from this new drug. Sexual violence against our women, boys and girls continue to rise. Teenage pregnancies continue to rise. When will we, as legislators, parents or as grandparents realise that it is right now in each of our children’s hands - in the smartphone, the data that we enable for the free and fast Wi-Fi, the internet cafes where they spend hours?

It is not for studying, it is not for research, they are on *Instagram*, *Snapchat*, *TikTok*, sharing questionable material. They are being exposed younger and younger to pornography and when they are being lured by predators on these online platforms, their selfies and videos are being used by these predators to be shared on to consumers of child pornography.

No parent is perfect, Mr. Speaker, Sir, but in my effort to try, I will share a personal experience. I have six children of varying ages from 21 years to 3 years. Every now and again, I conduct a random phone audit on my two teenage daughters who are 14 and 12 respectively. Last weekend, I checked my 12 year old’s smartphone and *Instagram* account which was open and I happen to come across a private chat that she was having with this individual, and throughout the thread the question came up in it, ‘send me a picture of you’. Of course, my daughter did not respond

but she put a sheepish smiling emoji. This person then went on to say, ‘do not be shy’. And then she asked in turn, “How old are you?” And he said, “I am a 41 year old single dad looking for a friend, can we be friends?” Of course, I had to deal with this issue with her and the consequences.

Mr. Speaker, Sir, and Honourable Members, parents and guardians, be warned, our children are in great danger. They are under threat more than ever before in any time in any century. Pornography is the new drug. We need to fight this new drug together. It would take us as legislators to implement these laws and policies to protect our precious ones.

I hope that with the ratification of this Optional Protocol, Mr. Speaker, Sir, the Government will really give this some teeth and define child pornography in the Crimes Act. I also call on the Government to free Fiji from pornography. For our sons and our daughters, we do need to fight this new drug. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Tabuya. Honourable Gavoka, you have the floor.

HON. V.R. GAVOKA.- Thank you, Mr. Speaker, Sir. I rise in support of this motion. It is very important to be part of the global community in addressing issues like this.

Mr. Speaker, Sir, I am horrified as a Fijian when a child is being sold or subjected to prosecution or child pornography. I used to think it was only in those areas with huge population and very poor countries, but I believe it is also happening in Fiji today and we need to be on guard.

Mr. Speaker, Sir, the way I see it, it has to do with poverty. Yesterday, we debated the Public Rental Board Annual Report and we spoke about the availability of housing in Fiji and the general shift from the rural areas to the urban areas, leading to overcrowding. Government made some statements yesterday that they are doing their utmost to provide housing and there are a number of models that are in place that we question, Mr. Speaker. It gives us a sense of urgency. Whatever model that we are trying to adopt, please, do it with a sense of urgency.

The Singapore Model was brought here about two years ago and I believe some work is happening in that area but, again, we ask the question, “Why is it taking so long?” We need to provide housing to the people who are migrating to the cities where they are the most vulnerable to these types of practices. My grandson goes to a school and he was saying that his friend is in a family of 15 and they live in one room. That is the reality for some parts of Fiji, and that is the reality that contributes to what we are trying to address today. So, I would urge everyone, the Government, let us be part of their programme to really strive hard to find adequate housing for everyone. Overcrowding to me is a threat to us and encourages these types of practices.

Mr. Speaker, Sir, I am also told that in some schools, the teachers are saying that some of these children no longer have parents. They are being cared for by their grandparents. We need to have a look at this. I would like to ask the Honourable Minister responsible to try and carry out a survey because parents must be made responsible. I think in most parts of Fiji today, you have a child, sometimes maybe out of wedlock and you take the child to the grandparents who will never say “no” to a grandchild. But it is something that we really need to address, Mr. Speaker. We need to have dialogue on this.

I remember in Singapore at one time, Prime Minister Lee Kuan Yew passed a law, prohibiting couples from taking their elderly parents to the Old People’s Home because people were just growing old and the young family was trying to grow their families. What they did was, they used to park or take their elderly parents to the Old People’s Home. He said, “No, you are not allowed to do this.” They passed a law in Singapore to stop them from doing that, so we may have to have dialogue on

this. If it is happening in a way that I understand it, we have to put a stop to it. You have a child, you look after your child. You do not take your child and park it with their grandparents, and this is something that we need to look into, Mr. Speaker, Sir.

On education, my colleague, the Honourable Leader of the Opposition spoke very strongly on this today. We must never cut back on education. Education will help us escape from vulnerable things like this. It is no secret that SODELPA has a policy on education that when we become government in 2023, we will include education all the way to tertiary level, Mr. Speaker. We believe that education is the key to all of these and educated people will not allow themselves to be subjected to pornography, sale of children, et cetera.

Mr. Speaker, these are a number of issues that we need to address. We support this Protocol but there are some underlying problems in the country that we need to address and I have highlighted them - housing, education and to work on the morality of the country in terms of responsibilities. That, Mr. Speaker, is my contribution on this today.

HON. SPEAKER.- I thank the Honourable Member. Honourable Bulanauca, you have the floor.

HON. M. BULANAUCA.- Mr. Speaker, Sir, I also support Fiji's ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. It is good to make laws, to follow it and to catch people who do not follow it but in this instance, it is important to find the root cause as to why there is the sale of children, and then try to solve the problem. It is important that we ensure that children are not sold and we ask the question, why sell children? Maybe it is not happening in Fiji, I do not have any statistics on that but we can see that it is happening in poor countries. Why are they selling children? No food, no money; that is exactly where I am going to.

People and families need food and money and that is exactly where our national development has to gear itself to. To ensure that the wealth and revenue that we get filters right down to the family level, so that they can have food on the table, that they can have money, get their children to school and to the health hospitals. They need food and money and that is the responsibility of any government in the world to ensure that the money comes to the government from the private enterprise and filters right down to the grassroot level whether in the urban or rural areas. Everyone needs to eat, everyone needs to live, that is the root cause; the development of any government. Poverty in Fiji is increasing, maybe up to 40 or 50 percent. We need to reduce that by the kind of developments that we need to do here in Fiji to ensure that the money goes right down; not only to the rich or the few on top, but to the grassroot level.

It is important Mr. Speaker, Sir, to find out the root causes. It is all right to have the laws there, but it is important to have developments to reduce or stop those kind of things. Child prostitution, same thing; where there is demand, people will buy, people will do it. So we must educate our people correctly with the right morality in the public or with any government. It is the first instance for the government to do that and other NGO's, churches to continue from there. It is important to find out the root causes; need food on the table, we need money in the pockets and you must stop greed and lust arising from prostitution. Also pornography, what are you trying to look at? What are you trying to view the images for? There again, Mr. Speaker, Sir, comes to the point that it is important, the morality of the population of our country is very important.

Before it comes to that, in order for you not to sell children, not to have prostitution with children, not to see images and pornography, we must have the right morality in the country, we must have the right spirit in the country.

Mr. Speaker, Sir, it is important to have the right spirit in any individual in any country. We must have the Holy Spirit there, not the evil spirit, otherwise I will call you “satan”. You must have the right spirit in Christ Jesus only, morality. We must educate here in Fiji, that is very important to have education. Education of the head of academics, education of skills (with your hands), and most important the education of the heart. Not only what you can do, but you can live by to maintain the morality because there is no other way. Only Jesus Christ is the way. He is the way, the truth and the life. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- Honourable Members, I thank the Honourable Bulanauca for his contribution to the debate. I have three other speakers on my list, but the time goes on.

We will now break for lunch and after lunch I will take the next three speakers in this order: Honourable Ro Tuisawau, Honourable Minister for Health and Honourable Minister for Education. I will accommodate any others after that, but it depends on how my lunch break goes.

We will adjourn for lunch and will continue after that.

The Parliament adjourned at 12.34 p.m.

The Parliament resumed at 2.32 p.m.

HON. SPEAKER.- Honourable Members, please be seated. Honourable Members, we will continue from where we left off before lunch and I now give the floor to the Honourable Ro Filipe Tuisawau. You have the floor, Sir.

HON. RO F. TUISAWAU.- Thank you, Mr. Speaker, Sir. I rise to contribute to the motion in front of us – Ratification on the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. As I had mentioned in some of the previous reports we had been looking at, it would be good to ascertain or look at current status against certain standards or indicators in terms of legislation or ratification of protocols, conventions. In this particular case, I would like to share the US State Department 2020 Trafficking in Persons Report on Fiji which touches on elements of this particular Protocol which we are discussing or debating today.

The Report divides nations into tiers based on their compliance with the standards outlined in the Trafficking Victims Protection Act 2000 in the United States, so it ranks tiers according to compliance:

- Tier 1- countries are those governments which fully comply with the minimum standards.
- Tier 2 - governments which do not comply with all the minimum standards but are making significant efforts to bring themselves into compliance with those standards.
- Tier 2 Watch List - countries whose governments do not comply fully with the standards but are making significant efforts to bring themselves into compliance with those standards and the absolute number of victims of severe forms of trafficking, is very significant or is significantly increasing, and there is failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, or the determination that our country is making significant efforts to bring themselves into compliance with minimum standards, was based on commitments by the country to take additional future steps over the next year.

According to the Report, Fiji is placed at the Tier 2 Watchlist. Interestingly, Fiji was placed at Tier 2, not on the Tier 2 Watchlist which is sort of another level down or which we could say had deteriorated. So in 2011 to 2017, Fiji was at Tier 2 but from 2018-2020, it has moved a level down to Tier 2 Watchlist.

Some of the highlights of the reason it went there, the Government of Fiji does not fully meet the minimum standards for the elimination of trafficking, but is making significant efforts to do so. Those efforts include:

- initiating a similar number of investigations, compared to the number the previous year;
- increasing number of officers;
- designating an agency responsible for coordinating victim services; and
- convening inter-agency working group.

In addition, Government convicted a trafficker for the first time since 2014, however, the Government did not demonstrate overall increasing efforts, compared to the previous reporting period.

The Government continued to lack guidelines for victim identification; did not train Labour, Customs or Immigration Officials on trafficking; and identified only one victim during the reporting

period. Some reports are just official complicity impeding anti-trafficking efforts because the Government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to beat the minimum standards. Fiji was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3 therefore, Fiji remained at Tier 2 Watchlist.

These are some of the recommendations highlighted:

- Fiji needs to develop and implement formal victim identification and referral procedures for Police, Immigration, Customs and Labour.
- Fiji needs to proactively screen groups vulnerable to trafficking, such as foreign migrant workers.
- Persons in commercial sex and child labourers need to increase efforts to investigate and prosecute trafficking offences and convict and punish traffickers, including by increasing resources for the Police Human Trafficking Unit.
- Amend trafficking-related provisions of the Crimes Act to criminalise all forms of trafficking, deliver effective training to Police Prosecutors, et cetera,
- Increase the provision of victim services, including by increasing coordination amongst agencies, including NGOs.
- Increase oversight of working conditions of foreign construction workers and investigation of labour violations involving children and migrant workers for forced labour.
- Proactively investigate potential official complicity in trafficking-related crimes.
- Enable identified foreign victims to work and earn income, while assisting with the investigations.
- Take steps to implement the 2020 Anti-Trafficking National Action Plan.

In terms of prosecution, the Government maintained anti-trafficking law enforcement efforts as mentioned by the Honourable Minister. The Crimes Act 2009 criminalises some forms of labour trafficking and all forms of sex trafficking. Section 112 to 117 criminalises trafficking in persons but in consistent with international law, requires other transnational or domestic movement to constitute a trafficking offence.

These articles prescribe penalties of up to 20 years imprisonment for movement-based trafficking offences involving adult victims and up to 25 years for those involving child victims. These penalties were sufficiently stringent with respect to sex trafficking, commensurate with serious crimes such as kidnapping.

Section 107 criminalises deceptive recruiting for sexual services, including inducing and maintaining individuals in prostitution through deceptive means. The penalties prescribed under this section was sufficiently stringent and commensurate with the penalties prescribed for such crimes. While sections 103 and 118 criminalise slavery and debt bondage respectively, all forms of labour trafficking were not criminalised under the Crimes Act.

During the reporting period, the Government initiated a review of trafficking legal framework with the assistance from an international organisation. Police also initiated investigations of two suspected trafficking cases during the reporting period and continued to investigate three cases. The Government initiated prosecution of one suspected trafficker in 2018 and a case involving domestic child sex trafficking.

Following the formalisation of the Police Human Trafficking Unit, it increased staff from four to seven officers. Nonetheless the unit lacked adequate resources to effectively conduct

investigations. Police did not proactively investigate trafficking cases consistently and the lack of effective coordination between Police and Prosecutors continued to impair the Government's pursuit of trafficking cases.

Still on prosecution, the Department of Immigration did not renew temporary work permits to foreign victims participating in an ongoing police investigation which hampered the police's ability to conduct or complete the investigation when the victims returned to their home country. They also continued to conduct trainings for police recruits, prosecutors, however, observers reported the one day anti-trafficking trainings provided to police recruits were insufficient.

The Fijian law enforcement continue to cooperate with South Korean authorities to investigate leaders of a church that allegedly confiscated the passports of its members who worked without pay in various companies owned by the church. The Government did not report any investigation, prosecution or conviction of Government employees complicit in trafficking offences. However, some reports indicated low level official complicity impeded anti-trafficking efforts including by preventing the investigation of trafficking in Chinese operated brothels.

In terms of protection, the Government maintains efforts to identify and protect victims. The Government identified and provided assistance to one trafficking victim and increased from zero. The Police Anti-Trafficking Unit had informal guidelines in place, however, Government officials did not proactively screen for victims of trafficking amongst the vulnerable population and the Government did not have formal victim identification, procedures for all relevant agencies as mentioned.

National security: as the agent responsible for coordinating victim services, however, because the law did not specifically mandate the provision of services to victims of trafficking, it did not allocate sufficient funds for trafficking victims and victims often relied on NGOs for services.

In terms of prevention, the Government increased efforts to prevent trafficking. In February 2020, the Government convened the inter-agency working group. On human trafficking, for the first time in years resulting in the transfer of chairperson's responsibility from the Department of Immigration to the Ministry of Defence and National Security which oversees the Police.

In terms of labour, Labour Inspectors also conducted 3,562 inspections and identified 41 child labour violations in terms of what the Government is doing. Government did not make efforts to reduce the standard, the demand for commercial sex acts. It trained some diplomatic personnel on trafficking but did not provide anti-trafficking training to military personnel prior to their deployment abroad.

Trafficking profile, as reported over the past years, the human traffickers exploit domestic and foreign victims in Fiji and traffickers exploit victims from Fiji abroad. Family members, taxi drivers, foreign tourist businessmen, crew on foreign fishing vessels and other traffickers have allegedly exploited victims from Thailand and China as well as Fijian women and children in sex trafficking. Traffickers exploit victims in brothels, local hotels, et cetera. I observed a practice where taxi drivers reported Fijian child's sex trafficking victims or transported them to hotels in popular tourist areas at the request of foreign tourists seeking commercial sex acts.

Mr. Speaker, Sir, I am just sharing this report and the Honourable Minister had asked, "Why are you reading it?" The reason I am reading it is a status report on the implementation of such protocols or conventions which we accede to or which we debate in the House. It also gives us a picture of the actual state of situations in terms of particular issues such as we are discussing today on child prostitution or trafficking.

It is very important, as I mentioned in whatever we are discussing that you have your standards, you have your indicators in which to achieve but we also need to access reports which gives us an assessment of a current situation of a current issue which is why I am sharing this, Mr. Speaker, for the enlightenment of the House and for our people so that we know the actual state of the situation in terms of our laws and also conventions and protocols. With that, I support the motion before the House, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Ro Filipe Tuisawau for his contribution to the debate. I now give the floor to the Honourable Minister for Health and Medical Services. You have the floor, Sir.

HON. DR. I. WAQAINABETE.- Thank you. I would like to give a small contribution to the motion and I support the motion before the House. The motion is to ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. This is very important. If you look at the whole protocol and read it, you would understand that this protocol basically supports the health of a child. When you talk about the health of a child, we talk about the physical health of the child, protecting the physical health of the child, protecting the mental health of the child, taking the spiritual growth of the child, the development of the child and also preventing the child from sexual exploitation.

Mr. Speaker, it is of interest in that in the fine line, it also talks about protecting the child being a donor in selling the organs for organ donation and I think this is also important. As we are aware that a lot of our people that actually need an organ donation mostly it is a kidney transplant, they go to other countries, we want to be sure that we actually are principal in that position and we also believe in that position which they take with them wherever they go.

The other good thing about this protocol is that it dismantles the platforms that actually encourages these things to happen; the platforms of encouraging sexual exploitation, the platforms of encouraging pornography in children, the sale of children. Not only does it talk about it and talks about how we believe in the principles of not agreeing to it and that we work on the framework within our legislation, but also most importantly, it talks about the comprehensive framework that needs to be dismantled to allow this to happen. This is actually very contemporary. If you look at it, the laws are very contemporary in this nature.

I just want to finish by raising something that I believe is important and all of us here in Parliament should understand that there is an African proverb that it takes a village to raise a child. If you look at this African proverb, there are several languages in which this is talked about. In some languages it talks about that it takes a village to raise a child and some it says that if a mother does not raise a child then the tribe will raise the child. But in the context of this, I think it is important to understand that in Fiji for our context, it takes this nation to raise a child. So, it is not only the part of Government but it is a part of religious organisations, part of the *tikina* and *vanua*, it is the part of social clubs. As a nation, we should all come together and raise a child. I hope that when this protocol is actually approved by Parliament that everyone in Fiji will actually read the importance of this protocol and the importance of protecting our children from the abuses and also the exploitations that they face. Thank you, Mr. Speaker.

HON. SPEAKER.- I thank the Honourable Minister for Health. I now give the floor to the Honourable Bulitavu. You have the floor.

HON. M.D. BULITAVU.- Thank you, Mr. Speaker, Sir. I rise to give a short contribution in support of the motion that is before the House and also in support of the Review Report to the



Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

We need to understand, Honourable Members, just giving a few background on this. The Convention on the Rights of the Child (CRC) anchors two big protocols, one is the one that we had ratified probably in the previous sitting, that is, Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict and this is the second protocol which is the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

Given that we are in support of our accepting this particular protocol given that it will tell the world that we are serious with what we are doing and also the measures that will come in place given that we are accepting international best practices. Also given are few things that was shared by the Honourable Ro Filipe Tuisawau on the 2018 ILO Report, that was also presented to the Committee in its deliberation. It was presented by the University of the South Pacific (USP) as part of their submission to the Committee on the background of child sexual exploitation and other things that are happening around in the various activities that are there. That was presented and also deliberated by the Committee.

However, one of the biggest challenges is probably, once we go into this and the domestication takes place is the synchronising of our data and also coming in together as those agencies that will be involved at implementation level on the sharing of information, data and information that will enable those policies to be implemented. That will be done at the implementation stage.

But, one other reason I wanted to contribute this afternoon, given that we already have acceded to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict, the other thing that probably we might know by now, this morning the Honourable Chair for Justice, Law & Human Rights had tabled the Cybercrime Bill which was before our Committee and probably will be debated sometimes this week.

One of the Cybercrime Bills goes back to the Budapest Convention, we became signatories of that and also the Cybercrime Bill 2020. One of the good things that that particular Bill does especially in the various changes that it will do to our current laws that are in place, that is, section 62(a) of the Juveniles Act.

The Bill will actually broaden the definition of pornographic activities and also other activities that are involving children. Probably we will be looking forward when we come to the third reading this week. Those are some of the ramifications that that particular Bill has on this and has bearing on what we have and will come to implementation level.

Once we go along, given after adopting this and other Conventions, this will enable our domestic regulatory framework to be in par with international standards when we move along. Those are some of the things that are there and also it has bearing too in one of the Bills that will probably be coming tomorrow on the assessors that was moved by the Honourable Attorney-General yesterday and also on sexual cases where there is a need to review and make cases more consistent with the practices that we are doing and our commitment to international level on the various Treaties and Conventions that we are becoming a party to.

These are a few things, it will emulate our status in the Pacific and also showing to the world that we are committed, the various Conventions that we already acceded to and the domestication part and also the others that are coming in, in forms of Bills that are coming to the Committees. We

are slowing doing our domestication and we look forward for budgetary provisions, allocation and resources so that all of these will be implemented to achieve and fulfil the missions and visions of those Conventions and Protocols.

HON. SPEAKER. - I thank the Honourable Bulitavu for his contribution to the debated. I now give the floor to the Honourable Minister for Education, Heritage and Arts. You have the floor.

HON. R.S. AKBAR.- Thank you, Mr. Speaker, Sir. Honourable Prime Minister and Honourable Members of Parliament, I rise to contribute and support the motion before the House, that is, to ratify the Optional Protocol to the Convention on the Rights of Child on the Sale of Children, Child Prostitution and Child Pornography. Sir, I think this subject is not new to our communities and as Members of Parliament, I think it is very important that we rise strongly to condemn these acts that violate the rights of our children, whether it is child trafficking, child prostitution or child pornography.

I wish to draw reference to Volume 2171, A-27531 - the Preamble, and I wish to focus on the two following parts, and I quote:

“Believing that the elimination of the sale of children, child prostitution and child pornography will be facilitated by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structure, disfunctioning families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking in children.”

Also, I quote:

“Believing that efforts to raise public awareness are needed to reduce consumer demand for the sale of children, child prostitution and child pornography, and also believing in the importance of strengthening global partnership among all actors and of improving law enforcement at the national level.”

Mr. Speaker, Sir, the Ministry of Education and, I, personally stand here to condone all such acts against our children and we must work together to safeguard Fijian children. Honourable Members before me have spoken about their support for the motion and I think we need to see more of that in this august House.

At the Ministerial level, I come across many examples of these issues from the communities that filter down to our schools. I will draw the House to a specific incident that happened last year, when a case such as this was reported to us. When we investigated, the child did not hesitate to say that he learnt it when he saw his parents. Actually, this was the case of sexual harassment between students, and I am not going to say whether it was a boy or a girl. That is why I wish to draw the attention to this irresponsible adult sexual behaviour and the fact that as parents, we need to be there to protect our children.

Within the Ministry, many a times we see that the blame is shifted to a school facility, or the teacher did not do that. But we encourage all children to have the courage to come and report these incidences to their teachers in schools if they do not feel comfortable with any other family members.

We have also seen rising incidents of such cases being reported and as such, we have strengthened our school policies. Currently, we have a Child Protection Policy, where teachers are trained to be child protection officers and because of the criminal nature of such events, there is a 24

hour mandatory reporting. As soon as a case is reported to the head of school or the child protection officer, we report that to the Police. We also work with the Department of Social Welfare to ensure that we have a coordinated approach.

We have a policy on Behaviour Management in School, the Counselling Policy, even the students come under a Student Code of Conduct Policy and we have Police Check Policies for volunteers and visitors in our schools. Of course, there are procedures for school visitors and right now, we are looking at a policy that we have labelled as Parental Engagement Policy. So lot of talk about awareness and we want to work with parents to advise them of the dangers that continue to lurk out within the communities and outside of the school hours. Hopefully, we will be able to implement that policy by engaging with various stakeholders during our consultation process.

Mr. Speaker, Sir, but the question is, why do these things continue to happen? This is not a new phenomenon. My stand here would be as parents, as adults, as grandparents and as guardians, we really need to be vigilant about this technology that seems to have taken over our lives and this is what everyone carries. Access to technology, internet sources, applications and sites, like Honourable Tabuya spoke about how we tend to audit our children's phone, but I can give an example that children these days are smarter than us. They have their phone locked up, I have the same situation at home with teenage daughters. So, how do we get to befriend our children? How do we get to know what is going on in their lives? How do we get to know who they talk to, who they associate with? How do we advise them? How do we protect and guide them?

I think more awareness on that is needed and at schools, we are going to play our part by engaging more with parents from this year, as soon as we get the Parental Engagement Policy in place. But other than that, Mr. Speaker, Sir, Honourable Bulanauca said 'poverty'. No one has the right to sell their child to put food on the table! I totally disagree with that. I will understand that poverty could be a contributing factor but that does not justify parents or adults selling their children or trafficking their children to put food on the table.

I will give you another example, everyone is aware of the street boys that sell pastries and other stuff in the afternoon. I have a lot of stories with them. Every time I passed by, I speak to them and I get to hear horrific stories about what is happening at their house. I picked up five boys from the street to put them back in school but unfortunately, every effort that I made has been futile because when they go back home, the story changes. But we are not going to give up, we have decided that we will go to the villages and meet these parents.

When I gave them their school stationeries and their bags, I said, "Alright, I will give you shoes and uniform as well." I found out which school they were going to, unfortunately, I was told they sold their bags, but again that effort must continue. What I am trying to say is, we must never give up on our young ones, and we will continue to do that. It has to be coordinated effort.

Honourable Members of this House, even if you can make one difference by reporting, by counselling and talking to these children, I am sure it will go a long way. As I have said, there are a lot of things but my focus here is for parents, please, monitor where your children are, monitor how much time they spend on their phones on going through various sites, et cetera. These children could be very much swayed by things that they see.

When we asked some students as to why they did that, they said, "We saw it", or "Our friends told us, it is right to do that." They learn all those sexual behaviours by watching, they learn by reading and they learn from adults. How do we go about combating them?

We have laws, we have legislations and I think the good way forward is that, we all have supported that, but individually through our faith-based organisations, our communities and our own networks, we must ensure that as parents, we are aware and children these days talk about their rights. We must teach our children that rights comes with responsibilities.

Mr. Speaker, Sir, I would like to take my seat and strongly support the motion before the House.

HON. SPEAKER.- I thank the Honourable Minister for Education, Heritage and Arts. I now give the floor to the Honourable Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management. You have the floor, Sir.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Mr. Speaker, Sir. I also rise to contribute to the motion and support it as well on the motion to approve that Fiji ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. Again, I wish to assure this august House, Mr. Speaker, Sir, that Government is, indeed, committed to the rights of our children and, of course, in ensuring that it is well protected.

How, Mr. Speaker, Sir? Let us begin with the 2013 Constitution of the Republic of Fiji which states in Section 41(1)(d):

“Every child has the right –

- (d) to be protected from abuse, neglect, harmful cultural practices, any form of violence, inhumane treatment and punishment, and hazardous or exploitative labour.”

Again, it is not only in our Constitution, but also in the Protocols that Fiji has ratified, we have to ensure and this is why this motion is before the House as well.

Mr. Speaker, Sir, in the review of our national legislations and, of course, ensuring that we complete the ratification process. In terms of the review of our national legislations to be used as opportunities to also review the compatibility of our domestic legislations with international standards. Again, if we go through the recent Crimes Act 2009 in terms of criminalizing offences, such as section 114 on Trafficking in Children, section 117 is the Domestic Trafficking in Children, section 226 is the Selling of Minors, Buying of Minors in section 227, section 230 is Living on Earnings of Prostitution, section 231 is on the Loitering or Soliciting for the purposes of Prostitution, and the list goes on. But, what I intend to say is, of course, not only in terms of commitment but in the ratification and ensuring that our national legislations are also reviewed and that shows our level of commitment, Mr. Speaker, Sir.

From the Ministry of Defence and, of course, the Police, we are doing our best and we can also see that in our courts, there has been success in terms of prosecution on some of the cases and I would not mention it but it is there in the Report. But what I wish to say, Mr. Speaker, Sir, is that the Government is doing its best but this requires a whole of nation and a whole of society approach. It is not only Government. It is always easy to blame Government for everything that goes wrong in our country and in our society but, again, this is a whole of nation and whole of society approach.

Mr. Speaker, Sir, in the recent disasters and even we are still in that State of Declaration for parts of Vanua Levu, having discussions with the Acting Police Commissioner on the negligence on the part of parents. I am saying we can have all the legislations, we can have all the resources, we can have all the technology but if there is wrong attitude, then definitely it is not going to address all

the issues that we face and confront in our societies. Let us take our responsibilities seriously and let us not only continue to put the blame on Government.

Before I sit down, Mr. Speaker, Sir, there has been a lot said too from the other side about human trafficking and the fear that we will be downgraded to tier three, I must assure this august House that recently in the Cabinet Meeting on 26th January, 2021, Cabinet has endorsed Fiji's first ever National Anti-Human Trafficking Strategy. Of course, we have also reviewed and endorsed the 2011 National Action Plan of Action to Eradicate Trafficking in Persons and Child Trafficking.

I know, Mr. Speaker, Sir, that we have a commitment and we have a deadline as well to report back, we have met that deadline and that was due on 4th of February, 2021. We are honouring our commitment, Mr. Speaker, Sir, and if I may speak on this, the strategy drives our national efforts, given the cross-cutting nature of this issue. Our national strategy is further supported by an organic National Action Plan that outlines objectives and activities that ensure our effective and coordinated response to human trafficking.

The strategy and the National Action Plan, Mr. Speaker, Sir, is a product of close collaboration between Government, technical and bilateral partners and most importantly, civil society organisations, faith-based organisations and NGOs, such as Homes of Hope, Medical Services Pacific and Pacific Dialogue.

Mr. Speaker, Sir, the Honourable Tuisawau has gone to great lengths in reading out the 12 recommendations. Yes, this strategy and this National Action Plan have divided the 12 recommendations in two major components, particularly what is within our influence and control so that we can quickly address those issues - five, particularly as raised in the 12 recommendations and, of course, there are some issues where we need to dialogue particularly with the United States of America because of the differences in the sets of legislations that we have and the mechanisms that we have to support these legislations. We cannot just bring everything from the other country and put it straight into our own legislations, it has to be contextualised and that is another challenge that we have. But let me assure you in this august House, Mr. Speaker, Sir, that that concern has been addressed, it is work in progress.

On Wednesday and Thursday last week, Mr. Speaker, Sir, the first training for our officials on Victim Identification Training conducted by the International Organization for Migration (IOM) was conducted at Holiday Inn. We had Officials from the Ministry of Labour, FIRCS, Department of Immigration, Department of Fisheries, Water Police, Fiji Navy and a few others, so that has been conducted. We are also doing a data survey, together with the United Nations Office on Drugs and Crime (UNODC) in the development of a database, to ensure that we capture all forms of trafficking in persons and inform our future efforts.

That briefly, Mr. Speaker, Sir, is the update that I wish to bring to the attention of the House in as far as the anti-human trafficking policy is concerned, as per the Trafficking in Persons (TIP) Report that has been raised before the House. Therefore, Mr. Speaker, Sir, I fully support the motion before the House. *Vinaka.*

HON. SPEAKER.- I thank the Honourable Minister for Defence for his contribution to the debate. I now give the floor to the Honourable Minister for Industry, Trade, Tourism, Lands and Mineral Resources, you have the floor.

HON. F.S. KOYA.- Thank you, Mr. Speaker, Sir. Mr. Speaker, Sir, we all believe that child protection is of paramount importance to all of us. Alluding to what the Honourable Minister for

Defence actually just said this is why we actually see it in our Constitution and we are fully committed to making sure the children have the support and they need to feel secure at all times.

This is also one of the reasons, Mr. Speaker, Sir, that we have ensured that the justice system is strong with appropriate mechanisms in place to punish offenders and bring justice to all those who fall victim. This is one of the reasons why you will see within our laws that there are comprehensive set of laws specifically there for the purposes of protection of our children. So we have gone a long way towards meeting the demands that are required of us with respect to the signing of this protocol.

Mr. Speaker, Sir, as identified in the report, sexual exploitation of children is linked to poverty and lack of education, economic disparities, inadequate socio-economic structures, dysfunctional families, urban rural migration, gender discrimination, irresponsible adult sexual behaviour and harmful traditional practices. The grass root communities, Mr. Speaker, Sir, in urban and peri-urban rural areas have been actually socially economically empowered contrary to the belief that some other people on the other side and this empowerment has actually come through various Government programmes that this Government has actually put in place. These policies and initiatives have resulted in the reduction of income inequality in Fiji.

Mr. Speaker, Sir, today the Fijian Government is committed to protecting our children from exploitation or abuse. Today, they are able to access the child care line to report any abuse of violence or exploitation and this is part of the report on page 1325. We are actually coordinating, Mr. Speaker, Sir, and partnering with key agencies for child protection.

Mr. Speaker, Sir, from a tourism perspective, Fiji has long been recognised as a safe, family, friendly designated for tourists. This is something that we are actually greatly proud ourselves in and findings from the 2019 International Visitors Survey revealed that it is a family friendly destination. The local people are friendly are the top to influencing that factors for visiting Fiji and not only is our friendliness but reputation as a safe destination with visitors noting an 86 percent satisfaction rating for feeling safe and secure while in Fiji. That is such a commendable thing for all of us to pat ourselves in the back, especially in light of the fact that I have just mentioned that we have so many laws in place that are actually protecting our children.

Mr. Speaker, Sir, to maintain this recognition, it does not only mean caring for other. It also means caring for our own. We must extend this duty of care to our children, especially those in communities who are in one way or another actually involved in the tourism industry. Children in tourism areas are especially vulnerable to physical, emotional and sexual abuse.

I want to stress, Mr. Speaker, Sir, that while we may not see child safety as a major industry challenging in Fiji, it is never too early or irrelevant to start the conversation and by ratifying this Protocol, we as a country, are showing the world that we are committed.

Mr. Speaker, Sir, to this end, the Ministry has been working with the Australian Volunteers International (AVI) Child Safe Volunteering (CSV) Hub Pacific, to enhance knowledge and capacity, not only towards keeping children safe in tourism sector but to do no harm in the communities responsible to tourism.

We are working to streamline a minimum code of conduct in the industry that will look at how businesses can actually ensure safe tourism practices, what duty of care we have for the children when we take visitors into our communities and how it creates more dialogue with our grass root leaders.

Children, Mr. Speaker, rely on us as adults, to keep them safe and out of harm's way. In fact, it is one of the greatest responsibilities that we all have as parents and as adults. We carry this responsibility with us at all times, no matter where and who we are.

Never before, Mr. Speaker, Sir, have we actually offered as much protection as we do today under the leadership of our Honourable Prime Minister. We continue to remain innovative, we continue to listen, we continue to be progressive and we need to be kept abreast as to what our children are involved in. We cannot do this alone.

Mr. Speaker, Sir, as a father also, I call upon the other side of the House, I call upon the NGOs and development partners, religious leaders and most importantly, parents to come together and to protect our children.

Mr. Speaker, Sir, on a lighter note, I used to see an advertisement a long time ago that used to come on the television. It says, "It is 10 p.m., do you know where your children are?" The question that needs to be asked now, it is 10 pm, do you know where your parents are? That is what it becomes of us.

So, with those few words, Mr. Speaker, Sir, I support the ratification of the Optional Protocol to the Convention on the Rights of the Child and I urge all parents to keep their eyes open at all times. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister Koya for his contribution to the debate. I now give the floor to the Honourable Attorney-General for your right of reply. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I would like to thank all the Honourable Members for their contributions. You have all spoken, of course, in support of Fiji ratifying the Optional Protocol.

Just for the interest of the Members of Parliament, there are certain countries that actually have not ratified, for example, the Convention but they have ratified the Optional Protocol. In fact, the USA is one such country where they have not ratified the Convention on the Rights of the Child but they have actually ratified this particular Optional Protocol which is on the Sale of Children, et cetera. It goes to the point about what the Honourable Minister for Defence talked about that sometimes when countries do have their own standards, they may not necessarily be reflective of international convention *per se* but would be their own standards that may not necessarily be universally applicable. So, this is why some of these issues need to be worked through.

In case there was about one point in time that the reason why the USA apparently had not ratified the Convention on the Rights of the Child because it does say that children have the right to life. Some States within USA, can still sentence those below the age of 18 years to be executed. Some States do have those provisions so they would have actually been in breach of the Convention on the Rights of the Child and that is why they may have not ratified the particular Convention in question.

Mr. Speaker, Sir, I think I want to just very quickly summarise and perhaps, respond to some of the issues and misconceptions that do exist. The Honourable Tabuya used the Online Safety Act as the only or seemed to be in her submission the primary law that actually governs pornography. Well, it does not.

The Online Safety Act, as she talks about, causing harm by posting electronic communication. However, the offences of pornography actually are within the Crimes Act, as the Honourable Minister for Defence highlighted in section 377. Trafficking is within the Crimes Act, section 111, Sexual Offences in section 210. What is really interesting now and many people may be lost on this because before, when you have what we call a sexual offence, people used to talk about rape but if you look at the language now and semantics actually does matter in these instances, is that sexual offences now has been augmented or increased in its scope.

For example, before rape was only seen as you know a penetration of penis in the vagina. It was only seen as a one-way heterosexual relationship or act more to the point. But now of course, sexual assault includes a whole range of other types of commissioning of acts that in fact, constitutes rape from what we traditionally knew as rape. So, that is critically important to understand for the Honourable Members and I am quite happy to furnish them with that detail. Now, that is what we found.

If you look at many offences against children, it is not necessarily the penetration of the penis but there are other objects that are used and people get exploited also from that perspective, so she is incorrect in using the Online Safety Act, as the sole determinant as to or how serious we are about these types of offences.

Mr. Speaker, Sir, the other point is that, her statistics as has been questioned previously, is not verifiable at all. The IT companies have also proven that and again for her to quote figures that she herself perhaps may have concocted is obviously not right to do so, but the reality of the matter of course is that, pornography is not something you want to perpetuate. Pornography is not an act that you want people to adhere to or our children to look at. The reality of the matter, Mr. Speaker, Sir, that it is a behavioural issue. It is a value issue. It is how in particular, we view our children, how images are spread.

This is why I was very concerned and it has also been brought to our attention that Honourable Tabuya had in the recent past, put up a post of a young girl who was naked from waist above getting some medical attention and putting it up as a post as “what a wonderful medical treatment she is getting”.

The Honourable Minister for Women had actually written to her about that particular post and Honourable Tabuya actually then pulled down that post. Mr. Speaker, Sir, we cannot sit here...

(Honourable Members interject)

HON. L.D. TABUYA.- A Point of Order.

HON. SPEAKER.- Yes, you have the Point of Order.

HON. L.D. TABUYA.- Thank you, Mr. Speaker, Sir. I would like the Honourable Attorney-General to withdraw that comment because the post in particular, there was a consent given by the parent and that was what I discussed with the Honourable Minister. In fact, the parent took it and it was actually a child who was being attended to at the Sai Prema Hospital...

(Honourable Members interject)

HON. L.D. TABUYA.- ... and she had given her consent.



Now, upon reconsideration when the Honourable Minister reached out to me and we had discussed it personally, it was then taken down after I spoke to the parent. So, please, you need to qualify what you state and not just straight out say that it was my action, even though a consent was given by the parent for that picture to be put up because the child was being medically examined, Mr. Speaker, Sir, and it was about rheumatic heart disease at the Sai Prema Hospital. It was about rheumatic heart disease and the child was receiving medical examination that required the examination of that condition in that state, and that was the consent given by the parent. So, just to qualify that, that should not be quoted in Parliament that it was entirely my decision, Mr. Speaker, Sir. So, he should withdraw that statement. Thank you.

HON. SPEAKER.- Honourable Attorney-General, you have the floor.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, thank you. The Honourable Member has a premature attitude towards many things.

(Hon. L. Tabuya interjects)

HON. A. SAYED-KHAIYUM.- I had not completed my sentence.

As I was explaining, Mr. Speaker, Sir, the fact of the matter is that, Honourable Tabuya had posted the photo of this young lady, probably in her early teens, who was naked from waist above. Irrespective of whether the parents gave consent or not, it was Honourable Tabuya who actually posted it, smiling in front of this half-naked teenager.

(Honourable Opposition Members interject)

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, irrespective of whether the person was getting medical attention or not, we all have to understand that as Members of Parliament, we are actually opinion-shapers. We have a huge level of influence in the community, whether you are a backbencher, a Minister or an Opposition Member, you are a Member of this Parliament. Therefore, to have those types of photographs posted, Mr. Speaker, Sir, by a Member of Parliament is not only distasteful because it is purely for public relations perspective, but more so, here we are displaying a semi-naked teenager on social media.

Mr. Speaker, Sir, we have been, for the past nearly hour-and-a-half, talking about how our children should not be portrayed, how images should not be portrayed and here we have a Member of Parliament doing precisely that. And if there was nothing untoward about it, she would not have pulled it down.

(Hon. L.D. Tabuya interjects)

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I said that if there was nothing untoward about it, you would not have pulled it down, understand that.

Mr. Speaker, Sir, this is my point. You obviously cannot comprehend that, it is beyond a particular level of intellectual capacity, but this is the point. We cannot sit here and pontificate about these issues, when you yourselves are going to put up those kinds of images. Very bad taste. The letter was also written and copied to the Honourable Leader of the Opposition, the image was pulled down and I also have a copy of the post.

Mr. Speaker, Sir, the other point I wanted to make is that, when we talk on the issues about the Convention on the Rights of the Child (CRC), Honourable Salote Radrodoro talked about (and to

an extent quite correctly) about identifying gaps, our adherence with the Convention on the Rights of the Child and, of course, this Optional Protocol will not be applicable until we ratify it, but nonetheless it will come into effect.

We have to supply our report in June this year, and as she knows having worked with the Ministry of Women, for example, I am sure she would have worked with CEDAW, that when these reports are done, there is also input from Non-Governmental Organisations and their views are also ascertained.

We now have a different approach, the Honourable Minister, not just on this particular Convention but, for example, for CEDAW, they reached out to the various NGOs and worked together with them because the whole purpose of this is not for political point scoring, but to ensure that in the application of the provisions of this Convention whether it is the Optional Protocol or the Substantive Protocol, that there is a real impact on the lives of ordinary Fijians. That is what it is all about. It has a real impact on how we dispense with, for example, justice, how do we sensitise our different organisations.

So the Judiciary, Mr. Speaker, Sir, of course, has a National Judicial Education Committee which consists of senior judicial officers and they have organised a number of trainings with judicial officers, including those on the magistracy and, of course, the High Court in gender training and training on how to handle vulnerable witnesses including children. The UNDP now, through the Access to Justice Project, provides a lot of capacity building in this respect.

Under section 295 of the Criminal Procedure Act, which we had actually talked about yesterday to an extent, there are now applications that can be made and I remember in the late 1990s and 2000 where it was quite rudimentary. If you, for example, in those days, were a rape victim and you had across - the witness; the main complainant, and you would have the defendant or the accused person, you could make an application to the Court to have some type of screen put in front or in between the two, so the person would not actually feel compelled to say certain things, that they will not feel harassed, they will not feel they are in danger or compelled to say things that they did not want to say.

Of course, now, the Judiciary, Mr. Speaker, Sir, allows what you call, 'Closed-Circuit Television (CCTV) witness statements. So you could have the Court here, the person who could be the child or the rape victim could be in the other room, the sexual assaulted person and they, by CCTV, questions could be asked of them and they give evidence in that manner. In some instances, of course, the Courts now through application, can also allow for video recording of those statements being given.

Mr. Speaker, Sir, I have highlighted and also as highlighted by the Honourable Minister for Defence about the different provisions in respect of the Crimes Act itself.

Mr. Speaker, Sir, the Honourable Bulitavu highlighted the issue about the assessors which is a fairly new amendment that we were seeking yesterday. This is critically important, to bring about the level of consistency, not just in decision making, but in terms of the development of jurisprudence in Fiji, pertaining to areas, such as pornography, sexual offences and human trafficking. We have already prosecuted successfully two cases; one of human trafficking that happened domestically and one through cross-border purposes. They were successfully prosecuted by the DPP's Office.

In presenting the amendments to the law yesterday through the Bill, we highlighted the fact that by removing the assessors from the equation, we will also be able to ensure that people who are not as gender-sensitive or conversely, people who would not be bringing patriarchal notions of sexual

relations of the differences between men and women, the ability of children to serve their elders and sometimes, of course, many elders do not know where to draw the boundary. These types of issues will, of course, be addressed through those amendments that we are seeking. There maybe some of you who may have spoken (as I was not here from the beginning) on the Child Welfare Act where there is compulsory reporting by doctors, et cetera.

The DPP's Office, Mr. Speaker, Sir, also now has a Child Protection Division, whose main role is to conduct criminal proceedings against sexual and other serious offences committed against children or matters where children are the primary witnesses. There is a particular Child Protection Guideline that, in fact, addresses those matters.

Mr. Speaker, Sir, I think just to round off, the other matter that I wanted to highlight (I think some of the Members have already stated that) is that sometimes, many of the victims of child trafficking or prostitution tend to be by those very people with whom the children have a deep sense of trust.

As we have seen repeatedly, we, of course, know of cases and the Honourable Minister for Women would have a lot of instances where children whom, in fact, have been sexually exploited or being put out on the streets by their parents or their uncles or their grandparents, or they have actually been exploited in a very unsafe environment at home and then end up on the streets. These are social values issues that we do need to address and they are not necessarily very simple issues but they are complex issues. Of course, technology now brings another adjunct to it where it needs to be dealt with another determining factor in this very complex area.

Mr. Speaker, Sir, those are the comments that I have. I was very interested in what Honourable Tabuya said earlier on, that they are wearing green because of their belief in good governance at USP. I am glad that you are finally seeing that there is lack of governance at USP because that is precisely what we have been saying - absolute lack of governance at USP! But, unfortunately, the green seems to be worn only by the female members of SODELPA and not the male members of SODELPA. That means they do not support the good governance principles at USP. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Attorney-General for his right of reply. Honourable Members, the Parliament will now vote.

Question put.

Motion agreed to.

HON. SPEAKER.- Just a note on this Protocol. When the Honourable Bulanauca, who is not here at present, was making his statement, he said, "We must have the Holy Spirit..." (he was pointing his hand all over the place) "...not the evil spirit..." (and he happened to be pointing in my direction), "...otherwise I will call you satan." And I said something quietly which I will now divulge to you. I just said, "Miti, old boy, it takes one to know one."

(Laughter)

Honourable Members, we will move on.

I now call upon the Chairperson of the Standing Committee on Social Affairs, to move his motion. You have the floor, Sir.

**REVIEW REPORT - FIJI NATIONAL SPORTS COMMISSION  
JANUARY- JULY 2016 AND AUGUST 2016-JULY 2017 ANNUAL REPORTS**

HON. V. PILLAY.- Mr. Speaker, Sir, I move:

That Parliament debates the Review Report of Fiji National Sports Commission January–July 2016 and August 2016–2017 Annual Reports which was tabled on 13th May, 2019.

HON. G. VEGNATHAN.- Mr. Speaker, Sir, I second the motion.

HON. SPEAKER.- I now invite the Chairperson of the Standing Committee on Social Affairs to speak on his motion. You have the floor, Sir.

HON. V. PILLAY.- Thank you, Mr. Speaker, Sir. The Fiji National Sports Commission was established under the Fiji National Sports Commission Act 2013 with the aim to enrich the lives and health of all Fijians through physical activity and sports at all levels.

The Sports Commission's objectives, as directed and approved by its Board, are to:

- (1) Guide and enhance the delivery of sports development in Fiji through a coordinated approach in partnership with Government, statutory bodies and the community.
- (2) Institute a clear and manageable framework to effectively deliver sports programmes in Fiji.
- (3) Provide coordination and direction and to commit to the development of sports delivery.
- (4) Establish high standards of excellence in all aspects of sports delivery.
- (5) Improve the health of the nation through organised physical activities at all levels.
- (6) Support and encourage performance excellence in athletes and coaches by developing sports science and encouraging research in high performance athletes.
- (7) Recruit the best and most qualified people and provide them with the appropriate training, environment and support to enable them as a team to achieve the Fiji National Sports Commission's corporate objectives.

The Committee, upon being referred the Fiji National Sports Commission January-July 2016 and August 2016-July 2017 Annual Reports, invited its senior officials on Wednesday, 27th March and Thursday, 25th April, 2019 for public hearings.

During these meetings, officials from the Fiji National Sports Commission enlightened the Committee on three key areas. Firstly, that the Commission is working with the Ministry of Economy to ensure that sporting grants are based on submissions made by each National Sporting Organisation (NSO) after a thorough assessment by all sporting parties.

Secondly, the committee noted that the future plan of the Commission is to establish the National Sports Academy for the training and education of Fiji's talented and elite athletes. Thirdly, the Committee learnt of how the Sports Commission's overall operations was aligned to the SDGs and the measures that are being taken to progress the SDGs.

Highlights of some of the major achievements of the Sports Outreach Programme included:

- increase awareness in the participating communities of the less well-known and/or popular sports;
- increase understanding of the principles of training and sports participation;
- increase participation in social and competitive sports in communities using donated sports equipment;
- increase awareness of Non-Communicable Diseases (NCDs);
- proactive steps undertaken by communities towards combating NCDs through physical activity initiatives taught through the Fitness Leaders Programme;
- identification of talent by National Sporting Organization (NSO) programme facilitators for further development, and
- identification of sports administrators to manage sports clubs.

Mr. Speaker, Sir, the Committee commends the team of committed and motivated individuals who have worked together to bring the Fiji National Sports Commission to new heights. Thank you Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Chairperson of the Standing Committee on Social Affairs. Honourable Members, the floor is now open for debate on this motion. Honourable Ratu Suliano Matanitobua, you have the floor.

HON. RATU S. MATANITOBUA.- Mr. Speaker, Sir, let me speak very briefly on Parliamentary Paper No. 15 of 2019, the Report of the Standing Committee on Social Affairs on the Fiji National Sports Commission Annual Reports from 2016 and 2017.

At the outset, Sir, while I commend the report and the work of the Committee in reviewing the achievements of the Sports Commission, I must urge statutory bodies and Government Ministries to table their annual reports as required by the Financial Management Act and their own enabling legislation. It is 2021 and here we are reviewing activities from 2016 and 2017, Sir. There is a backlog of reports as well for debate in this august House and I commend the move for a special sitting later in the year to move along all the pending reports.

Sir, the substantive report under review, the Fiji National Sports Commission which is established by law as a Commission has an important role to enrich the lives and health of all Fijians through physical activities and sports. It is about our health, job creation, international talent exchange and revenue earning.

For the period under review, in 2017 the Commission's programmes reached 60,333 people around Fiji, an increase of 21,503 from 38,830 in 2016. The Commission conducted five Sports Outreach Programmes with a total of 481 participants from five provinces, 15 *tikina* and 52 villages which are:

- Naqarawai Village in Namosi (five *tikina* with nine villages)
- Semo Village in Nadroga (three *tikina* with nine villages)
- Tubou Village in Lakeba, Lau (one *tikina* with seven villages)
- Rewasa Village in Ra (five *tikina* with 18 villages)
- Valeni Village in Cakaudrove (one *tikina* with nine villages)

The programme exposed the participants to 10 different sports namely hockey, rugby union, rugby league, Australian Football League (AFL), volleyball, netball, boxing, cricket, soccer and tennis.

For the year 2017, the Commission recorded Fiji's success at the Rio Olympics and continued its success to the Pacific Mini Games held in Vanuatu where 23 gold medals were achieved. These results followed Fiji's participation in the Commonwealth Games where a gold in weightlifting won and with the bronze medal win upon the return of Fiji into the boxing arena.

I note the following challenges:

- (1) Difficulties in provision of sports grants, overseas sports tours, host international events, short-term expert grant, sports scholarship grants, special one-off grants and international coaches grants and to all National Sports Organisation the Commission is trying to assist all sporting bodies with their limited funds;
- (2) National Sports Organisations disputes;
- (3) Demand for programmes, sports development and community assistance requests exceed the budgetary allocation; and
- (4) Need to increase follow-ups on Sports Development Programmes. These have been hindrance to the progress of their activities and programmes.

As always, Mr. Speaker, Sir, the duty of the loyal opposition is to point out where Government can do better and to collectively solve the challenges that face us today.

May I, therefore, offer the following recommendations:

- (1) There is an urgent need to develop a legal code for sports, medical and insurance; and
- (2) We anticipate the proposed Anti-Doping Legislation announced as being part of the legislative programme for this session of Parliament. I urge the Honourable Minister to conduct consultations with stakeholders including the Sports Commission and to table this legislation in this august House.

Mr. Speaker, the impact of COVID-19 resultant economic meltdown has been devastating to the development of sports in our country. Despite the economic crisis, sports continues to thrive, young people continue to train everyday preparing for future tournaments and the weekly fixtures and games continue on the ground.

While the emergency and relief response to aid the victims of recent severe *TC Yasa* and *TC Ana* is urgent, the wellbeing of our nation and its people includes health and vitality which is promoted with sports.

Sports as we know is also a source of income for our talented sports people. Sports must not be forgotten as the nation continues to move forward in these extraordinary times.

To conclude, Mr. Speaker, Sir, I commend the Sports Commission on its work and achievements. I also commend the Honourable Chair and Honourable Members of the Standing Committee for their report and I endorse their recommendations. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Matanitobua for his contribution to the debate. I give the floor to the Honourable Minister for Productivity, Employment and Industrial Relations, Youth and Sports. You have the floor, Sir.

HON. P.K. BALA.- Mr. Speaker, Sir, the previous speaker had spoken on two issues; submission of the Annual Report and the funding.

May I inform this august House, Mr. Speaker, Sir, that the 2017-2018 and 2018-2019 Annual Reports are with Parliament and for the last eight years, Mr. Speaker, Sir, Government had given around \$54 million to the National Sports Commission.

Mr. Speaker, Sir, I rise to respond to the four recommendations of the Committee on Annual Review of the Fiji National Sports Commission and I think it is only right to talk about sports now after having a lengthy debate on our children.

Mr. Speaker, Sir, recommendation one talks about strengthening the national sporting organisation in compliance issues. The Fiji Sports Commission has a good working relationship with the national sporting organisations to ensure that they do meet the qualifying requirements when applying for grants.

Mr. Speaker, Sir, Fiji Sports Commission had worked closely on agreeing on a mutually acceptable framework and this has led to the compliance by almost all national sporting organisations. As per its mandate Mr. Speaker, Sir, Fiji Sports Commission takes in a proactive mediation role to ensure that sports in Fiji is the winner.

Mr. Speaker, Sir, in addition, Fiji Sports Commission has assigned grants committee board member and finance staff to each NSOs to review their application and ensure that they have met the specific requirements and provide for accountability and transparency within the boundaries of the grant.

Recommendation two talks about the setting up of the Commission to address the disputes. Mr. Speaker, Sir, the Commission is working with the Ministry of Youth and Sports on the Sports Integrative Commission. Due to COVID-19, the timeline on this process has had to be adjusted and the Commission looks forward to fast tracking the process, Mr. Speaker, Sir. This includes the work already done towards the full ratification, membership to the Council of Europe. Mr. Speaker, Sir, this august House can be rest-assured that the Commission has informed all national sporting organisations of its move forward in preparation for the requirements for the integrative commission.

Recommendation three, Mr. Speaker, Sir, generally talks about partnership. Mr. Speaker, Sir, the Commission has passion other income streams to assist in operational activities and projections. This has included the grants for example from UN of \$200,000 for the inclusion of sports in mainstream schools. This grant has seen an increase in the disabled communities participating in sports and has had several successes in their own right.

The Commission had also aligned with and attracted funding from the Association of International Sports for All, Mr. Speaker, Sir, and the other agencies for inclusive platforms for women and girls in sports. Mr. Speaker, Sir, this aligns well with the National Development Plan. Moving forward, Mr. Speaker, Sir, the Commission is gearing towards expanding its commercial sponsorship base with the targeted approach to business houses.

Lastly, Mr. Speaker, Sir, recommendation four, talks about monitoring and evaluation. Mr. Speaker, Sir, the Commission has worked hard in this respect and is mindful of the need for effective monitoring and evaluation mechanism to ensure proper returns for the sports sector whereby Government has invested. The Commission had in place follow-up programmes and this includes frameworks to monitor data on our specific sports development programmes.

Mr. Speaker, Sir, it must be pointed out the investment in sports and returns on it has a social and economic component and both are included in the evaluation and evidence based report. Mr. Speaker, Sir, this concludes the response to the issues raised and I wish to commend the Committee and its work in highlighting this as a means of further improving the work of the Fiji Sports Commission.

Moving forward, Mr. Speaker, Sir, the Commission looks forward to continue its contribution towards the sports development for all Fijians. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister for Youth and Sports for his contribution to the debate. Honourable Nawaikula you have the floor.

HON. N. NAWAIKULA.- I would like to make a short contribution, Mr. Speaker, Sir. Listening to Honourable Minister for Employment, Productivity, Industrial Relations and Youth and Sports, it looks like that he has been asked by the Government or the Commission to answer to the recommendations. He reads through each of the four recommendations and he tells the House, this has been fulfilled so as to paint a good picture of the Fiji Sports Commission or what. But that is not the true picture.

The true picture is that, you have a lot of problems. We need a lot of development in this area. We are denying our youth, their right to sports and the right to other things because of this. We need to give capacity to this. The Fiji Sports Commission needs to be improved, that is the story. But the law of the debate is that we are to debate the 2016 and 2017 Annual Report. Let me just, Mr. Speaker, Sir, go through this and point out some of the notes that are in these Annual Reports.

In 2016, I note that in relation to sports grants, there is a note here that the Under 19 Cricket Team participated in the ICC Under 19; FASANOC Team Preparation for the Olympics and Fiji participated in the World Youth Weightlifting, Mr. Speaker, Sir. Next to that, there is an important note by the Executive Chairman, Peter Mazey, where he says of the need for rural outreach in relation to sports. That is one of the areas where this is lacking. We need to take sports out to the rural areas, and he has correctly identified that.

I can tell the Honourable Minister for Youth that all the rural villages need grounds. Why has he not assisted all the villages to have their facilities? They need playgrounds. That is one of the issues that is being raised here.

Going through the 2016 and 2017 Annual Report, let me just take a note of this, on the Sports Development Unit. Golden Triangle Sports Association established in Tunuloa, Cakaudrove, where sports played a big part in engaging youths who previously cultivated marijuana in that part of Fiji. Now we ask, what has happened to that sports association? It is dead. It needs to be revived, we need to breathe life into it.

Then, Mr. Speaker, Sir, we come to the Committee's recommendations and there are four recommendations which had been partially answered by the Honourable Minister for Youth. The first is that, the Commission should strengthen its network and secondly, the Commission should ensure that the Sports Integrity Commission is established, and two others. But the point that I wish to make is this, we need to empower them and take it out to the rural areas.

Mr. Speaker, Sir, if you go to the rural areas, it looks like the concentration is happening only in the towns and cities. In the villages, you know what the old people say, they used to play soccer, they used to play cricket and they used to have boxing, but they are all dead now. Why? Ask yourself, why? And it is now, I feel, the responsibility of the Sports Commission and we need to



empower them. It is serious, we are denying all these to the youth. We are concentrating on the towns and cities and we need to take it out.

I agree, Mr. Speaker, Sir, the champions of this world, the best cricketers are still out there in the rural villages somewhere. And remember that, our champion is Jerry Tuwai, he is not from the town, he was brought up in the village. So we need to empower the Commission, we need to improve its legislation to take control of all the sports in Fiji, to regulate it better and even to address what Honourable Matanitobua said in relation to insurance. We need to empower the Commission, we need to do a lot and improve it. That is my contribution, Mr. Speaker, Sir.

HON. SPEAKER.- I thank Honourable Nawaikula. The Honourable Gavoka, you have the floor.

HON. V.R. GAVOKA.- Thank you, Mr. Speaker, Sir. I just want to also add voice to what the Honourable Nawaikula has highlighted and that is the lack of suitable playgrounds in the rural areas. I had a few years with Fiji Rugby Union (FRU) and one of the most contributing factors in the development of rugby was the lack of suitable playgrounds. At one time, two tier one teams in the national competition played on a school ground. I was horrified when I saw that Mr. Speaker, Sir, and it has always been to me, the most pressing challenge for us in providing the development of sports.

We know, Mr. Speaker, Sir, there could have seen more Caucau or Serevi, if we had more playgrounds out in the rural areas. I know we all remember Caucau, he scored tries without any effort. It was a delight to see Caucau play. I mean, the loss to the country is that, we are not giving them the proper facilities where they can develop their talent.

I am not talking about stadiums, Mr. Speaker, Sir. The FijiFirst Government has promised us a lot of stadiums. I am talking about the improvement to existing grounds around Fiji. In my province, the Sigatoka Village green can be better prepared for more sports, the Naviti Ground on the Coral Coast can also do with the a bit of touch up - drainage, proper grass and a bit of evening out on the surface, that is all we need to do. We do not need to build stadiums as we have been promised.

I was driving through parts of Vanua Levu lately and I saw the Wairiki Ground. Wairiki is where they have the Wairiki Sevens, which is a very popular event. But that ground could do with a bit of improvement, Mr. Speaker, and it would not cost a lot of money, so I would urge the Government to focus on this. There are grounds already in existence, all they need is a bit more touch up so that they can be more suitable for the development of sports.

I fully support what the Honourable Nawaikula is saying, grounds being a limiting factor in the way we develop our sports, and I would hope that Government will refocus its efforts into these. Forget about the big stadiums you have promised us, just do more of the playgrounds in the provinces around Fiji. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Gavoka for his contribution. Honourable Leawere, you have the floor.

HON. M.R. LEAWARE.- Thank you, Mr. Speaker, Sir. I rise to contribute to the motion on the Review of the Fiji National Sports Commission 2016 – 2017 Annual Report and when looking at the Report, I would like to touch especially on the values on service excellence, and also on the entitlement that is in this Report.

From the outset, Mr. Speaker, Sir, let me thank the Chairman, Honourable Pillay, and Honourable Members of the Committee for this Report. However, let me bring to the attention of this House on the values, as I have said, of the Commission, especially on service excellence.

Mr. Speaker, Sir, sports is an integral part of our lives, especially when we talk about wellness, fitness and healthy living. We need to have the experts and finance for the Commission to be successful in carrying out its duties and activities.

The Commission, Mr. Speaker, Sir, needs to be out here and conduct more sports development and outreach programmes and especially so, in helping and engaging all our schools in the country. The Commission then will be better placed to provide these statistics in the next annual report. This, again, Sir, will depend, to a large extent, on staff morale which is about service excellence, according to the Report.

We all know, Mr. Speaker, Sir, that *TC Winston* in 2016 devastated this country and was still reeling from its aftermath. However, the Fiji National Sports Commission, from this Report, took this in its stride and they proceeded with the Rural Sports Outreach Programme and I would like to commend them for their dedication.

Mr. Speaker, Sir, it begs the question of the Commission to being adequately financed, especially its workers and staff. The heart and soul of the Commission, Sir, are the staff, and we can improve their morale if they are appropriately paid.

Page 21, Mr. Speaker, Sir, of the Review of the Fiji National Sports Commission as outlined in Section D on employment entitlement refers to long annual leave and long service leave. This is what incentivises our workers and the staff on the issue of long service leave. Long service leave, Sir, and its allowance as specified in the Employment Relations Act is an entitlement where the workers and staff will have their morale boosted if leave allowances are reflected in their employment contracts.

Mr. Speaker, Sir, the Report states, and I quote:

“The Commission does not have any long service policy in place. All employee entitlement is expected to be used by employees within the fiscal year.”

Mr. Speaker, Sir, it is a poor show on the Ministry concerned, given the importance of sports in our lives, that staff are not paid long service leave allowances. But section 7(59)(1) of the Employment Relations Act on Holidays and Leave is specific in this regard. I call on the Government and the Ministry concerned, even though the review is four years down the line, to take note that the nuts and bolts of the Commission, that is, the staff, must be given these incentives in recognition of their contribution.

I would like to support also, Mr. Speaker, Sir, the comments made by Honourable Gavoka and Honourable Nawaikula on sports grounds. Serua, in the 2019-2020 budgetary allocation, was provided for in that Budget but I do not know where it is now. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Member. Honourable Chairperson, you have your right of reply.

HON. V. PILLAY.- Thank you, Mr. Speaker, Sir. I do not have any further comments.

HON. SPEAKER.- Honourable Members, Parliament will now vote to note the content of the Report.

Question put.

Motion agreed to.

HON. SPEAKER.- Honourable Members, for the purposes of complying with Standing Orders with respect to sitting times, I will allow a suspension motion to be moved. I now call upon the Leader of the Government in Parliament to move his motion. You have the floor, Sir.

### **SUSPENSION OF STANDING ORDERS**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, I move 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 the remaining items as listed on today's Order Paper.

HON. R.R. SHARMA.- Mr. Speaker, Sir, I beg to second the motion.

HON. SPEAKER.- I now call upon the Leader of the Government in Parliament to speak on his motion. You have the floor, Sir.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Mr. Speaker, Sir. Very briefly, under Schedule 2, we still have an outstanding motion and we also have Schedule 3 - the Oral Questions and Written Questions, thus the request to sit beyond 4.30 p.m. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- Honourable Members, the floor is open for debate on this agenda item. There being no one wishing to take the floor, Honourable Leader of the Government in Parliament, you have the floor.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Mr. Speaker, Sir. I have nothing further to add.

HON. SPEAKER.- Honourable Members, Parliament will now vote.

Question put.

Motion agreed to.

HON. SPEAKER.- Honourable Members, on that note, we will now suspend proceedings for refreshments which is being served in the Big Committee Room. We are adjourned for refreshments.

The Parliament adjourned at 4.10 p.m.

The Parliament resumed at 4.40 p.m.

HON. SPEAKER.- Honourable Members, please be seated. I now call upon the Chairperson of the Standing Committee on Social Affairs, the Honourable Viam Pillay to move his motion. You have the floor, Sir.

**REVIEW REPORT - FIJI PUBLIC TRUSTEE CORPORATION  
LIMITED 2017 ANNUAL REPORT**

HON. V. PILLAY.- Mr. Speaker, Sir, I move that:

Parliament debates the Review Report of the Fiji Public Trustee Corporation Limited 2017 Annual Report which was tabled on 13th May, 2019.

HON. G. VEGNATHAN.- Mr. Speaker, Sir, I second the motion.

HON. SPEAKER.- I now invite the Chairperson of the Standing Committee on Social Affairs to speak on his motion. You have the floor, Sir.

HON. V. PILLAY.- Thank you, Mr. Speaker, Sir.

Mr. Speaker, Sir, the Fiji Public Trustee Corporation Limited is a Government Commercial Company which was corporatised in 2006, to take on the role of the Public Trustee Office. The Fiji Public Trustee Corporation Limited provides administration of deceased persons' estates, trustee services, estate planning services, will making, power of attorney services and other legal services to the people of Fiji. The company is governed by the Fiji Public Trustee Corporation Act 2006.

The Committee, upon being referred the Fiji Public Trustee Corporation Limited Annual Report 2017, invited its senior officials on Thursday, 14th March, 2019 for a public hearing. During this meeting, officials enlightened the Committee on how FPTCL is striving to continue to provide services profitably and where there is no need for Government input; its future plan to explore other business opportunities with the expansion of headquarters properties in Suva; and how its overall operations are aligned to the SDGs and the measures that are being taken by the Trustee to progress these SDGs.

The Fiji Public Trustee Corporation Limited also highlighted major financial achievements in exercising stringent and prudent management of finances in 2017 and these include:

- twelve consecutive year of recording net profit after tax and average growth in net profit after tax of 11 percent;
- payment of dividend amounting to \$5 million and declaration of after tax dividend amounting to \$500,000 for the 2017 financial year;
- zero long term borrowings for the last ten years;
- stable liquidity and solvency position; and
- new reserve account amounting to \$5.98 million to fund the extension of the company headquarters.

Mr. Speaker, Sir, I would like to thank the officials of Fiji Public Trustee Corporation Limited. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Chairperson. I now open the floor for debate on this motion. The floor is open for debate. Honourable Adi Litia Qionibaravi, you have the floor.

HON. ADI L.QIONIBARAVI.- Thank you, Mr. Speaker, Sir. I rise to contribute to the motion before the House. I thank the Chairperson of the Standing Committee on Social Affairs and its Honourable Members for their review report on the 2017 Annual Report of the Fiji Public Trustee Corporation Limited, a Government Commercial Company incorporated in 2006 and taking over the functions of the Public Trustees Office which was previously under the responsibility of the Ministry of Justice, the legal registries under the Administrator-General.

I acknowledge the vision and the foresight of the late Prime Minister, Mr. Qarase and his SDL Government for their initiative in carrying out the reform of the Public Trustees Office, from a Government Department to what is it today, an incorporated body. The company is governed by the Fiji Public Trustee Corporations Act 2006.

Mr. Speaker, Sir, report states that the FPTCL provides deceased estate administration services, Wills preparation, trustee services, estate planning services and other legal services to the people of Fiji at no cost to Government.

Mr. Speaker, while it is commendable that there is no cost to Government, this entity has been very profitable and generous dividends and returns have been provided to Government. For example, Government received \$500,000 for the year ending 2017. This has taken up the total dividend received by Government to \$5 million in the span of 12 years within the FPTCL.

Mr. Speaker, Sir, the FPTCL has generated profits from fees for services rendered, in accordance with the regulated fees, charges regulations under the Fees Regulations 2008, according to the Report.

Mr. Speaker, Sir, the FPTCL office did not charge fees from 1968, when it was established to 2006 when it was corporatized and started making generous profits, which the Government singly received a major portion of.

Mr. Speaker, Sir, may I ask the Honourable Minister and the board to review the charges and fees levied by the FPTCL in recognition of the difficult time we face and in particular, for the impoverished clients of the Corporation.

Mr. Speaker, Sir, in terms of accountability, I am sad to note that this Committee did not receive submissions from clients of the FPTCL. There are complaints that there is lack of accountability by FPTCL to clients, even in terms of the statement of accounts to clients and how funds have been spent. This was changed, Mr. Speaker, Sir. It is a most basic rule of governance that those in charge of our funds must be accountable for how it is expanded and clients should be able to request statement of accounts when they need to.

Mr. Speaker, I now turn to the plight of child beneficiaries of FNPF. There are questions over the amendment to the FNPF Act where funds for beneficiaries under the age of 18 are kept by the High Court rather than the FPTCL.

The High Court, Mr. Speaker, Sir, does not invest these funds. I urge the Honourable Minister to review the situation and the best interest of the child claimants whether these funds should be returned to FPTCL or other entity to invest these funds for the benefits of this child beneficiaries.

Mr. Speaker, Sir, it is apparent that the FPTCL legislation needs urgent review, as the Honourable Attorney-General had informed Parliament in August 2019. For the beneficiaries of these estates, I urge the Honourable Minister to accelerate the review to conduct consultations and table the Bill in this august House.

I endorse the Standing Committee recommendations that FPTCL must:

- (1) introduce legal services to address non-core business arising from customer demands;
- (2) improves stakeholder relationships and conducting stakeholder training; and
- (3) improve and strengthen its stakeholders relationships through regular meetings and consultations for optimum service delivery.

Mr. Speaker, Sir, in addition to these recommendations, may I request the Social Affairs Committee Chair to also invite clients from the FPTCL to have their say on the performance of the Corporation.

The board can simply saying improve stakeholders relationship is a Corporate Annual Report talk. There seems to be just words on the page rather than actually implemented by the board the CEO and all staff of the Corporation exist to serve the public and not itself. This must start with the client relationships and being accountable to clients.

The practice of accountability must be part and parcel of the normal procedure that estate officers are able to provide this Report to clients upon request.

As alluded to earlier, the fees and charges levied by the FPTCL needs urgent review. I call on the Honourable Minister and the board to undertake this review urgently.

May I also remind the Honourable Minister for the review of the legislation. The Honourable Attorney-General had informed Parliament that there are many estates in Fiji where family members are not able to reach any consensus as to what to do with the property, it is left in a dilapidated state. It causes problems for the municipal councils. They do not pay rates and it is an eyesore overall.

Mr. Speaker, may I also remind the Honourable Minister regarding the management of FNPF funds for child beneficiaries, whether the High Court is the appropriate body to manage these funds?

To conclude, Sir, I agree that the FPTCL provides an important service for the public, in particular those breadwinners have passed on early. That is why I recommend that the review of its fees, legislation and to be more accountable to its clients. The Board, CEO and staff must understand that they provide a service it must be accountable to those whose funds and property they administer in trust. Their trust confirms that it is their fiduciary duty that confirms their duty of accountability to the beneficiaries.

Mr. Speaker, Sir, I stand for those who have not been heard, despite their interest being apparently paramount in the management of the estates.

I thank the Committee for their Report. I urge those at the FPTCL Board and the CEO to consider our recommendations and thank you, Sir, for the opportunity to respond. *Vinaka saka vakalevu.*

HON. SPEAKER.- I thank the Honourable Member. I give the floor to the Honourable Ro Teimumu Kepa to have the floor. You have the floor, Madam.

HON. RO T.V. KEPA.- Mr. Speaker, Sir, the Fiji Public Trustee Corporation Limited provides services in the management and administration of estates and trusts to those beneficiaries who have appointed the Fiji Public Trustee to be their administrator and executor.

Mr. Speaker, Sir, I was one such lucky beneficiary, when at 16 years old my father died intestate so I was very well looked after by the Public Trustee. They also provide legal services and financial support. Looking at the Committee's recommendation, and I will just point out one, where it says that the Corporation must introduce other legal services to address non-core business arising from customer demands and in this regard, Mr. Speaker, Sir, I am looking at that executing of Wills and the writing up of Wills. That is one area that needs to be addressed as many people, even highly qualified professionals such as Judges who one would think, would know better are dying intestate, that is, no will.

I will just tell a short story here, where this Judge had been telling his family, his wife and children that when I die, do not worry, I am not leaving you any money. So, when he did die, his wife, children and his relative knew that he had no money. Sure enough, when he died, there was no will, no money, no fighting.

Mr. Speaker, Sir, that is one case, however not all cases are like that. What are some of the problems with people dying intestate? That means they left no Will. Google tells us that 70 percent of Americans died without a Will. Sixty (60) percent in the UK, I am just wondering, Mr. Speaker, Sir, what would be the percentage here in Fiji? Would it be higher or lower?

I am looking around at our 51 Members of Parliament and your good self, Mr. Speaker, Sir, 70 percent that means 36 MPs with no Will. I was just asking during the afternoon tea because I see our rich people across the floor, Mr. Speaker, Sir, how many of them have Wills. Some of them have, some have not. So, 70 percent is the American number and in the UK, it is 60 percent, which means that 31 MPs would be dying with no Wills and 20 would have made their Wills.

Sir, the advice that is given to us today is, to make sure you write your will. If you need help, go to the Public Trustee. You do not want, Mr. Speaker, Sir, to be the cause of serious family disagreements which can even tear a family apart. Remember, blood is not thicker than water, especially when it comes to money.

Looking around this Chamber, Mr. Speaker, Sir, I can smell serious money from that side of the House. Serious money, Mr. Speaker, Sir, especially the Honourable Minister for Agriculture. I went and sat next to him during afternoon tea and I could smell the money in his pockets. So, there you are, Mr. Speaker, Sir, if anyone wants a loan or anything, you know where to go in this House.

In general, Mr. Speaker, Sir, if you are married with children and you die intestate, your spouse or your civil partner and children are your beneficiaries. Not married but with children, shared equally amongst your children; if you are not married and have no children everything is shared equally amongst your many relatives - your parents, siblings, grandparents, aunts and uncles. What if you are living with someone, but not married or in a civil partnership? Under the rules, your partner will receive nothing at all, no matter how long you have been living together so I mean that is cause for us to think, Mr. Speaker, Sir.

The fact of the matter is, you go to Public Trustee, if you need help, so when you die, the people you love the most will inherit your assets, so that you are not the cause for family disagreements or cause of a family feud lasting generations. I support this motion before the House, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Kepa for her contribution to the debate. Honourable Attorney-General, you have the floor.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I feel compelled to make a few comments.

I would like to thank the Committee for their Report and I also would like to thank the Board for their work. Of course, this is a Report dating back to 2017. Since then, the Board has changed and quite a few number of changes have actually taken place within the organisation too.

As rightly observed by Honourable Members from the other side that the Fiji Public Trustee Corporation Limited does play a very important role. It has assisted a number of families and individuals, in particular when people die intestate, as the Honourable Kepa has highlighted, where they die without making a will and it is critically important for people to make a will. I think a lot of people, Honourable Kepa, do not end up writing a will because they think they will not necessarily die very soon but as we know that death is inevitable, so we need to be prepared for it at all times.

I think the issue pertaining to the various recommendations and if we look at the recommendations by the Committee, a lot of it has to do with public awareness and also services to be launched and new modes and mediums of reaching out to members of the public, I think that is critically important. Now, as people get lot more technology savvy, the ability for the Fiji Public Trustee Corporation Ltd to provide online services, withdrawal applications, all of that is currently being worked on by the current Board and the current management. The CEO has been there for quite some time and he is very much attuned in respect of providing services.

The Honourable Qionibaravi had raised the issue about fees for low income families. The Fiji Public Trustee Corporation Ltd actually exempts fees for low income earners following an assessment. This is classed as a non-commercial obligation with a budget of \$50,000. Also, in respect of the High Court, money does actually get put in bank accounts so it does earn interest and that is how they actually gain some form of revenue on the funds.

Honourable Kepa, you may not have been aware of this but we actually amended the Family Law Act where *de facto* relationships are also now recognised in law, in particular for property settlements. We understand that at the time when the original Family Law Act was drafted, certain politicians were very averse to the idea, as you would know, Honourable Kepa as you were in Parliament then. They were very averse to the idea of recognising *de facto* relationships because they would have been negatively affected too at that point in time. We have since then amended the Family Law Act where it does recognise *de facto* relationships.

One of the points that Honourable Qionibaravi made is, again, on rare occasions where I do actually agree with her, is the issue of dilapidated buildings. You will find those in some places in Suva and in other parts and townships in Fiji where a number of properties are actually neglected. I remember one at Berry Road, a very well-known property where they had a lot of siblings who were actually the beneficiaries of that property. Some were in overseas, some were here, and even when family members lived here, the beneficiaries do not agree as to what to do with the property and the building actually deteriorated and it becomes an eyesore.

We have actually been considering that we need to, of course, have lot more public consultations. We have looked at some other jurisdictions. What other countries have done is, after a period of time where they give you a time reprieve if you like, if the estate cannot get around to making a decision and the property is within the municipality or where it has become a public nuisance issue, then the State can actually step in, sell the property and keep the money in trust for those people who are the beneficiaries of that particular estate and then they can sort it out amongst themselves. But it gives the State the power to be able to liquidate those assets, keep the liquid assets,



then subsequently for the beneficiaries of the estate but, at least, that particular property moves along and gets developed. That is how a lot of countries have actually dealt with the situation.

The other issue that I also want to highlight very quickly is that wills are also written by Legal Aid. Legal Aid now provides a lot of services in respect of writing of wills and they also provide probate assistance to low income families. I note that in Recommendation 4, the Committee has mentioned about the competition. So the competition obviously is not just coming from the lawyers in terms of drafting the wills, the competition actually also comes from the Legal Aid Commission.

A lot of the work that the Legal Aid does now, Mr. Speaker, Sir, in fact, the budget of Legal Aid is in excess of \$5 million a year and they are the largest law firm now, so they do a lot of civil work which includes probates, settlement of properties and also the writing up of wills.

With those remarks, Mr. Speaker, Sir, I would like to thank the Committee for their Report and support the motion by the Chairman. Thank you.

HON. SPEAKER.- I now give the floor to the Chairperson for his Right of Reply.

HON. V. PILLAY.- Thank you Mr. Speaker, Sir.

Mr. Speaker, Sir, I would like to thank the Attorney-General and all the Honourable Members who have spoken on the motion. Thank you.

HON. SPEAKER.- Honourable Members, the Parliament will now vote to note the content of the report.

Question put.

Motion agreed to.

HON. SPEAKER.- We move on.

## QUESTIONS

### Oral Questions

Update – Status of Government Finance  
(Question No. 10/2021)

HON. RATU N.T. LALABALAVU asked the Government, upon notice:

Can the Honourable Attorney-General and Minister for Economy, Civil Service and Communications provide an update to Parliament on the status of Government finance (revenue) to date?

Before I take my seat, Mr. Speaker, Sir, I had spoken with the Honourable Attorney-General on this issue because he made a very detailed Ministerial Statement this morning, so I am just throwing this in and I am focusing on the revenue. That is all.

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Economy, Civil Service and Communications).- Thank you, Mr. Speaker, Sir. I would like to thank the Honourable Leader of the Opposition for acknowledging the discussion that we did have. Unfortunately, the response

by his representative who spoke on the Ministerial Statement, was not as comprehensive as we thought it would be.

Mr. Speaker, Sir, I would like to take this opportunity to just reiterate what I had said earlier on and that is to, again, highlight because there was quite a lot of statistics thrown around this morning. The Government's total revenue collection for the six months stood at \$964.8 million, while total expenditure amounted to \$1.5 billion. What is really important, Mr. Speaker, Sir, is that the total revenue for the past six months was above the forecast of \$107.3 million or 12.5 percent, so we are above what we had actually forecasted.

This is attributed, Mr. Speaker, Sir, to two sources - revenue that comes from tax sources and what we call non-tax sources. So, the tax revenue was above forecast by \$26.7 million or 3.6 percent - above but, of course, not by a huge margin. However, non-tax revenue exceeded estimated collections by \$80.6 million.

These, of course, Mr. Speaker, have come by way of grants that we have received. Some, of course, are fees, et cetera, but in this kind of climate, you do not expect that much increase in fees. The number of sources from non-tax revenues, as I had mentioned earlier on this morning, have been from organisations like ADB, Australia, Indonesia and the European Union. A lot of this has to do with the COVID-19 emergency response, *TC Yasa*, the Resilience Budget Support Programme by Australia, Welfare Support Programme by Australia, Indonesia contributed US\$1.48 million for QVS and, of course, the EDF funding from the European Union.

Mr. Speaker, Sir, I do not really have much to say to Honourable Nawaikula's response because he did not really say much, apart from personalising things. But I just wanted to just take this opportunity to respond to what Honourable Professor Prasad said, who, unfortunately, is not here. .

One of the issues he did raise was about increasing consumption and that is precisely what the budget was all about. When we reduce tariffs, the idea is to also increase consumption - giving people access to goods and services to some extent, depending on what it is, the ability to access those services. I remember just a few years ago, we were condemned by NFP for having what they call a 'consumption-led growth' and they said we should only have investment-led growth. Of course, we have said it should be both and in this point in time, of course, consumption can also be held back because of the psychology of where we are at.

People tend to invest when they feel a lot more comfortable, when they feel a lot more confident with the system or what is happening within the system. So if tomorrow, for example, Australia decides that they will allow Australians to come and holiday in Fiji in the Bula Bubble and can go back to Australia without doing quarantine upon their return because we are a COVID-contained country, you can imagine that good news will lead to enormous confidence. People will want to then perhaps, fast-tracking their investments. The shopkeepers will perhaps, start importing more goods. People, you know, selling white goods will start importing that, so it has a spiralling and positive effect and that is precisely what we are doing.

The Honourable Member used the example (and I wish he was here) of a person who can now buy a bigger car, who cannot afford it in the first place. Well, the reason is because if you make that a bit more affordable, that person will be willing to depart with that money. When they depart with that money and buy that car that perhaps, they would not have bought otherwise, they pay VAT on it. We collect the VAT. When they sell more cars, the car dealer then has more sales people, they need more mechanics, so consumption from that perspective creates a lot more robustness within the economy and that is precisely the reason why we have done that. Therefore, to just say, "Well, then

the rich guy can buy the car in any case,” is a very simplified way of viewing things. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank you. Honourable Nawaikula, you have the floor.

HON. N. NAWAIKULA.- The revenue that we are currently collecting, is that enough to finance Government business and its budget or do we need injection from somewhere else?

HON. SPEAKER.- Honourable Attorney-General, you have the floor.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. Again, if I can reiterate the very fundamentals of the budget, all Budgets in Fiji have always been funded through a deficit budget, except for two in our history. So essentially what it means if you look at the overall expenditure of Government, there is a particular amount, and then we have revenue. There has always been a shortfall because we are running a Government. So, the first question is, how much of a shortfall? The second question is, what are you actually going to fund through debt financing?

Now, the preference, of course, is that you never fund your operational cost through debt financing. You fund your operational cost through your revenue generation. If Honourable Nawaikula would have listened earnestly to the previous Budgets, prior to 2019 before COVID-19, we have always had what we called an operational surplus. In other words, we have collected more money than what we actually could spend for operational purposes, for example, running of Government, paying the salaries, and all that type of stuff. But in order to fund capital projects, we then had to go out and borrow money. Of course, if you have a larger surplus from operating surplus, we then borrow less.

To answer his question for this particular year, whatever we had budgeted for 2021, Mr. Speaker, Sir, as I had highlighted, we are on track. We are currently on track, so we have collected more than what we said we will collect and we are, in fact, at the moment spending less than what we said we will spend. So as far as the budget is concerned for the first six months, we are essentially on par.

HON. SPEAKER.- Thank you. Honourable Gavoka, you have the floor.

HON. V.R. GAVOKA.- Mr. Speaker, Sir, can the Honourable Minister indicate to the House what other measures the Government can take or RBF, to increase the appetite for the banks to lend?

In the latest update from the RBF, they said that there is liquidity in the system but the banks have low appetite to lend. I know in the business community, there are people who are saying that they have projects that are ready for take-off but it is the reluctance of the bank to lend that is holding things back. We cannot wait for the Bula Bubble to kick in, we need to work on what we have today. If the appetite for investment is there, it must be matched with the appetite of the bank to lend. So, what can we do to get the banks to lend, Mr. Speaker?

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

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, we have talked about this issue previously. I think the fundamental issue here is that, how banks assess risk. In Fiji's case, unfortunately, we used to have our own national bank that had a very large share of the banking market. But after the collapse of the National Bank of Fiji, for a number of years until only recently, all the banks in Fiji were foreign-owned. Now, we have only one bank which is completely Fijian which is Home Finance Company (HFC) but they have got a very small proportion of the market. So their ability to

influence the determinants in the financial sector, in particular the banking sector takes in Fiji in assessing risk is very, very limited.

I have said in Parliament previously, Mr. Speaker, Sir, ANZ is Australian/New Zealand owned, the decisions are made in Auckland, in Melbourne and in Sydney.

The next largest bank is Westpac, the decisions are made in Sydney. As you know with Westpac, it is now open knowledge that they are now selling and they have a deal now with Kina Bank in Papua New Guinea, which we understand is the second largest bank in Papua New Guinea. We expect the transaction to be completed with all the regulatory requirements being met, probably in about nine months' time or so. Of course, their decision will be made in Port Moresby.

The next bank is the Bank of the South Pacific (BSP). Their Head Office is in Port Moresby. The next bank is Bank of Baroda and their Head Office is in New Delhi/Mumbai. The next bank is Bred Bank, their decisions are being made in Paris. So their assessment of risk will be very different to what HFC would have as an assessment risk, so the ability to influence is a lot more limited. What do we do, apart from telling the banks you have to lend now? The RBF cannot force that, it is the market forces that will determine it. At the moment, there is a lot of liquidity, given what the economy is at - \$880 million or so. The banks only make money from giving money.

However, one thing we have to understand, as I had highlighted in my address earlier this morning, a lot of the banks have done provisioning and the reports are in excess of a \$100 million. In other words, a person who used to work, for example, at the Warwick Hotel and may have taken out a \$2,000 loan with ANZ Bank or Westpac Bank or whoever, is no longer going to pay that loan. They cannot pay that loan. They may have gone back to Tailevu because he may be originally from there, and do some farming now. Their source of income, of course, has dried from their employment. So, banks have probably written off their loan and that is what you call "provisioning." So, they would be a bit conservative from that perspective. I am not justifying "no lending". But that is one of the books and Honourable Gavoka has been a banker himself, he knows that, that they will have that provision.

Now, the other issue, of course, is that if the money just sits there idly, there will come a time when interest rates will need to come down. Some of it has actually come down, but the issue he is raising and he is correct is that, some of the banks are now asking a larger equity contribution. If someone wants to go and put up, for example, a warehouse or a block of apartments, normally the banks may have asked them for 20 percent contribution towards the total cost of the project and lend them 80 percent. Now, some of the banks are asking for 30 percent or 35 percent contribution.

Obviously, we get a lot of market information. One of the foreign banks has decided to go very, very aggressively now and we are seeing that. In fact, we are seeing that some of the key managers of some banks are now being poached by this one particular bank. So, they are going to go very aggressively, they are bringing in new money into the market so we will see in the next few months a lot of shift and changes within the market itself. I think the moment, one or two of them decide to go full throttle, the others will have to follow, otherwise, they will lose out on their share of the market. In the meantime as a regulator, RBF has to provide the right prudential requirements and ensure that the financial system has stability. Thank you.

HON. SPEAKER.- On the second Oral Question for today, I call on the Honourable Selai Adimaitoga to ask her question. You have the floor, Madam.

Restoration of Road Accessibility  
(Question No. 11/2021)

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

Can the Honourable Minister for Infrastructure, Meteorological Services, Lands and Mineral Resources update Parliament on the status of restoring road accessibility that was affected during *TC Yasa* and *TC Ana*?

HON. J. USAMATE (Minister for Infrastructure, Meteorological Services, Lands and Mineral Resources).- Thank you, Mr. Speaker, Sir. I thank the Honourable Member for her question.

Fiji, as we all know, has been besieged with a lot of natural disasters recently - cyclones, flooding and even earthquakes. In the aftermath of *TC Yasa* and *TC Ana*, there has been a lot of damage and I need to reinstate a lot of our roading infrastructure in Fiji.

Roading is obviously a critical infrastructure for our country, so the Ministry has had to work through the Fiji Roads Authority (FRA) which has been trying to give its best within the resources that it has. It has committed itself to restoring the roads and in so doing, accessibility to the people of Fiji.

Currently, the restoration works for the Central Division, according to the estimates by FRA, in the aftermath of these two cyclones was around 98 percent; for the Western and Northern Divisions, approximately 75 percent; and for the Eastern Division, approximately 85 percent completed of what we wanted to do in the aftermath of *TC Yasa* and *TC Ana*. Even when we do not have cyclones, the rain has been continuing to pour and even today, we are seeing flash flooding in Labasa as a result of the rain that is taking place there. Because of the continuous rain, the FRA has yet to complete about 20 percent of its survey works in the interior of Vanua Levu and also in Viti Levu.

We also have the constant problem of when you try to reinstate crossings in particular, there is another flood and it washes it away. I have seen this myself in Vanua Levu soon after *TC Yasa* and again last week when I was in Vanua Levu. So, at the moment FRA has put together the people, about 110 delivery personnel and 800 contracted personnel trying to make sure that they can re-establish those roads. Some of these people are working from 10 hours to 12 hours a day, some of them are working seven days a week. So reconstruction teams are still on sites and last weekend when I was in Vanua Levu, I saw a lot of these reconstruction teams on site in the various roads.

There are also 25 non-problematic low level crossings which have been included in FRA Forward Works Plan for replacement with a new resilient crossing similar to the ones that we have seen in Nausori and Savusavu Crossings in Ra. So, that Mr. Speaker, Sir, is just a very broad update on the progress on the recovery of the roading infrastructure that we have in the country. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister. We will move on. Honourable Salote Radrodoro you have the floor.

HON. S.V. RADRODRO.- Thank you Honourable Minister for that statement. Someone just sent me a picture of the Naduri Crossing and it is looking very dangerous. I also conversed with someone travelling from Labasa to Natovi, and he also shared his concern on the condition of the road in Naduri. What kind of safety initiatives or programmes that are in there to ensure the safeguard of the general travelling public from Labasa to Nabouwalu and vice versa because right now that is

the only route or only link that is linking up Labasa and Nabouwalu and vice versa? Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Member. The Honourable Minister you have the floor.

HON. J. USAMATE.- Mr. Speaker, Sir, yes, the old road that is going from Korovou to Naduri and then to Tabia is the road that is open now. There are some limitations on that road. There is one crossing there that has a limit of around 10 tonnes. So, that is obviously going to limit the volume of cargo that we can move along that road.

I had travelled on that road in the last weekend and I see there are some challenges to that road in terms of the condition of the surface of the road. At the moment as I speak, FRA is still working on making sure that, that is serviceable as possible. So, I think for smaller vehicles, they should be able to use that road but subject to all these rain that is happening. But if the rain does come in, FRA will still try to rehabilitate the road as quickly as possible.

Now, in between Korosomo and that other slip in front of it, the FRA has talked to the landowners in that area and the initial stage of discussion with the landowners, they had given an agreement for a realignment. The slip is here, they allowed a new cutting of a realignment to avoid the areas where the slips are. Unfortunately, once the landowners had agreed, another set then came and also claimed that land. So, now FRA has to try to resolve with them and talk to iTLTB and TLC or whoever it is that we need to talk to, for them to get that understanding that the land is agreed upon, that we can do the realignment and if that happens, then we should be able to have the realignment on the main road within two to three weeks.

The other option, of course, is coming around the transinsular road, you will still have to go past that road. So, I think those are the two alternatives at the moment. I think you can use the road, you use them safely within the limitations, and as quickly as possible, we will try to put the realignment around the slips that are there in Korosomo.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Nawaikula you have the floor.

HON. N. NAWAIKULA.- Where will the Government get the money to pay for this reconstruction which I know will be a lot? That is a fair question.

HON. SPEAKER.- Honourable Minister, I will let you answer that.

HON. J. USAMATE.- Honourable Nawaikula, unfortunately, we do not have magic wands, we are not magicians but what we do have in Government, is we have a sense of responsibility and reasonableness. We look at the problems, the programmes and the projects that we already have and we tell ourselves, "Alright, we had set aside \$5,000 for streetlights but right now, maybe we can reduce the amount of money we put on streetlights and put it on this crossing." A sensible Government does that, and that is what this Government does because this is a sensible Government and thank God, we are in control of this country at this point in time.

(Honourable Members interject)

HON. SPEAKER.- Order, order! Do you wish to ask a question?

HON. RO F. TUISAWAU.- Yes, Mr. Speaker, Sir.

HON. SPEAKER.- You have the floor, Honourable Tuisawau.

HON. RO F. TUISAWAU.- Thank you, Mr. Speaker, Sir. Just extending from Honourable Nawaikula's question on the finance part on the road rehabilitation, et cetera, relating to what the Honourable Minister for Economy had mentioned in terms of the revenue and part of it which will be funded by development partners, what are the other measures in place in terms of the revenue to fund the extensive road repairs, et cetera, in the next two to three years, given that the revenue projections you have mentioned, most of it is from development partners and the local revenue collection is declining?

HON. SPEAKER.- Honourable Member, the question is pretty clear - update Parliament on the status of restoring road accessibility that was affected by *TC Yasa* and *TC Ana*, not what he is going to do after that, and he has answered that sufficiently.

We will move on to the next question. On the third Oral Question for today, I give the floor to Honourable Saukuru.

Status of the 2020 Agriculture Census  
(Question No. 12/2021)

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

Can the Honourable Minister for Agriculture, Waterways and Environment provide an update to Parliament on the status of the Agriculture Census undertaken in 2020?

HON. DR. M. REDDY (Minister for Agriculture, Waterways and Environment).- Mr. Speaker, Sir, I thank the Honourable Member and his colleague for asking this question.

Last year just before the Census started, we had given a Census Release Plan with exact dates on when we would plan and how do we plan to release the papers through the process, and that is the process which I am going to outline. Unfortunately, it seems that Honourable Members probably did not watch that clip or read that particular plan. Mr. Speaker, Sir, before that, please, allow me to enlighten this House, especially the Honourable Members on the other side, on the details of the Census process.

Mr. Speaker, Sir, as we are all aware, this exercise was carried out for the first time ever through a handheld device survey solution software which kind of sped up the process and also allowed live feed of the data to our Head Office, the Census Operations Centre. With this online system in place, the expectation was high that the data should be, of course, released as per the timeframe that we released.

Mr. Speaker, Sir, in doing so, we considered the scope of the coverage, the quality of the data collated through identification of outlays or possible outlays and, of course, to reduce numerous human errors as well.

Mr. Speaker, Sir, I wish to share with this august House that our National Statistics Office, the Bureau of Statistics, conducted the Population and Housing Census in 2017 through this particular software and only managed to release the demographic findings this year. So, they undertook this work in 2017 and then in 2018, 2019, 2020 and 2021, so we are well ahead in terms of releasing the findings on a timely manner.

Mr. Speaker, Sir, I must admit that after the data collection period at the end of February last year, we started the compilation of the data. Our team worked very closely with the Food and

Agriculture Organization (FAO) experts who were seconded to our office, but, of course, we were affected by the pandemic last year, but that did not really stop us from meeting the timeline.

Mr. Speaker, Sir, we have done the preliminary round of analysis, and I must say that we have got four Reports, so the report of the particular census is in these four parts or chapters. The 2020 Agriculture Census General Table will give you the general descriptive of the entire survey as surveyed agriculture households. Then we have got the 2020 Agriculture Census Enumeration Boundary Report, then we have the 2020 Agriculture Census Gender Analysis and we will have the 2020 Agriculture Census Administration Report.

Mr. Speaker, Sir, we are hoping that our submission will go to Cabinet, probably in the next sitting and then from there, we will have stakeholder meetings and workshops by Divisions as planned towards the end of February. So by the end of February, we should wrap up the consultations, then through Cabinet, we will table the Census findings in the March Sitting of Parliament. That was the plan that we had released last year and that is the timeline that we are following. So official release to be shared with the National Statistics Office, again, at the end of March this year and then we will do a more detailed analysis with FAO of the data following that. So all the tables in these four sections will be released by end of March.

Mr. Speaker, Sir, that is just for the background. We were able to capture 70,991 households with a total population of 300,861. Some households have multiple farms in one household, so we recorded a total of 83,395 farmers in our details with 86 percent male and 14 percent female-headed households or female farmers.

Mr. Speaker, Sir, that is the process and timeline and we will adhere to it strictly, despite all the challenges that we have faced.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Saukuru, you have the floor.

HON. J. SAUKURU.- A supplementary question, Mr. Speaker, Sir. Can the Honourable Minister inform Parliament whether the IT company (Pacific Technologies) had facilitated their agricultural census or was it appointed through the normal tender process?

HON. DR. M. REDDY.- Mr. Speaker, Sir, I have no idea about that IT company. He should send the question later on, I will find out. The question was about the timeline we expect to release the census data. I do not know what is wrong with him asking about some kind of obscure IT company.

(Honourable Members interject)

HON. SPEAKER.- You are quite right, Minister. It has got nothing to do with the original question. The supplementary question is related to the original question and that is completely out. We move on.

(Honourable Members interject)

HON. N. NAWAIKULA.- A supplementary question.

HON. SPEAKER.- What are you on the floor for?

HON. N. NAWAIKULA.- I wish to ask a supplementary question, Mr. Speaker.



HON. SPEAKER.- I will give you the opportunity for a supplementary question.

HON. N. NAWAIKULA.- Can the Honourable Minister advise the House how much is the cost of the survey and who paid for it?

HON. SPEAKER.- I will let you handle that, Honourable Minister.

HON. DR. M. REDDY.- Mr. Speaker, Sir, I do not know whether they go through the Budget, every time he is harping about the agriculture budget. There was money allocated in the Budget and we were also assisted with an allocation from FAO to meet the salary and expenses of the expertise from the FAO Office.

HON. OPPOSITION MEMBER.- How much?

HON. SPEAKER.- Honourable Radrodro, you have the floor.

HON. A.M. RADRODRO.- Thank you, Mr. Speaker, Sir. I thank the Honourable Minister for the update. Just a supplementary question; in talking about farmers who are included in this survey, have you clearly demarcated the farmers on *vakavanua* basis and the farmers on leasehold basis?

HON. DR. M. REDDY.- Mr. Speaker, Sir, there is a question on the land tenure system. He is talking about leasehold land and *mataqali* land, that should be able to capture that. There is a question. You can sort it out and do an analysis by that column and the result is there. In fact, one of the tables will present that – the land tenure system. Thank you.

HON. SPEAKER.- We will move on.

Groundwater Boreholes - TC Yasa and TC Ana  
(Question No. 13/2021)

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

Can the Honourable Minister for Infrastructure, Meteorological Services, Lands and Mineral Resources update Parliament on the impact of *TC Yasa* and *TC Ana* on the groundwater boreholes in Bua and Macuata?

HON. J. USAMATE (Minister for Infrastructure, Meteorological Services, Lands and Mineral Resources).- Mr. Speaker, Sir, our country has been devastated by these cyclones and we know that a lot of our people have been affected in terms of their sources of water. Most of our people in the country get water from surface water. There is quite a few that get their water from groundwater and the Mineral Resources Department within the Ministry has the responsibility of looking after these groundwater sources.

In the aftermath of the cyclone, the Ministry put together a team of around eight technical officers who were deployed to the North to carry out the damage assessments and also to attend to the repair works and the maintenance of existing boreholes and their reticulation or distribution systems. They had to deal with damages, such as broken pipelines, damaged solar panels, the roofs of the pump houses were blown away and broken controllers.

In total, they looked at 14 boreholes, 11 of them in Bua and the other three in Macuata. In Bua, they included the Ratu Emeri Primary School, Navasua Government Station, Kiobo Village,

Waisa Village, Nasaisaivua, Wailailai, Natokalau, Raviravi, Navatu, Kubulau District School in Kubulau and the Lekutu Government Station. They looked at three other sites in Macuata, including Navukebuli, Qelemumu and Yaro Village on Kia Island. So, these were the areas that they had to repair the boreholes and also the reticulation systems or distribution systems. All those boreholes were repaired and water restored in nine villages, one settlement, two schools and two Government stations which benefitted slightly below 900 people. Other than labour costs, it cost the Ministry slightly above \$50,000.

Apart from the 14 boreholes that were affected, the teams were also deployed to small islands, such as Yadua, Druadrua and Kia Island, to conduct borehole assessments. While flushing the borehole, for instance, at Yaro Village on Kia Island, they noted a lot of debris inside the borehole. They put a camera down and they found two-metre wooden logs in the middle of that borehole. So I had to discuss it with the village elders and they have decided to decommission that particular borehole to avoid any health issues that might arise from people drinking the water.

We are currently now organising another team to conduct more groundwater assessment post-*TC Ana* in the next few weeks, to ensure that those who do drink from these boreholes have access to water. On Saturday I was in the island of Galoa. They had to re-establish that submarine pipeline. Unfortunately, the pipeline is broken again, so one of the things that we have to do now is to re-establish their submarine pipe cabling that is bringing water across from the mainland to Galoa. In the meantime, there is a borehole there, so we are trying to get that borehole running again just to make sure that the people on the island can have access to some safe water. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- Thank you. We will move on. For the fifth Oral Question for today, I give the floor to the Honourable Salote Radrodro to ask her question. You have the floor, Ma'am.

Dismantled Informal Markets  
(Question No. 14/2021)

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

Can the Honourable Minister for Local Government, Housing and Community Development inform Parliament what process was followed in the decision to dismantle informal markets before and after *TC Yasa*?

HON. P.D. KUMAR (Minister for Local Government, Housing and Community Development).- Thank you, Mr. Speaker, Sir. I also thank the Honourable Member for her question.

Mr. Speaker, Sir, the recent Category 5 *TC Yasa* saw the nation preparing for the worse. The Ministry of Local Government and all Municipal Councils were guided in their decision by the NDMO on the severity of the Cyclone and the impact it would have on the nation.

When Category 5 *TC Yasa* was forecasted to pass over Suva, bringing with it heavy rain and very high winds, the Council in the interest of public safety decided to remove informal markets. The decision to dismantle and remove the informal markets were taken for two reasons; to prevent flooding and to prevent flying debris.

Mr. Speaker, Sir, it is important to note that informal markets were situated on an existing storm water drain. The forecasted rainfall would have seen flooding in that area, which would have posed a threat to neighbouring properties and the road infrastructure.

Mr. Speaker, Sir, prior verbal and written notices were issued to the vendors to relocate before the informal markets were dismantled. The Councils have been engaging with the market vendors for quite some time to willingly relocate.

Mr. Speaker, Sir, *TC Yasa* being Category 5, made the removal of informal markets very urgent. Councils gave the informal vendors 24 hours to 48 hours' notice to dismantle and remove their structures. They were, again, reminded 12 hours later that they must remove their structures. At the expiration of the notice period, the Council gave the informal vendors a grace period of three hours to remove the informal structure.

Mr. Speaker, Sir, the Council's Enforcement Team, together with Police issued the notices to the vendors. Some vendors refused to accept the notices. When the roadside vendors failed to adhere to the instructions issued by the Councils, the Municipal Council took the initiative of removing the illegal structures which is under section 115(1)(g) of the Local Government Act 1972.

When the roadside vendors failed and they were not actually listening to the Municipal Councils or the workers, then the Police Team were actually brought in during the removal of the illegal structures because we wanted to be sure that we did everything in a proper way. After the cyclone the Council's market team visited all the vendors to register and relocate these vendors. Some roadside vendors agreed to relocate to permanent markets while some vendors choose not to and continue to operate from the same site. That is all I have to say, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Radrodro, for supplementary question, you have the floor.

HON. S.V. RADRODRO.- Thank you, Mr. Speaker, and I thank the Honourable Minister for that response, bearing in mind that this is the livelihood for these very vulnerable people. The question is, what kind of assistance will the Ministry or will the Municipal Council give to the vendors who have had their crops or supplies destroyed during that dismantling process based on very humanitarian grounds on the condition that we are faced with right now and if they could be compensated for all those produce that they have lost?

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

HON. P.D. KUMAR.- Mr. Speaker, Sir, as far as the Municipal Council is concerned, none of the produce were damaged. They were all taken in, kept in the market and later on the vendors came to collect those produce. Even the stall structures were kept in the office in their depot where the vendors came as well as the stallholders, and they took those material.

HON. SPEAKER.- Honourable Tabuya, you have the floor.

HON. L.D. TABUYA.- Thank you, Mr. Speaker. This issue about the roadside vendors is not new or limited to tropical cyclone. In fact, last year, when the vendors once again were asked to be removed from Nakasi, especially when they approached the Honourable Minister, she promised last year in February 2020 that a market will be built in Nakasi. When the vendors approached the Honourable Prime Minister, he told them to go to Laqere and Nausori. So, I want to ask the Honourable Minister, why have they broken their promise to these market vendors that they would build a market in Nakasi?

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

HON. P.D. KUMAR.- Mr. Speaker, Sir, the situation has changed from then to now. Each and every market has registered Market Vendors Association. I would say there are more than 8,000 registered market vendors around the country, even more than 8,000.

Now, these market vendors have been writing to me. They have expressed their disappointment that the Municipal Council is not adhering to the laws and they are asking as to why a handful of market vendors are operating from the roadside. They are questioning us, when the law says they cannot. So, they have also threatened Municipal Councils that if Municipal Councils are not going to stop the roadside vendors, they are going to also go out on the road and they will start selling their vegetables.

Now, in such a situation, what do we expect the Government to do? Obviously, we will apply the law but that does not mean that we did not look after the roadside vendors. We, in fact, have given them a better place to do their business. We have provided them with stalls in a secure safe environment where they can do their business, so what is the problem here? I just fail to understand. What we have done is, we have given them a better place.

What we have done is, we have provided them with better facilities that includes the toilet facility, good water supply, lights, cleaning services and security, so we have provided everything. Is the market not supposed to be doing that?

(Honourable Member interjects)

HON. P.D. KUMAR.- Alright, that is what I am saying, so what are you trying to tell me?

Mr. Speaker, Sir, what is Honourable Tabuya trying to tell me? That she is going to protect a handful of roadside vendors against thousands of registered market vendors around the country? I hope they are listening because they are also...

HON. L.D. TABUYA.- You promised!

HON. SPEAKER.- Order!

HON. P.D. KUMAR.- They are also relying on the market for their livelihood. They are competing amongst themselves ...

(Honourable Member interjects)

HON. SPEAKER.- Order!

HON. P.D. KUMAR.- ... for their livelihoods. Again, Honourable Tabuya went ahead and made some irrelevant statements on social media and saying, "oh what will happen to the people in Nakasi, Makoi, and Narere? They would not get their vegetables.

Mr. Speaker, Sir, least does she know that there is Veidogo Market, which is right in Makoi which means people from Nakasi, Narere and there is even a market in Narere where they can buy their produce from. I must say that Veidogo Market has been there for a while but the vendors opted to operate right on the roadside.

Now, what we have done is that, because we know it is going to take time for us to build Nakasi Market and it cannot happen overnight, we are extending the Veidogo Market and we have actually added 40 car parks. So, with the car parking facility extended, the market will be able to

accommodate 40 more new vendors in Makoi and Makoi is not too far away from Nakasi. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- We will move on to the sixth Oral Question for today and I call on the Honourable Lal to ask his question. You have the floor, Sir.

Establishment of New Schools  
(Question No. 15/2021)

HON. V. LAL asked the Government, upon notice:

Can the Honourable Minister for Education, Heritage and Arts inform Parliament if there were any new schools established for this year and if these schools have been affected by *TC Yasa* and *TC Ana* have affected these schools?

HON. R.S. AKBAR (Minister for Education, Heritage and Arts).- Mr. Speaker, Sir, I thank the Honourable Member for the question.

Mr. Speaker, Sir, for the year 2021, the Ministry of Education, Heritage and Arts established four schools - Ratu Simione Matanitobua High School in the Suva Education District and I can see the Honourable Matanitobua giving me that good smile, I think he is very happy that now we have a high school there; Mua-i-ra Methodist College in the Lautoka Education District; Nakorotubu Junior Secondary School in the Ra Education District; and Nacomoto Infant School for the Kadavu Education District. As for the question, none of those schools were affected by *TC Yasa* and *TC Ana*.

HON. SPEAKER.- Thank you. We will move on to the next Oral Question for today. I give the floor to the Honourable Jale to ask his question. You have the floor Sir.

Generic Guideline – Equal Employment Opportunity (EEO)  
(Question No. 16/2021)

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

Can the Honourable Minister for Employment, Productivity, Industrial Relations, Youth and Sports inform Parliament whether there is a generic guideline or requirement on Equal Employment Opportunity (EEO) for all workplaces?

HON. P.K. BALA (Minister for Employment, Productivity, Industrial Relations, Youth and Sports). – Thank you, Mr. Speaker, Sir, and I also thank the Honourable Member.

Mr. Speaker, Sir, the answer is very straightforward. The Employment Relations Act 2007 provides guidelines for employers and workers in the area of equal employment opportunities at all workplaces in Fiji. Thank you.

HON. SPEAKER.- We will move on to the eighth Oral Question for today. I now call on the Honourable Nagata to ask his question. You have the floor Sir.

Complaints/Issues of Tropical Cyclone Affected Communities  
(Question No. 17/2021)

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

Can the Honourable Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management explain the mechanisms in place to deal with complaints and issues raised by those communities affected by *TC Yasa* and *TC Ana* regarding the distribution of food and non-food items?

HON. LT. COL. I.B. SERUIRATU (Minister for Defence, National Security and Policing, Rural, Maritime Development and Disaster Management).- Thank you, Mr. Speaker, Sir. I wish to acknowledge the Honourable Member for the question. Let me begin by saying that meeting the expectations of those, particularly in the affected areas, is quite a challenge, but at the same time I wish to give assurance that the Government and all the stakeholders involved in the relief operations are doing their best to attend to the issues that may be raised every now and then.

Mr. Speaker, Sir, the assistance provided by the Government is guided by the provisions in section 28 as well as section 33 of the Natural Disaster Management Act 1998, concerning the involvement of NGOs. Perhaps, if I may say here, Mr. Speaker, Sir, this is also something that we have also addressed very recently, the tightening up of co-ordination, particularly in terms of the involvement of NGOs.

We appreciate, particularly from NDMO, all the relevant stakeholders that do come in to assist because Government will not be able to reach out to the people as per the principles laid out in the National Disaster Management Plan 1995, setting the principles, particularly on the distribution of relief supplies which should take place in an orderly and in an equitable manner.

One of the key issues, Mr. Speaker, Sir, particularly in the coordination of NGO activities is the allocation of areas and the variation in the packages that we assist. We have had instances where people do raise that they have milk in their package but some are saying that there is no milk in the items that they are given. This is exactly, Mr. Speaker, the reason why we need to coordinate better because all the different stakeholders come with different packages. But Mr. Speaker, Sir, in terms of addressing the complaints, Government or the Ministry has also put in place a Complaints Management Policy that is overseen by the national controller, who is the Permanent Secretary and the national coordinator as well.

How does the system work, Mr. Speaker, Sir? For every complaint that is registered, either through the Divisional Commissioners or at the DO level and even from social media and through Government officials, including Ministers, it is channelled to the Ministry. The duty of those who amend the Complaints Management Policy is to register all the complaints and then direct the complaints to the respective Divisions, even to the districts for verification and, of course, attending to it as well if need be, and then revert to headquarters to ensure that it is being noted and ticked off in terms of what has been done to it.

May I say, Mr Speaker, Sir, there are challenges in attending particularly where accessibility is not in the best of state, but Government is doing its very best to reach out to all those communities in the affected areas. Thank you Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister for Defence and National Security. Honourable Lalabalavu, you have the floor.

HON. DR. RATU A.R. LALABALAVU.- Mr. Speaker, Sir, a supplementary question to the Honourable Minister. With regards to the initial assessment, I think that is where most of the complaints come in. How is the Ministry addressing it, moving forward with regards to the next natural disaster?

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

HON. LT. COL. I.B. SERUIRATU.- Thank you, Mr. Speaker, Sir. I wish to thank the Honourable Member for the question. This is, in fact, an area that is very, very critical to us, particularly in addressing some of the shortfalls in the work.

Mr. Speaker, Sir, initial damage assessments, according to the plan and the Act, are to be covered within the first 48 hours and then what follows is the detailed damage assessments. Why the initial damage assessment and the short time period? It is just to identify the critical areas or the areas badly affected and the sort of immediate relief supplies that need to be pushed to these particular areas before the detailed damage assessment comes in.

Mr. Speaker, Sir, we have been working very closely with the UNDP Office and Cabinet and they had endorsed a programme on governance for resilience in which UNDP is sponsoring a few project officers to be with the Ministry for the next two years and, of course, subject to review, to look at how we can improve on the governance for resilience, particularly in terms of humanitarian assistance and how that is linked up to development as well.

However, in terms of damage assessments, one of the new key initiatives later on during the week, I will give a Ministerial Statement to cover the overall operations both for *TC Yasa* and *TC Ana*. to improve these damage assessments is the use of tablets, particularly new technology. The beauty about this tablet is that it will quicken the processes it takes to get the information back to the initiating station, whether it be at the district or the divisional level. At the same time, it also gives us the opportunity to take images of the areas and this will alleviate some of the problems when it comes to complaints as well.

The Honourable Attorney-General would also agree to this Mr. Speaker, Sir, that in some of the complaints, because we do not have the images, they have been visited by so many agencies, perhaps three times, with food, tarpaulins but they hide these on the back without any image or without their photos being taken. There is no evidence. But the beauty about this is that, we deployed tablets to the Eastern Division and most recently, we deployed it to the West. Just last week, the Ministry purchased another 50 sets of these tablets, again, funded by the UNDP so that we can take it to Vanua Levu. I think this is the long-term solution to all this - the use of technology. Of course, it will bring a lot of efficiency in addressing the issues. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- Honourable Tabuya, you have the floor.

HON. L.D. TABUYA.- Thank you Mr. Speaker, Sir. Firstly, I want to thank the Government of Australia for their assistance through the *HMS Adelaide*, in terms of distribution of food and non-food items. The question to the Honourable Minister is, there are overseas donors, family members, friends that wish to also donate food and non-food items to their families and loved ones here. Could the Government reconsider the 70 percent duty that they are charging now on these containers being shipped in? They are only giving 30 percent discount, Mr. Speaker. Would they consider to give a 100 percent discount, duty exempt to help our people during this time of disaster?

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

HON. LT. COL. I.B. SERUIRATU.- Thank you, Mr. Speaker. I will try to answer the question, although it is totally different. For the benefit of the general public as well, Mr. Speaker, when it comes to duties, that is under the Honourable Minister for Economy.

However, there is a system or an arrangement in place. Those who want to bring in items for assistance from abroad, they have to write an application through the national controller which is the Permanent Secretary responsible for Disaster Management and what we would request is the list of items that are coming in the container. That will be submitted to the Ministry of Economy for tax exemption but everyone pays VAT. VAT is always applicable regardless, but that decision is taken by the Honourable Minister for Economy.

What I wish to say here, Mr. Speaker, Sir, and the reason why I wanted to answer the question and we also appreciate the assistance but they have to accept the fact that, firstly, when the container is opened, the Ministry will be there together with FRCS to ensure that what comes in the container is consistent with the manifest that we are given because we have had so many issues in the past where the contents of what is in the container is different from the original list that we were given. As we speak, Mr. Speaker, Sir, sitting in our top yard is a Nissan Patrol which came in one of the containers; a vehicle and the rest were computers, outboard motors - things that were not meant for, but for other purposes.

Secondly, when it comes to distribution, we will also accompany them for the distribution until everything that was in container is used. In the past as well, Mr. Speaker, Sir, once the container is cleared, they do their own distribution, half is distributed and half is sold. So, that has been the practice from the past but we now have very good systems in place to ensure that this is not abused, but the facility is there.

HON. SPEAKER.- Thank you. For the first Written Question for today, it is supposed to be asked by the Honourable Bulanauca who, unfortunately, is not here but it will be asked by the Honourable Rasova.

#### Written Questions

##### List of Damaged Schools – TC Yasa (Question No. 18/2021)

HON. S.R. RASOVA asked the Government, upon notice:

Can the Honourable Minister for Education, Heritage and Arts inform Parliament on the list of schools damaged by *TC Yasa* and the status of relief efforts?

HON. R.S. AKBAR (Minister for Education, Heritage and Arts).- Mr. Speaker, Sir, I am ready to table my written response.

(Response tabled by the Honourable Minister)

HON. SPEAKER.- I thank the Honourable Minister. I can see the Honourable Bulanauca smiling, even though he is not here. I give the floor to the Honourable Qereqeretabua to ask her question. You have the floor, Madam.

##### Number of Officers Employed after Retirement – RFMF (Question No. 19/2021)

HON. L.S. QEREQERETABUA asked the Government, upon notice:

Can the Honourable Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management inform Parliament, how many personnel



beyond the retirement age prescribed by laws pertaining to the Republic of Fiji Military Forces are still being actively employed?

HON. LT. COL. I.B. SERUIRATU (Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management).- Mr. Speaker, Sir, I will table my response at a later sitting date as permitted under the Standing Order 45(3).

HON. SPEAKER.- Thank you. Question time is now over.

Honourable Members, that brings us to the end of the sitting for today. I thank you for your contribution to today's business. Parliament is now adjourned until tomorrow at 9.30 a.m. We adjourn.

The Parliament adjourned at 6.11 p.m.