

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

WEDNESDAY, 22ND SEPTEMBER, 2021

[CORRECTED COPY]

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WEDNESDAY, 22ND SEPTEMBER, 2021

The Parliament resumed at 9.36 a.m. pursuant to adjournment.

HONOURABLE SPEAKER took the Chair and read the Prayer.

PRESENT

All Honourable Members were present.

MINUTES

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

That the Minutes of the sitting of Parliament held on Tuesday, 21st September, 2021, as previously circulated, be taken as read and be confirmed.

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

Question put.

Motion agreed to.

COMMUNICATION FROM THE CHAIR

Welcome

HON. SPEAKER.- I welcome all Honourable Members to today's sitting of Parliament, including those who are joining us virtually. I also welcome all those who are 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 the workings of your Parliament.

PRESENTATION OF REPORTS OF COMMITTEES

Review Report – Ministry of Agriculture Annual Report (1st January to 31st July, 2016) – Standing Committee on Natural Resources

HON. S.S. KIRPAL.- I am pleased to present the review report on the Ministry of Agriculture Annual Report for the period 1st January-31st July 2016.

The Committee's oversight function is to scrutinise Government Departments with the responsibility within the Committee's mandate and make recommendations relating to any aspect of functioning, administration, legislation or proposed legislative programme, budget, rationalisation, restructuring and policy formulation as legislated under the Parliament Standing Orders.

In the deliberation stage, the Committee focused on the overall operations of the Ministry including its functions and strategic objectives for 2016. The Ministry of Agriculture has embarked on an endeavour to ensure equal participation in capacity building in agriculture, for women.

The Committee in its deliberations, took note that during the review period, *TC Winston* had severely destroyed key crop commodities, livestock and infrastructure in Fiji. However the Committee noted the vigilant performance of the Ministry in reviving these affected areas. The Ministry of

Agriculture recorded losses due to natural disasters, however, it had to reorganise its plans and activities to ensure the Ministry's overall strategic goals to increase exports, reduce imports and ensure that food security for all Fijians is maintained and achieved.

Moving forward, the Ministry will continue to vigorously pursue its commitments and ensure that all its plans are risk informed and the sector is prepared for likely impacts of climate change.

The Committee wishes to commend the Permanent Secretary for Agriculture and the senior officers of the Ministry for their contribution towards the final compilation of the Committee's Report to Parliament.

Last but not the least, I wish to extend my appreciation to all the Honourable Members of the Committee, namely: Honourable Jale Sigarara (Deputy Chairperson), Honourable Alexander O'Connor, Honourable Mitieli Bulanauca and Honourable Jese Saukuru, for the successful compilation of this bipartisan Report.

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

(Report handed to the Secretary-General)

HON. S.S. KIRPAL.- 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. J. SAUKURU.- Mr. Speaker, Sir, I second the motion.

HON. SPEAKER.- Parliament will now vote.

Question put.

Motion agreed to.

HON. SPEAKER.- I now call on the Chairperson of the Standing Committee on Natural Resources to table his Report. You have the floor.

Review Report – Department of Forestry (1st January to 31st July, 2016) –
Standing Committee on Natural Resources

HON. S.S. KIRPAL.- Mr. Speaker, Sir, I am pleased to present the review report on the Department of Forestry for the period 1st January-31st July, 2016.

The Committee's oversight function is to scrutinise Government Departments with the responsibility within the Committee's mandate and make recommendations relating to any aspect of functioning, administration, legislation or proposed legislative programme, budget, rationalisation, restructuring and policy formulation as legislated under the Parliament Standing Orders.

In the deliberation stage, the Committee focused on the overall operations of the Ministry including its functions and strategic objectives for the six-month period from 1st January to 31st July, 2016. This period of review was a challenging one for the Department of Forestry, as it functioned on its own under the Ministry of Fisheries and Forestry.

Even more, despite *TC Winston*, the Department of Forestry focused on key areas and outcomes that stood out during the period of review which was aligned to the Government's manifesto. It was worthy to note and highlight two key areas of focus under the Department's Strategic Priority Areas, namely;

- (1) Reducing climate change; and
- (2) Provision for affordable housing to Fijians through our Pine Maritime Project.

The Department of Forestry, during the period of review, realigned its goals and plans to better its services, thus embarked in streamlining its systems and processes to better service all Fijians. The Committee wishes to commend the Permanent Secretary and the staff for their positive contributions towards the compilation of this Report.

Last but not the least, I wish to extend my appreciation to all the Honourable Members of the Committee namely Honourable Jale Sigarara (Deputy Chairperson), Honourable Alexander O'Connor, Honourable Mitieli Bulanauca and Honourable Jese Saukuru for their successful compilation of this bipartisan Report.

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

(Report handed to the Secretary-General)

HON. S.S. KIRPAL.- 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. J. SIGARARA.- Mr. Speaker, Sir, I second the motion.

HON. SPEAKER.- Parliament will now vote.

Question put.

Motion agreed to.

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

Review Report on the Climate Change Bill 2021 -
Standing Committee on Justice, Law and Human Rights

HON. A.A. MAHARAJ.- Mr. Speaker, today is a remarkable day for Fijians and our future generation because the Standing Committee on Justice, Law and Human Rights is tabling a report which will not just have a positive impact on us but on the future of our children, grandchildren and generations to come.

Mr. Speaker, this Bill is the first of its kind in the world to ensure that our future generation and whole of mankind, along with the animal kingdom, have a sustainable environment to survive. The survival of each and every thing living on this earth is at stake.

Mr. Speaker, the global phenomena of climate change has continued to become a major threat to human societies in the world we live in today. Not only has it affected the human race - these

environmental changes have impeded the biodiversity of our natural habitat including the flora and fauna of the ecosystem.

Mr. Speaker, world renowned scientists had come to a common conclusion that the main contributing factor to the climate effects are due to anthropogenic activities, which means things originating from human activity. These activities have resulted in the increased rate of greenhouse gases emitted into the atmosphere. The rate of carbon emission has put pressure on the environment to exceed its natural capacity of carbon sequestration, therefore, leaving behind a handful of greenhouse gases in the atmosphere, which eventually causes atmospheric warming or global warming, as we understand in today's terminology.

In the events of global warming, Mr. Speaker, the notable scientific results from this phenomena are, to name a few, ocean acidification, the adverse change in the weather patterns, the rapid melting of glaciers and the ever-rising of sea level, which we are currently facing in the Pacific. Such environmental disturbance has caused significant changes to the way we normally live and survive.

Mr. Speaker, given these environmental impacts, human survival techniques have evolved to adapt to the climate variations and with this, nations all over the globe have taken proactive steps by developing strategies and policies in order to mitigate the current environmental crisis.

Mr. Speaker, Fiji has evidently faced the brunt of climate change in the past, as we were victims of *TC Winston* in 2016, a cyclone we all remember that arrived into our shores with devastating winds with an eye focussed to rampage anything it touches.

Mr. Speaker, it was the first in our history in this lifetime to have experienced a cyclone that was classified as Category 5 under the Saffir-Simpson hurricane scale. Since then, Fiji has taken precautions and mitigating actions purposely to minimise the loss and damage to our ecosystem and most importantly, the human life.

As stated by the United Nations Climate Report, Fiji is classed at the green zone of carbon emission, totalling up to 0.006 percent of the world's carbon emitters. However, Mr. Speaker, our nation has faced the consequences of the high emitting industrial countries whereby it has forced many structural changes to our society in which relocation of communities being a major factor of migration due to the effects of sea-level rise.

Mr. Speaker, vulnerable coastal communities have become victims to such changes whereby constant movement to new dwelling places had occurred drastically in a short span of time. This, Mr. Speaker, provides an actual indication on the reality of the state of emergency that Fiji is currently experiencing.

Mr. Speaker, with the global effort to reduce carbon emission and a goal to achieve net zero emission by 2050, with the reference of the base emission as compared to the year 2013, the Committee had noted that Fiji has taken a bold step in introducing a Bill to combat climate change, following the ratification of the Paris Agreement in 2015.

Mr. Speaker, Fiji has begun to work towards its international obligation and have had assisted vulnerable communities that have been affected by climate change. This was some of the few evidences relating to the current climate crises faced in our communities, and it is important that there is a guiding document such as this Bill to govern Fiji's efforts in mitigating the impacts of climate change.

Mr. Speaker, this resulted from Fiji being a signatory to the Paris Agreement. By signing the Paris Agreement, Fiji, as a nation, took the ownership of mitigating the effects of climate change, as well as

reducing its carbon emissions to zero percent, even though our emissions sits at a negligible rate of 0.006 percent. This led to the domestication of the Agreement, which has been presented to Parliament as the Climate Change Bill 2021.

Mr. Speaker, before I move to the Bill itself, I must reiterate that the principles of the Bill ensures that individuals, the communities, societies, and Fiji as a nation, take full responsibility in the implementation of the Bill.

Mr. Speaker, the Climate Change Bill 2021 creates a legal framework for a coordinated national response to climate change, recognising Fiji's position as a vulnerable Small Island Developing State.

The Bill has been developed as a world's leading example in terms of a national climate change legislation. This is achieved through the integration of few requirements in the Bill for risk informed decision-making, establishment of a robust governance architecture for Fiji's climate change response, and legal structure for assisting and financing economy-wide resilience and decarbonisation.

Mr. Speaker, the Bill aims to provide a comprehensive framework that will guide Fiji's response to climate change. In doing so, the Bill signals the scale of Fiji's commitment to addressing climate change and the long term decarbonisation effect to embed the Paris Agreement to the United Nations Framework Convention on Climate Change (UNFCCC) within the national law.

Mr. Speaker, the Bill provides a high-level framework for Fiji's response to climate change and its declaration that Fiji and the Earth are facing a climate emergency that requires rapid and ambitious transition towards a resilient net zero emission global economy.

In response to this emergency, the Bill:

- (a) establishes the framework required to better enable Fiji to meet its international obligations under the UNFCCC and the Paris Agreement. The legal requirements will support the development and implementation of a clear and long term climate change response.
- (b) introduces specific governance arrangements, reporting obligations and new overall requirements aimed at increasing Fiji's capacity and ability to transition and adapt the interest of safeguarding Fiji's future and its people in the face of global climate change; and
- (c) provides a formal legal basis for key policies that exist currently but will be reviewed and updated as ongoing features of Fiji's climate change policy suite, for example, National Climate Change Policy and the National Adaptation Plan.

The Bill was referred to the Committee by Parliament for review, whereby the Committee conducted public consultation, scrutiny of the Bill and was tasked to report to Parliament with its findings. Due to the timeframe provided, the Committee first relooked into the formulation of the Bill and submission was received from the Climate Change Division during the drafting of the Bill. The Committee noted that following individuals and entities had provided submissions on the Bill for the past three years.

The Committee also notes that extensive public consultation was conducted, which resulted in the formulation of the third version namely, the Climate Change Bill 2021 that was presented to Parliament. The third draft in its current form, resulted from submissions received from more than 200 youth, who participated in the National Youth Summit conducted by the Ministry of Youth and Sports in conjunction with the Climate Change and International Co-operation Division.

The Committee noted that the Bill had triggered the consciousness of those young people in taking the lead role in the fight against climate change and a platform for diverse knowledge-sharing and experiences of affected communities around Fiji.

Mr. Speaker, the Committee noted that the contents of the Bill had taken into account the nine climate change-related policies that had been developed over the past three years. Each of these processes were influenced by consultations with the general public, along with marginalised groups, including people living with disabilities.

Mr. Speaker, having said that, the Committee conducted its own deliberation and public consultation, whereby relevant agencies, authorities, organisations, political parties and individuals were invited to give in their submissions.

The Committee also wrote to all Turaga ni Koro and Advisory Councillors through relevant Ministries to discuss with their respective communities and provide submissions on the Bill.

The Committee, during its deliberation, figured out that the way the Bill is designed currently, captures only degraded forests that can be registered for carbon trading. This simply means, certain level of activities needs to be carried out on the land in order to qualify for carbon trading. The perception that some submittees had that any piece of land consisting of forests can be reserved for carbon trading is factually incorrect, unless and until certain activities is carried out to improve the carbon sink of that particular forest.

What this means is for the lessee or the landlord wanting to reserve their forests for carbon trading, need to do the following activities:

- (1) Afforestation - tree planting on barren and degraded land, including along major rivers, coastal and waterways;
- (2) Reforestation - replanting of trees on land whereby deforestation has taken place;
- (3) Sustainable management of national forests;
- (4) Climate-smart agriculture system (I will be discussing later in my speech); and
- (5) Protection of native forests.

Each of the five activities listed above would contribute to combating climate change and establish or enhance the ability of the forests to produce and enhance carbon sinks, and result in the sequestration of carbon. The Committee also noted that Fiji has the capability of producing 2.5 million tonnes of carbon unit that can be traded at a value of US\$5 per tonne, as determined by the World Bank. The explanations breakdown of the five activities and the amount of carbon sink per each activity can be found in the Committee Report.

Also to note that mangroves are not part of this 2.5 million tonnes of pre-determined carbon unit but can be registered by the landowners for the purpose of carbon trading and it may have a value of more than US\$5 per tonne.

This brings us to a particular submission that carbon property rights should only be held with the landowners becomes null and void. I believe the submittees were of the view that all standing forest can be registered for carbon trading without any improvement to the forest, which would see easy money for the landowners, which is clearly not the case. The reason for these are as follows:

- (1) The Committee was of the view that the proposed suggestion breaches the constitutional right of the lessee and also on the principle of property ownership of a person leasing from a particular landowner for the purpose of reserving forest for carbon trading. The

Committee also sought the view of iTLTB and believes that such demarcation of property right should be respected, as it has been the precedent set in past by iTLTB through its regulations.

- (2) That any forest that is to be reserved for carbon trading needs to acquire new lease from iTLTB with the consent of the landowners.
- (3) There would be capital investment required to upgrade the forest with the five activities already mentioned above before the land can be reserved for the carbon trading. This gives an option to the landowner or landowning units, whether they want to do the capital investment at their own cost or lease out the land for the capital investment to be done by the investor or the lessee. The iTLTB then steps in, to determine the market rental value of the land for which the lease has been issued for carbon trading. So, the landowners can get their fair share of the lease money. This will see landowners reaping more benefit by leasing out their lands in terms of monetary value.
- (4) For example, if a lessee has an agriculture lease on 150 hectares of native land and he decides to reserve 100 hectares of the land for the purpose of carbon trading. The lessee must seek approval from iTLTB, surrender 100 hectares of agriculture lease and apply for a new lease in order to carryout carbon trading on that 100 hectares of land. The iTLTB as the trustee of all native land will consult with the relevant landowners and the land owning units for the 60 percent consent in order to issue the new lease to conduct carbon trading and same applies to the state land as well.

As the Bill encompasses to establish a National Framework of Response to Climate Change and providing a monitoring tools for carbon emission in Fiji, the Committee believes that the vital aspect of the Bill to move into green economy is through carbon sequestration from our national environment.

Mr. Speaker, Sir, the approach for carbon transaction with national and international carbon emitters will allow sustainable development of our terrestrial and marine ecosystem, as the intended focus will move more into preserving our resources for climate financing.

Whilst landowning unit in Fiji will have the opportunity to preserve their forest for such green carbon transactions, the Bill also extends the benefit to blue carbon trading that also gives opportunity to the coastal communities in preserving its marine resources such as mangroves and seagrasses, for the purpose of carbon sequestration property right. This commitment, Mr. Speaker, will not only enable Fiji to meet its international obligation of the Paris Agreement in regards to climate mitigation, adaptation and finance, it will also boost Fiji's economic growth and its biodiversity.

Mr. Speaker, Sir, in many instances whereby carbon stock is lost from those forests that have been registered for carbon sequestration and have succumbed to environmental damages such as fire, cyclones or increased precipitation, this reversal material is to be reported to the Director whereby he or she will take a course of action to remedy the carbon loss in the form of a remedial plan, or purchase and cancellation of units equivalent to the loss of carbon.

Moreover, Mr. Speaker, climate change has seen many communities being displaced and are relocated to higher grounds. Relocating a community is a complex process that needs to be handled with great care. The relocation of communities due to the adverse impacts of climate change is a relatively new form of migration being faced, particularly by small island nations. Fiji is one of the few countries in the world that is pioneering this unfortunate movement or inland retreat of people whereby we must ensure that the rights and liberties of each individual is not negatively affected in the process.

Firstly, planned relocation is an option of last resort, and we have to ensure that we have exhausted all adaptation options at our disposal. It is a costly process - financially, psychologically and socially. Therefore, we would like to preserve the community as much as possible through the in-situ adaptation, but when this is not possible, a decision is made to move the community.

We want to be able to do it in a way that is very holistic. It is not about moving houses, it is about moving lives and livelihoods. A number of issues, such as community engagement and consent, provision of affordable housing, land solutions, basic services, economic opportunities to those affected, and rebuilding social and communal cohesion need to be taken into consideration by the Government before a decision is made to relocate a group of persons.

Through planned relocation of a particular community, we would like to address the multiple societal issues to foster long term sustainability. This is a complex process and cannot be done abruptly and in haste, as it will only lead to detrimental outcomes of unemployment, landlessness, homelessness, loss of access to common property resources, marginalisation and food security.

Mr. Speaker, Government, through its subnational agencies based in the Northern Division, have been engaged in undertaking numerous community consultations, geotechnical surveys and securing land rights for the new relocation sites. However, there are necessary tender-based financial processes and procedures that need to be followed before financing can be mobilised for such sensitive projects.

It was noted that the Fijian Government is not in the business of some cut-and-paste solution. These relocation efforts need to be done with due consideration to all facets of economic, social and environmental issues that a rural community faces.

We also commend the marvellous work carried out by the Fijian Government, which was openly commended during the public consultation by Honourable Nawaikula, that Government looks into all aspects and facilitates relocation of communities. Thank you, Honourable Member.

Through this Bill, the Fiji Taskforce on Relocation of Communities Vulnerable to the Impacts of Climate Change will be developing a Standard Operating Procedure (SOP) that will ensure that once a particular community is relocated, the whole livelihood is also moved to the new location. Having carried out six relocation processes, it has given the Fiji Taskforce on Relocation of Communities a great insight to come up with a robust SOP.

Mr. Speaker, 27 percent of Fiji's population live within 1 kilometre of the coastlines and 76 percent within 5 kilometres. Sea level rise is a fundamental threat to our people, which has led to the relocation.

Mr. Speaker, Sir, the Committee noted that the following communities were affected by climate change and were relocated to higher and suitable grounds:

- (1) Nagasauva, Cakaudrove;
- (2) Denimanu Village, Bua;
- (3) Vunidogoloa, Labasa;
- (4) Vunisavisavi, Cakaudrove;
- (5) Tukuraki Village, Ba; and
- (6) Narikoso Village, Kadavu.

There were concerns also raised on Fiji's commitment to the implementation of the Bill. Most of the projects carried out so far, were funded through the global carbon reduction financing and support

from other countries. Specific details of these can be found in the Committee Report. Some of the projects, include:

- (1) Solar Hybrid Power project;
- (2) Community Relocation project;
- (3) Pacific Insurance and Climate Adaptation Project;
- (4) First Climate Action Pacific Partnership;
- (5) Second Climate Action Partnership;
- (6) Third Climate Action Partnership;
- (7) National Climate Change Week 2017 that was held in Suva, Labasa, Levuka and Lautoka; and
- (8) Ocean Pathways Single Use Plastic and Styrofoam ban Fiji wide.

With regards to the concerns raised on transparency and accountability on the project funded through the Climate Change Action Trust Fund, it was noted that there is a role of Parliament included in the Bill, which would cater for ensuring accountability and transparency. This role is provided under the Bill, such as in Clause 10(1) and (4), whereby our five-year review of the implementation of the Act and review of the status of implementation of international and national obligation is provided.

For Clause 12(13) whereby there is an opportunity to review the annual report presented by the Minister responsible for Climate Change. Clause 28(3) also provides that the Minister must prepare a report which outlines the finding of the review of NCCP which is presented to the Parliament. Additionally, even the Carbon Budget are to be laid before Parliament within 10 sitting days after the determination of the Carbon Budget.

I must reiterate that all mentioned projects and reports will be scrutinised by the Parliament, in relation to the discussion on moving Fiji into an organic nation. The Committee notes that the third key objective of the Ministry of Agriculture is to increase adoption of sustainable resource management and climate smart agriculture.

It was noted that Ministry hopes to achieve these key objectives through undertaking certain initiatives, such as the:

- implementation of capacity building programmes through training and workshop to promote adoption of climate Smart Agriculture in the sector and ensure sustainable farming practices;
- ongoing research of climate and pest resilience varieties on various communities that are introduced to farmers to improve resilience especially to climate change;
- Programmes to promote nature based production system and regenerative agriculture are also implemented by Ministry to limit greenhouse gas emission, watershed pollution and ensure sustainable farming practices;
- continuing work on organic ensuring farmers are fully aware and confident to embrace this new method; and
- establishing compost site in four Agriculture Research Stations.

Mr. Speaker, Sir, the Committee would like to further clarify that going off-grid does not necessarily mean that the current form of energy production utilised in the energy sector is solely from non-renewable sources. According to Energy Fiji Limited (EFL) which the Committee also consulted in relation to the Bill, sustainable energy sources are already part of EFL's business model.

The Committee notes that EFL has been providing more than 50 percent of the renewable source of electricity through the grid system, indicating a major reduction on fossil fuel consumption. Therefore,

the EFL has set out its plan towards full renewable energy in implementing project sites, such as: Qaliwana Upper Wailoa Hydro Power Development in Viti Levu; Lower Ba Hydro Power Development in Western Viti Levu; and Namosi Hydro Power Development in Central Viti Levu.

Furthermore, the Committee noted that Open Merit Recruitment Selection (OMRS) Policy would have been affected if the Minister appointed the Director of Climate Change as it is a civil service position. Therefore, the Committee has made amendments to reflect that the Minister shall ensure the appointment of the Director of Climate Change and the position shall be advertised and filled as per OMRS.

Mr. Speaker, along with this, the Committee believes that all line Ministers should take ownership of the Bill and continuously review the performance for their respective portfolios and in conjunction with permanent secretaries, continuously review the KPI of all civil servants to ensure that this Bill and its content is implemented at all stages and levels at the respective ministries. This amendment is also highlighted in the copy of the Bill.

Mr. Speaker, moreover comments were raised with regards to the introduction of Environment & Climate Adaptation Levy (ECAL) into other sectors. The Committee strongly believes that this would actually increase the rate of inflation in Fiji which will have a negative impact on the general population.

In terms of building *bure*-like structures, the Committee is of the view that no one is stopping anyone from building such structures provided they meet the building standard to withstand category five cyclones.

Mr. Speaker, at the conclusion of the review, the Committee extensively deliberated on all the issues identified from the review and came to consensus on the provisions of the Bill. The Committee believes that majority of the provisions in the Bill are sufficient to promote the objectives of the Bill. Also, the Committee acknowledges that there are certain areas in the proposed law that can be strengthened via amendments to be made. These amendments are put forward by the Committee and incorporated in magenta colour text in the copy of the Bill tabled with the Committee Report.

Mr. Speaker, Sir, I would also like, at this point in time to point out that while the Committee was reviewing the Bill, the effects of climate change were felt globally: for example, *Cyclone Ida* devastated parts of the US, severe flooding in parts of Europe, and bushfires in Canada and America, to name a few.

We, the Committee, would like to show our sympathy to all the victims of these recent natural disasters resulting from climate change. This really shows the urgency in which we should be taking action by implementing the mitigation initiative as specified in the Climate Change Bill rather than spending months deliberating on supervision thus the Committee would again like to urge all Honourable Members of the august House and the nation as a whole to collaborate and cooperate in achieving net zero emission by 2050.

Mr. Speaker, at this juncture, the Committee acknowledges the Parliament for allowing public participation through public consultation as part of the legislation making process and supporting and encouraging the Committee to conduct an extensive public consultation. I, on behalf of the Committee, thank all persons that participated in the public consultation on the Bill and also, I would like to thank your Office, Sir, for allowing the Committee to meet on regular basis to scrutinise the Bill.

We, also would like to thank the newly-appointed Secretary-General to Parliament for providing logistical support to the Committee. Furthermore, the Committee would like to acknowledge the Parliament Information Technology (IT) team for its support, which enabled the Committee to have the virtual meetings and continue to carry out its constitutionally mandated functions despite the impacts of COVID-19.

Finally, I would like to thank Honourable Members of the Committee: Hon. Rohit Sharma, Hon. e Ratu Suliano Matanitobua, Hon. Dr. Salik Govind and Hon. Mosese Bulitavu, for their input.

The Committee also acknowledges the public, key stakeholders, entities that provided their views and for taking interest in the proceedings of the Committee. My special thanks go to Mr. Vineil Narayan and his team from the Climate Change Division of the Ministry of Economy for providing background information on this particular Bill.

Mr. Speaker, the Committee through this bipartisan Report and consensus, commends the Climate Change Bill 2021 and its amendments to Parliament and urge all Honourable Members to support the Bill to secure a better and brighter climate for all future generations.

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

(Report handed to the Secretary-General)

HON. SPEAKER.- Honourable Members, pursuant to resolution of Parliament on 19th August, 2021, the Standing Committee has now tabled its Report accordingly and the Bill is now ready for debate and voted on by Parliament this week. Thank you, Honourable Members.

Honourable Members, I have been informed that there are no Ministerial Statements for today. On that note, Honourable Members, we will now suspend proceedings for an adjournment and we will resume in half-an-hour. We suspend proceedings.

The Parliament adjourned at 10.22 a.m.

The Parliament resumed at 10.51 a.m.

ELECTORAL (REGISTRATION OF VOTERS) (AMENDMENT)(NO. 2) BILL 2021

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Monday, 20th September, 2021, I move:

That the Electoral (Registration of Voters)(Amendment)(No. 2) Bill 2021 (Bill No. 32/2021) be debated, voted upon and be passed.

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

HON. SPEAKER.- Honourable Members, before I call on the Honourable Attorney-General, I remind you that pursuant to the resolution of Parliament, the debate will be limited to one hour. This will also be the case for the next two Bills that will follow. I will now call on the Honourable Attorney-General to speak on his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. As highlighted in the discussions when presenting this particular motion under Standing Order 51, we did talk about a number of issues pertaining to this law. But just to recap, Mr. Speaker, Sir, under Sections 75(2)(a) and 76(2)(a) of the Constitution of the Republic of Fiji, the Electoral Commission and the Supervisor of Elections are responsible for the registration and administration of voters in accordance with a written law governing elections and any other relevant law.

Section 23(3) of the Constitution and Section 3(1) of the Electoral (Registration of Voters) Act 2012 set out the requirement to be a registered voter and specifically state that an eligible voter must be a citizen of Fiji, 18 years of age and older to be able to be registered. In practice, the Fijian Elections Office confirms the full name, age and citizenship of an eligible voter from the birth certificate of national citizens when they attend for registration services.

Mr. Speaker, Sir, on 17th August, 2021, the Court of Disputed Returns, based on the existing law and submissions made by counsel, delivered a Judgment in the case of Niko Nawaikula (also known as Nikolai Tuiqame, and also known as Nikolai Tuiqame Nawaikula) against the Supervisor of Elections and others, stating that the law does not specifically require the use of birth certificate names and for the purpose of registration as a voter allows the use of names other than the birth certificate name. The Court nor the counsel consider the practical implications of such a strict literal reading of the law (indeed it was not brought to the Court's attention) therefore we did not expect them to make a ruling on that.

Mr. Speaker, Sir, the ruling has significant impact on the National Register of Voters. The Fijian Elections Office will amongst other things, find it difficult to identify and remove deceased persons from the National Register of Voters should people be allowed to register with names other than those on their birth certificate and will allow individuals to register under more than one name; that is practical implication of it.

Mr. Speaker, Sir, a birth certificate is also a legal document that provides sufficient evidence of name forming part of the national records of the country. The Fijian Elections Office will find difficulty in verifying a person's citizenship and date of birth at a time of registration. In practice, Sir, this information is directly obtained from the birth certificate of citizens when they attend for registration services. After a voter has been registered, the Fijian Elections Office conducts a verification exercise from the Birth, Deaths and Marriages (BDM) Office and the Department of Immigration to ensure that the voter meets the qualification as in the Constitution.

Further, Sir, there will be a risk of manipulation. Section 53(1) of the Constitution specifically states that a person has one vote with each vote being of equal value in a single national electoral roll. This emphasises, Mr. Speaker, Sir, that a person has to cast only one vote during the general election. However, when people are allowed to register a name other than that recorded in the birth certificate, it could result in multiple registrations by one person using several names through multiple IDs.

The credibility and accuracy of the National Register of Voters will diminish significantly. The voter card is being used as a universal ID in Fiji, Mr. Speaker, Sir, and as we have mentioned in the past few days, the banks now use it as primary source of document in establishing Know Your Customer (KYC) requisites as provided for under the Financial Transactions Reporting Act. And, of course, many other institutions rely on this card for verification.

Allowing the use of names that cannot be verified from other official records may result in identity theft, falsified registrations and also deliberate fraudulent registrations to obtain assistance or open bank accounts. There will be greater chances of fraud and deceitful activities - people could obtain passports under different names. We had a few years ago, Mr. Speaker, Sir, where some citizens in fact went and obtained identifications saying they were born in a hospital in Ra - they were not even citizens of Fiji and were able to then go and obtain passports, even without being a citizen of Fiji.

Further, Mr. Speaker, Sir, Section 40 of the Electoral Act 2014 requires the Supervisor of Elections to prepare a voter list for each polling station. This is only prepared after the Supervisor of Elections cleans the National Register of Voters by removing those that are deceased or disqualified from voting; have ceased to be a citizen, declared to have mental disorder or is serving a sentence of imprisonment for a term of 12 months or more or any other type of entry that is required.

The removal of names as per requirements mentioned, Mr. Speaker, Sir, is done by verifying data from relevant institutions. Most of these institutions record names as per the birth certificate, therefore, the process of cleaning the data to prepare the voter list for each polling station would not be successful as our data would have preferred names where those institutions would have birth certificate names (preferred names are a nicer way of saying aliases).

The amendment of residential address was necessary since the current definition is more suitable for multiple constituency systems where the period of stay determines the qualification to vote in a particular constituency, as you know we no longer have that. Before, if you resided in a constituency, that is, the constituency in which you voted.

Mr. Speaker, Sir, since Fiji is now a single constituency, a voter can vote where they are assigned. The law was amended in June for a voter to be able to choose a polling venue closest to their residential address. Under the current electoral system, a voter is allowed to update the address until the close of voter registration and as such, the requirements for the period of stay at a particular place becomes irrelevant. So even if I move tomorrow, I live in Vunakece Road and in three weeks' time I move to Salato Road, I can do the change, it does not affect me or if I move to Lautoka, I will still be able to vote in Lautoka. That is how flexible the system is and that flexibility is built upon ensuring that we have credible data and the correct information.

Mr. Speaker, Sir, clause 1 of the Bill provides for the short title. Clause 2 amends the definition of residential address in Section 2 of the Act, so the residential address refers to the address where a person currently lives. Clause 3 amends Section 4(2) of the Act to provide that a person's application for registration as a voter must state the person's full name as specified in his or her birth certificate. They must also be accompanied by the person's birth certificate. Clause 3 of the Bill also amends Section 4 of the Act to insert a new subsection 2(b) to address situations where a person's name on his or her birth certificate is not in the English alphabet.

Mr. Speaker, Sir, we have had consultations with respective agencies and I, therefore, recommend this Bill for Parliamentary approval.

HON. SPEAKER.- Thank you. Honourable Members, the floor is now open for debate on this motion and I call on the first speaker. Honourable Nawaikula, you have to floor.

HON. N. NAWAIKULA.- Thank you, Mr. Speaker, Sir. Can I just note before I start that I will be addressing the three Bills together so that I do not stand up every time you move the motion.

HON. SPEAKER.- I am disappointed.

HON. N. NAWAIKULA.- Mr. Speaker, as stated, what has prompted all this is the decision of the Chief Justice in relation to the previous case relating to the termination of my seat from Parliament. Let us be clear - what he said in interpreting the law is that there is nothing wrong. Countries have been doing this, the UK, New Zealand and Australia. It is therefore a common law and it does not affect in any way the fairness which is the reason for this, the fairness of an election as claimed by the Honourable Attorney-General.

But, first and foremost, let me repeat my call again here. The case badly exposed the fact that the House of the Parliament and the Constitutional Office of the Supervisor of Elections were not independent because they were represented in the court by the Office of the Attorney-General and therefore they were advised by the Attorney-General, so where is the independence. I want to repeat now my call for the Draftsman and the Parliamentary Counsel who are now sitting in the executive arm of judgement in the Office of the Attorney-General to come here because that will avoid all these. These Bills are totally unnecessary.

I am sure that if a Parliamentary Counsel were independent and sitting here, they will be able to tell the executive arm, the Honourable Attorney-General, that there is no reason at all to be making this. It is totally unnecessary and that must be stated right at the forefront, Mr. Speaker. All this time, what we are doing now is merely to save face for the Honourable Attorney-General and the Supervisor of Elections. It is just to save face, they lost! They could not appeal and that is personal to them. We are now being asked to do something that is personal to the Honourable Attorney-General. It is a personal mistake and he should bear that.

Mr. Speaker, Sir, this is not the first time. He had done that also at the USP saga. The USP saga was personal to him, but he dragged the whole nation and all the institutions here and it has been happening everywhere. Even his pre-occupation with ethnicity, that is personal to him and he has dragged the whole nation. That is personal to him.

(Honourable Members interject)

HON. N. NAWAIKULA.- Well, I will tell you, Mr. Speaker, Sir, we know and it is on record that the Honourable Attorney-General has stated more than once of the need for a sunset clause for cultural autonomy. That is clearly there. After that, he sneaked his way into the echelons of FijiFirst to drag all these to be able to implement his personal ideology. It is an ideology, I can tell you that, Mr. Speaker, Sir. Well, he will have his time to answer me and to push that agenda. He has done that and by cultural autonomy, that is a reference to our native local government with the impacts of the Great Council of Chiefs, Provincial Councils, Native Land Trust Board, they are all legally entrenched.

What has happened to that now? He has managed using the FijiFirst Government and also using the native MPs of that side to terminate that. He has terminated the Great Council of Chiefs. He could have, he was not lucky enough on the other echelons, so what he has done, he has nationalised the

Provincial Councils, nationalised the iTaukei Land Trust Board, and he has nationalised everything. All for that ideology to remove ethnicity. So, my point is that, things that are personal to him, he has dragged the nation...

(Honourable Members interject)

HON. N. NAWAIKULA.-he has made it an issue for the nation, and he has even...

HON. SPEAKER.- Just stick to the Bill.

(Honourable Members interject)

HON. N. NAWAIKULA.- ... in the drafting of the Constitution, implemented within that common and equal citizenry, Mr. Speaker, Sir. For what?

(Honourable Members interject)

HON. N. NAWAIKULA.- To terminate ethnicity, to remove ethnicity only for his personal agenda because for one reason or another, he hates the native people and their rights.

(Honourable Members interject)

HON. N. NAWAIKULA.- That is it. He does not want that. That kind of ideology.

(Honourable Members interject)

HON. SPEAKER.- Order, order! Stick to the Bill.

HON. F.S. KOYA.- Point of order.

HON. N. NAWAIKULA.- What is your Point of order?

HON. F.S. KOYA.- Mr. Speaker, Sir, he should be reprimanded for making that statement.

(Honourable Members interject)

HON. F.S. KOYA.- That is out of order, Sir.

(Honourable Members interject)

HON. F.S. KOYA.- That is out of order. That is being personal and it is out of order.

(Honourable Members interject)

HON. N. NAWAIKULA.- Mr. Speaker, Sir, he will have his time to reply to me.

HON. SPEAKER.- Just take a seat. There has been a point of order raised about comments that you have made. My advice to you is, just stick to what we are debating at the moment. You are going all over the place without addressing the agenda. Stick to that.

HON. N. NAWAIKULA.- Mr. Speaker, Sir, I was illustrating the point that in all his personal instances, personal mistakes, he drags in the nation, even this. So, that was to illustrate that. Now, let me

go to the individual Bills.

The individual Bills, Mr. Speaker, Sir, the Chief Justice was very, very clear. He only interpreted the law. Who made the law? They made the law and he is on record. Soon after that, he blamed the solicitors and said that they did not make submissions on the fairness of the election.

He claimed that those were the shortcomings of the Judgment but totally wrong because in all these amendments, it is not stated there, even in the Explanatory Notes, that the reason for this amendment is for elections to be free and fair. There is a reason for that, Mr. Speaker, Sir, because if he claims that, if he continued with his assertion that they failed in that, then the Elections of 2014 and 2018 would also be unfair because these things have existed for a long, long time. What things? People having their birth certificate names, people having their aliases and registering that.

The reasons that we are coming here this morning to say that, for example, it will cause identity theft are totally different than a purpose of the need to register a voter. So, that point has to be said and it is totally unfair for all those women who are out there, who will have to face all these unnecessary cost and unnecessary time because of something that is personal to him and he is using the Government and its machinery and everything, as he has done in everything. I pointed to the example of ethnicity, he has even managed to draft in that Constitution common and equal citizenry. That is personal to him and the native Members of Parliament on that side do not know, including the Honourable Prime Minister that they are being used.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

I thank the Honourable Nawaikula. I now give the floor to the Honourable Professor Prasad. You have the floor.

HON. PROFESSOR B.C. PRASAD.- Thank you, Mr. Speaker, Sir.

Honourable Dr. Reddy is making some very, very disparaging remarks in Hindi. He should be careful. I will let you know what he said later. Before I start, Mr. Speaker, Sir, let me say this, I do not necessarily agree with Honourable Nawaikula when he puts one individual in FijiFirst responsible for the mess that they have created, I think it is the whole Government led by the Honourable Prime Minister himself. Let us not personalise issues.

At the outset, Mr. Speaker, Sir, I will state this plainly obvious that this Bill is a product of dictatorship, pseudo democracy and my way or the highway approach in governance to ensure continuity of the FijiFirst rule in this country. This is simply no other way to describe this and I will tell you why, Mr. Speaker, Sir. When the motion to introduce this Bill under Standing Order 51 was moved by the Honourable Attorney-General on Monday, I spoke about the right of Government to make new laws or change existing laws.

Governments, Mr. Speaker, Sir, normally do this, to ensure conformity of the laws to:

- (1) Court judgements exposing laws in the legislation following interpretation of learned Judges or Judges;
- (2) Ensuring laws are flexible with technological advancements, changing demographics or international norms;
- (3) Progressive in tune with international norms; and
- (4) Promoting social, political and economic advancement.

Mr. Speaker, Sir, the proposed changes do not fulfil any of the above intentions. The changes do not remotely resemble the flaws exposed by the High Court about registration of names of voters, following the successful case in the Court of Disputed Returns by Honourable Nawaikula. His name was removed from the National Register of Voters by the Supervisor of Elections and he lost his parliamentary seat. This is after Honourable Nawaikula himself said during the debate on changes to electoral legislation in Parliament on 7th June, 2021, that his name on the birth certificate was different. He admitted that in Parliament. Almost immediately, the Supervisor of Elections then referred Honourable Nawaikula to FICAC. He then proceeded to remove him from the Registrar of Voters.

This is, despite the fact that Honourable Nawaikula has been using and known as the same person. No, identity crisis, no identity theft, as claimed by the Honourable Attorney-General when he moved the Bill and not to mention that Honourable Nawaikula's nomination in the Elections in 2014 and 2018 Elections were approved by the Supervisor of Elections, using the same name until he alerted this Parliament himself. I think it is a real joke and I know you personally came under attack from people who perceived that you had removed Honourable Nawaikula as a Member of Parliament, when in actual fact, it was the communication from the Supervisor of Elections to your office alerting you of his status, as a non-voter thereby resulting him automatically relinquishing his parliamentary seat.

Mr. Speaker, Sir, in June, Parliament by acclamation, deemed to be a majority because of Government's numbers, passed amendments to the Electoral Act 2014 and the Electoral Registration of Voters Act 2012. Three months later, we are being asked to pass amendments to legislations that underwent intense scrutiny by the Parliamentary Standing Committee.

We all made submissions to the Standing Committee on Justice, Law and Human Rights before being brought into Parliament and this brings me to remind Parliament of the Committee's earlier recommendation contained in its review report of the 2018 General Elections. The key recommendation in that was a comprehensive review and I thought it was a good recommendation by the Committee, that all key recommendations should be reviewed after the last two General Elections. Government chose to ignore that and they brought piecemeal changes to the legislation and the reason, Mr. Speaker, to suit Government's agenda and camouflage the incompetency of the Supervisor of Elections.

This is not the first time, Mr. Speaker, it has been done to protect the Supervisor of Elections after he lost yet another major case in court. The Supervisor's failure rate in removing candidates for elections, as well as Members of Parliament is alarming. Why? It is because the investigations and cases instituted on the basis of his complaints were flimsy and frivolous. Yet, he seems to be cloaked in an aura of invincibility. At least, he thinks he is, Mr. Speaker. No one else, in any normal circumstances with so many failures would have remained in their job.

The Supervisor of Elections keeps running to FICAC when he thinks he has caught someone flouting the law. And when he almost always fails, we as the highest court of the land are asked to change laws to make the Government and the Supervisor of Elections look good.

(Honourable Member interjects)

HON. PROFESSOR B.C. PRASAD.- This is the highest court of the land.

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

HON. PROFESSOR. B.C. PRASAD.- His defiance of the former Electoral Commission was exposed by the Court of Appeal

HON. A. SAYED-KHAIYUM.- You do not understand.

HON. SPEAKER.- Order, order!

HON. PROFESSOR. B.C. PRASAD.- You do not understand that. This is the supreme law-making body.

HON. SPEAKER.- Order, order!

HON. PROFESSOR. B.C. PRASAD.- His defiance of the former Electoral Commission, Mr. Speaker, was exposed by the Fiji Court of Appeal in November 2016. What happened? In February 2017, the Electoral Decree is brought into Parliament with changes to confirm the Supervisor of Elections' interpretation of deadline of three-day timeline for ruling objections against candidates. We were asked again to rubber-stamp an act of incompetency and defiance of the Electoral Commission by the Supervisor of Elections.

The objection that was upheld in August 2014 by the Electoral Commission, in respect of a FijiFirst candidate, was rejected by the Supervisor of Elections when he is both constitutionally and electorally bound to abide by the decisions of the Electoral Commission. However, Mr. Speaker, the Commission engaged an independent counsel to appeal and resulted in a damning judgment again against the Supervisor of Elections but he did not worry because the law was going to be changed to suit him. He then lost cases, he reported to FICAC against the then MP, Ratu Isoa Tikoca, as well as the then Minister for Education, Honourable Reddy.

The Supervisor of Elections was exposed yet again in the case against the then SODELA Leader, Sitiveni Rabuka in a judgment given just two days before the 2018 Elections. The judgment exposed the Supervisor of Elections' failure to duly and legitimately register political parties by gazetting their registration as required by law. At this time, he again overplayed his cards against Honourable Nawaikula that the Court of Disputed Returns was not interested in. So, no wonder, despite these repeated failures, he is still in the job. But others are not so lucky, although they also supported and defended the FijiFirst Government.

Mr. Speaker, this is not the first time laws have been tweaked, changed or major amendments made to them. Why? It is because they were impositions in the past and you know that, Mr. Speaker.

Let me also say this, Mr Speaker. There is a lot that has happened, a lot of water has passed under the bridge due to the change in political climate over the last 15 years. But nothing beats the avalanche of legislations like this Bill brought under Standing Order 51 and we have raised this issue before.

Again, Mr. Speaker, this brings me to the point that we just found out yesterday, the suspension by the President, based on the advice of the Judicial Services Commission of the Solicitor-General. This Bill and his suspension are both linked to the recent Court of Disputed Returns judgement.

The Solicitor-General represented the Supervisor of Elections against Honourable Nawaikula and his lawyers. Soon after the judgement, the Honourable Attorney-General launched a scathing attack against lawyers on both sides, accusing them of failing to uphold the Constitution in terms of voter registration details, despite the fact that a birth certificate was not needed to be produced while registering as a voter. What happens next?

It is announced that the Bill will be tabled in Parliament, I know from the media reports, both the Supervisor of Elections and the Electoral Commission actually welcomed that. Why do we need such a drastic and draconian change? The Honourable Attorney-General himself is known to be saying that the Elections, according to the Constitution, need to be free and fair and we had the same law under which

the 2014 and 2018 Elections were held. So is he saying that the Elections in 2014 and 2018 were not free and fair? These are legitimate questions that people ask.

When the Honourable Attorney-General presented the Bill, he said that it is not going to affect married women in this country because they will have to go back and change it. If that is the case, then why is he hell-bent on pushing this law?

(Honourable Member interjects)

HON. SPEAKER.- Order, order!

HON. PROFESSOR B.C. PRASAD.- What is the need to bring this law now after the court did not provide any direction? The court did not say, "Go and change the law." The court simply said that the Supervisor of Elections did not follow the law. So, Mr. Speaker, Sir, it is quite surprising why the Solicitor-General was suspended. The questions I want to ask is:

- (1) Is it true he was suspended as a result of the failed case against Honourable Nawaikula?
- (2) Is it true because he advised the Honourable Attorney-General that it was not a case to be taken up legally and the Honourable Attorney-General kind of alluded to it?

(Honourable Member interjects)

HON. PROFESSOR B.C. PRASAD.- You kind of alluded to it.

HON. SPEAKER.- Honourable Member, just stick to the Bill.

HON. PROFESSOR B.C. PRASAD.-

- (3) Is it true that the Supervisor of Elections filed a complaint against him to the Judicial Services Commission as well as Legal Practitioners Unit?
- (4) Is it true that the Honourable Attorney-General asked him to resign?
- (5) Is it true that the Honourable Prime Minister asked him to resign?

HON. SPEAKER.- Stick to the Bill!

HON. PROFESSOR B.C. PRASAD.- These are important questions, Mr. Speaker, because his suspension is related to the court case because the Honourable Attorney-General is on record attacking the Solicitor-General and all the lawyers in the case.

Finally, Mr. Speaker, Sir, what I would like to say, we have about a thousand deaths directly due to COVID cases and those who died with existing conditions but with COVID positive status. Sir, 30 percent of our people were in poverty before the COVID crisis, now it is estimated that about 50 percent of the people are living in poverty. Yet, this Government just after a few months of having deliberated on the electoral laws bring this law again just because it did not like the judgement of the Court of Disputed Returns. Simple. This is a sideshow to distract the country from the real problems that we are facing.

HON. SPEAKER.- Stick to the Bill!

HON. PROFESSOR B.C. PRASAD.- Therefore, Mr. Speaker, Sir, we do not support this Bill.

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

HON. J.V. BAINIMARAMA.- Thank you, Mr. Speaker. Mr. Speaker, I rise to speak in support of the Bill presented before the House by the Honourable Attorney-General and Minister for Economy. We all know that the Bill presented today relates to authenticating the process for a free and fair election.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. J.V. BAINIMARAMA.- Some have called for the deferment of the amendment after the next General Elections. So essentially they are saying that we put on hold having a free and fair elections. The amendment will support the quality and authenticity of all registered voters in the upcoming 2022 General Elections.

Sir, Section 52 of the Constitution of the Republic Fiji states that we must have free and fair elections in a secret ballot. Sir, Section 53 of the Constitution of the Republic of Fiji states that:

“(1) The election of members of Parliament is by a multi-member open list system of proportional representation, under which each voter has one vote, with each vote being of equal value, in a single national electoral roll comprising all the registered voters.”

Mr. Speaker, the fundamentals of a democratic and accountable governance set out under the 2013 Constitution of the Republic of Fiji, are important and enablers which involves a commitment to a free and fair general election. This is to ensure that the laws apply equally to all, eradicating any opportunity to corrupt the voter list and thereby protecting the freedoms and human rights of Fijians.

The objective of the principal Act is on the pre-identification of eligible voters, eligibility for candidature, eligibility for members of political parties on verification, qualifications and controls the integrity of voting by preventing multiple voting and impersonation. Authentication is not only a process that we are adopting here in Fiji but one that has been implemented in many countries across the world such as Europe and America to ensure a fair election.

In preparation for the 2022 General Elections and beyond, we will continuously support the effective conduct of elections through reviewing and reforming its legislative frameworks and allocating more resources and attention to enable its effectiveness and integrity.

Mr. Speaker, this amendment will help maintain a clean and accurate voter list and protect the rights of all registered voters. Mr. Speaker, I support the Bill.

HON. SPEAKER.- I thank the Honourable Prime Minister. I have a list of speakers here, your name is not in this list. Honourable Ro Filipe Tuisawau, you have the floor.

HON. RO F. TUISAWAU.- Thank you, Mr. Speaker, Sir. I rise to comment on the Bill. At the outset, I would like to reiterate what my colleagues have mentioned regarding Standing Order 51. Again, I would like to stress the abuse of Standing Order 51. Sir, these are very critical Bills, the three Bills that are before us which are inter-related and related to the voter registration. We should have put this to the House Committees for scrutiny not only that but also to our citizens.

Mr. Speaker, Sir, the other issue is that, we are approaching elections and we can see from all these changes, as explained by Honourable Attorney-General, he simply simplifies the issues but administratively there could be a lot of problems and some of my colleagues have mentioned that in terms of the implementation. That is a major concern.

The other issue which was raised by other colleagues was double registration. One of the solutions as mentioned by one of the solicitors, they have addressed the double registration and they have made a suggestion that they could insert that at the fore. I believe and suggest they would take the birth registration numbers (just like the vaccination application) instead of creating these pieces of legislation in front of us and further confusing our population.

The amendment of residential address that the Honourable Attorney-General has mentioned in clause 2 of the Bill states; “definition of “residential address” by deleting “including the province and division...”, from my perspective is an important piece of information which we can use as a political party, et cetera, in terms of voter analysis. Just by putting a person’s residential address it reduces the data which we have and our ability to analyse as political parties, not only us but also our voters.

Our colleagues have mentioned the rationale behind this. Honourable Nawaikula has mentioned that, and I am of the same view given, as mentioned by Honourable Leader of the National Federation Party, the issues that have been raised regarding the criticism of the solicitors.

I would like to share an issue regarding the Solicitor-General, and let me just read it out regarding Mr. Sharvada Sharma, from Mr. Graham Davis, their former colleague.

“Saneem is said to have lodged a formal complaint alleging that Sharvada Sharma was negligent and mishandled the case Mr. Mohammed Saneem brought to debar the SODELPA MP Niko Nawaikula from Parliament, for not using his birth certificate that he presented for elections. No one seriously believes Mr. Mohammed Saneem, he is acting on his own. Indeed it is inconceivable he will do so because the SOE does not change the Party without reference to the Attorney-General.”

So, Mr. Speaker, Sir, these are some of the issues which not only us but the public are concerned about. What is the rationale

HON. A. SAYED-KHAIYUM.- He is not correct.

HON. SPEAKER.- Stick to the Bill!

HON. RO F. TUISAWAU.- ... behind these changes? In addition, the Constitution is clear on the role of the Electoral Commission in Section 75(1). He has not mentioned any discussion they have had with the Electoral Commission to be brought before us because they are the ones responsible for the registration.

I also would like to respond to the Honourable Prime Minister, he mentioned about free and fair elections and this will assist. Sir, this elections methodology as in the 2000 Constitution is an imposed elections method, and they have always stated that. It was their first, genuine and democratic elections. Every time they say that.

If it is first, genuine and democratic elections, why did they not consult the people regarding the methodology of the elections? This Bill is part of the conspiracy to perpetuate that, and that is the major concerns we have, Mr. Speaker. With that, we do not support this Bill.

HON. SPEAKER.- I give the floor to the Honourable Minister for Education, Heritage and Arts and Local Government.

We do not have the time on this Bill. It is limited to one hour. So, those of you who are speaking, make sure you administer not only your material but also your time. Some of you are very bad, you

wonder all over the place. Stick to the fact, stick to the agenda.

HON. P.D. KUMAR.- Thank you, Mr. Speaker, Sir. I wish to contribute to the debate on the Electoral Registration of Voters (Amendment) Bill 2021.

In essence, the Bill seeks to make three specific amendments which will simplify the definition of “residential address” provide that a person’s application for registration as a voter must state the person’s full name as specified on his or her birth certificate and must also be accompanied by his or her birth certificate and insert a new subsection to address situations where a person’s name on his or her birth certificate is not in the English alphabet.

Mr. Speaker, Sir, it is unfortunate but predictable that some Members from across the floor have yet again attempted to mislead the august House. I am disappointed that in their collective wisdom they have failed to comprehend the rationale behind what the proposed amendments are intended to achieve. Mr. Speaker, Sir, when we have integrity in the voter list, it benefits all Fijians giving concrete expression to the concept of not only free and fair, but credible elections. This amendment to the law is not just for the ruling political party but for every eligible voter regardless of their gender, ethnicity, colour, class or creed.

Mr. Speaker, Sir, we still have women who do not wish to change their surnames or use their husband’s surname solely based on her marriage. It should be noted that all this while a woman’s name did not change at marriage by law but rather by customs or the expectations imposed by the patriarchal society we live in. These are women who value their maiden name which they have been using their whole life

Mr. Speaker, Sir, some women see the use of husband’s name as a shackle which symbolises ownership and dependence. The Bill undoubtedly protects the interest of the vulnerable women and warrants any change in name by law and not by expectation from a society or by custom. Nevertheless, Honourable Tabuya, if a woman is willing to change her surname after marriage, then she is permitted to do so by virtue of the amendments outlined in the Bill. The right remains with the woman at the end of the day and not dictated by the society or the customs.

Mr. Speaker, Sir, it is a matter of concern that Honourable Tabuya has once again misled this House by stating that those women who have been using their married name can potentially lose their right to vote come the next elections. This statement was made on Monday.

Mr. Speaker, this is a deliberate misinterpretation of the Bill. This is not true and as explained by the Honourable Attorney-General, married women who wish to adopt their husband’s name can visit the BDM Registry and get it changed without getting a deed poll done, and spending \$500 as claimed by her and similarly claimed by the Honourable Nawaikula that people have to spend money. There is no money one has to spend, but you get your name changed.

That is the choice the women have. There is nothing convoluted about this process of amending one’s name and it will not require the hiring of a private lawyer who will charge exorbitant legal fees. Mr. Speaker, Sir, in fact, laws are being periodically reviewed, precisely to enhance access to justice in the interest of the most vulnerable in our communities and to ease bureaucratic impediments.

I am also astonished as to why Honourable Tabuya is assuming a patronising attitude about women in rural and remote communities about their ability to grasp these legal requirements. She should speak from a place of empowerment and not belittle them. She can play an important role by ensuring that mothers, sisters or daughters are fully informed of these choices.

Mr. Speaker, Sir, the proposed amendments will in fact enable women to legally adopt their married names and get a birth certificate which is then used to register as a voter. That choice has not been taken away by the Bill before us. Instead it adds integrity to our electoral processes and it can address issues such as identity theft, human trafficking, money laundering and terrorism.

Honourable Nawaikula, this Bill is necessary to deal with other emerging issues as I have mentioned earlier on. Any legislation needs to adapt to time - as the time changes we need to adapt the law. Mr. Speaker, Sir, it is incumbent that members from the other side have to think beyond politics and the next general elections. Laws are not static in nature, they are constantly evolving and so should the mindset.

Mr. Speaker, Sir, I thank you for giving me the opportunity to speak and I support the Bill before us.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Members remember your time. I give the floor to the Honourable Waqanika.

HON. T. WAQANIKA.- Mr. Speaker, Sir, this Bill especially in regards to Section 4(2), just to be clear on everyone's mind, if anyone wants to vote they need to have their birth certificate taken to the Office of the Supervisor of Elections, show their birth certificate and that is the name they can vote on. The other option, if you wish not to use your name in the birth certificate, and yes, as stated by the FijiFirst MPs, you go to the BDM Office and you register your husband's name.

I cannot see the rationale of this amendment and I will give a classic example. I hope that the name that I use does not insult anyone because it has been used for the past two days. For example, I am married to the Honourable Aiyaz Sayed-Khaiyum, so my name is Tanya Sayed-Khaiyum. That is my married name, so in order for me to vote under Tanya Sayed-Khaiyum, I have to go back to the birth certificate which says my father's name - Isimeli Waqanika and my mother's name - Luisa Waqanika, and then I put in my name, Tanya Sayed-Khaiyum.

For all the iTaukei, Mr. Speaker, Sir, it is a concern because there will be an impact on the Vola ni Kawa Bula (VKB) and I know my colleagues in the Opposition from SODELPA will speak on that in the next Bill. There is an impact and if we have to be realistic and practical about this, it is going to affect a lot of iTaukei women. There are six of us women in the Opposition and out of that six, there are three of us who still use our maiden name. It is the three Kadavu maidens, so this does not affect us. It affects the other three ladies and I believe for the ladies in the FijiFirst, it only affects two or three of you.

Even if this change comes about, for those of us in this august House including our spouses, especially your female spouses, they can afford it. They can do it, but imagine the masses of women out there that will now have to go and change their names because someone lost a case and is now holding the nation to ransom to make this amendment. Everyone needs to think of the impact. You have all heard the example that I had given, so in my birth certificate it will be written there Tanya Sayed-Khaiyum and my parent's names. Think of that impact.

I have heard the Honourable Nawaikula give examples of those overseas. Yes, in Queensland, all you got to do is take your voter card or you show your driver's licence and that is sufficient for a voter to vote. I cannot understand what is the obsession with all these changes.

The Honourable Attorney-General made reference to banks wanting voter cards as proof of identification. Let me say this, because my firm does conveyancing matters, that it does not. When we make settlements, in fact, we were supposed to do a settlement yesterday, banks and FRCS including Titles, they require the Tax Identification Number (TIN) because they look at the taxation details. I do not know where he is getting that statement from. Any bank that we deal with, whether the ANZ or BSP or other banks, they do not require voter registration, they only require the TIN number because it is important, because from there,

FRCS and financial management track financial transaction of every asset, so it is important that we state the truth and be accurate in our information here.

The administration of this, come on - Honourable Selai is from Lau, I am from Kadavu. Our women in the rural areas, we do not know how long this COVID-19 will be here for. Yes, there are restrictions coming in and I am glad that we are slowly opening up but we saw what happened in Israel, we saw what happened in Singapore after they achieved their 80 percent.

What happens if another new variant enters our nation and election is just around the corner and they cannot make these changes - that is where Honourable Tabuya was coming from? They will be disqualified from voting and if you look at the FEO results, Mr. Speaker, Sir, in 2018 there were approximately a little over 9,000 postal voters. How will they address that? How will they address registration?

We just came out a few months ago discussing about the budget. This is not a priority right now. If it is not broken, do not fix it. I do not support this Bill. It has put in a lot of stupidity, whoever came up with it, I do not know what they were looking at or even that, what they were thinking. Just because of Honourable Nawaikula's case, a male in this respect, Supervisor of Elections lost and this is not his first but second or third loss of cases against the Members of Parliament in the Opposition.

We are now all held to ransom, the women. Then you have the leader of the bar coming out and attacking the lawyers, both lawyers, both sides. That is very unprofessional. Mr. Speaker, Sir, I do not support this Bill because it will affect my 70-year-old mother, it will affect my mother-in-law, it will affect my sister, my aunties, the women of Kadavu, the women of Rewa and all the places that I am related to.

HON. SPEAKER.- I thank the Honourable Member for her contribution to the debate. Honourable Members, I have four speakers on my list. We do not have the time. I am going to give them five minutes each and it will be in this order. Stick to your times - Honourable Minister for Employment, Productivity, Industrial Relations and Youth and Sports, Honourable Aseri Radrodro, Honourable Minister for Agriculture, Waterways and Environment and the Honourable Minister for Commerce, Trade, Tourism and Transport. Administer your material, administer your time.

Honourable Minister for Employment, Productivity, Industrial Relations and Youth and Sports, you have the floor.

HON. P.K. BALA.- Mr. Speaker, Sir, I thank you for the opportunity to speak in favour of the Bill that is before us in this august House. I speak in favour of the Electoral (Registration of Voters) (Amendment) Bill 2021 as it upholds the principles of fairness, accountability and transparency upon which our electoral system is based.

This Bill, Mr. Speaker, Sir, upholds the 2013 Fijian Constitution and its principle of equal and fair representation to all Fijians in its electoral system. It seems the Opposition has chosen to speak in one voice against this Bill and it raises serious questions about their ethics and principles in regards to this Bill and it looks like they do not want free and fair registration of voters.

This Bill, Mr. Speaker, Sir, simply provides a security lock on the electoral tool kit that means that each person is registered under proper certification of identity. It means that we avoid voter fraud and that the vote of each Fijian is protected as it should be through this process.

Mr. Speaker, Sir, this Bill will bring certainty in respect of registration of voters and stop any chance of fraud being committed by any person to defeat the processes. The Honourable Attorney-

General has pointed out in no uncertain terms the issue of duplication of identities under the current registration system.

The Honourable Attorney-General has also rightly made it clear that if persons are allowed to be registered as voters in names other than that found in their identity, then there is a real possibility for a person having himself or herself being registered as voter four or five times by using different names. That means, Mr. Speaker, Sir, that we cannot allow for the current situation where a voter may be able to register and in all possibility vote multiple times. The Opposition from their contributions to this debate do not want this balance of rights and fairness.

Mr. Speaker, Sir, let me re-state what this Government have clearly said in favour of the Bill before us, that this Bill safeguards and upholds the core democratic principles enshrined in the Fijian Constitution that one eligible person has one vote in the Fijian Electoral System to ensure fair and just elections and representation.

With those few words, Mr. Speaker, Sir, I fully support the Bill.

HON. SPEAKER.- I thank the Honourable Minister and I give the floor to the Honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Mr. Speaker, Sir, I join my colleagues on this side of the House in not supporting this Bill and I would also like to make a brief comment on the Bill before us by asking these questions which have been raised by the people of Fiji because they do not understand the purpose of this Bill. The questions are:

- (1) What is the importance of this Bill?
- (2) Why make this Bill come through Standing Order 51?
- (3) Who are the target audience of this Bill?
- (4) At what cost will the audience incur once this Bill is passed?
- (5) Is it fully understood by the target audience?
- (6) What are the new additions to the name of this Bill?
- (7) What happens to those overseas voters, how do they register to voting in General Elections 2022?

Mr. Speaker, Sir, in addressing question one, I note the Honourable Minister has, sort of, answered this question, that this particular amendment seeks to ensure that the Constitutional provisions ensuring that we have a registered voter actually voting in the elections and that there be equality of votes between every single voter put in place in practical terms.

Mr. Speaker, Sir, this is a serious admission by the Honourable Attorney-General that raises a lot more questions than answers about the validity of past general elections. Is he now admitting that the intentions of this amendment is due to the fact that results of past general elections were rigged? Is he admitting it?

Mr. Speaker, Sir, another question is, what happens to the past Voter ID card? We hear no mention of it in this amendment Bill. The current Voter ID also does not have an expiry date, so that is the relevance of the question.

On question two, Mr. Speaker, Sir, why make this Bill under Standing Order 51? Of course, since the Government is getting itself ready for General Elections in 2022 and someone has been sleeping on the job all this while, they have to bring about these changes, never mind the casualties. No matter how many people will be left behind, because they could not afford to register in this new Voter ID

registration requirements. Those that will be affected by this piece of legislation are the citizens of Fiji and most especially, the eligible voters that will vote in the General Elections in 2022.

Is this Bill as straight and forward as it seems? No, Mr. Speaker, Sir. Is this legislation fully understood by the citizens of Fiji? I do not think so. This piece of legislation will need to be clearly explained to the current 600,000-plus registered voters. That will probably increase come election time. What the people are not aware of, is that, if they are to vote in the 2022 General Elections, they first need to have their new Voter Identification Card. Upon getting a new Voter ID, they are required to change their names to carry what is on the birth certificate.

I now see the logic on why the birth certificate is free but something does not add up, Mr. Speaker, Sir. When you see the long queues at the Births, Deaths and Marriages Office and there is no long queue at Post Fiji outlets, who are still charging fees for issuing of birth certificates. I had one of my Indo-Fijian friends who wanted me to raise this matter in this House because they are concerned about the equality of services and the costs that goes with it.

For those Fijian citizens working and living overseas, is there enough time for them to get these changes done, especially if they have lost or do not have access to their birth certificates. How do we plan to address these group of voters? Will they be able to vote? I am sure the number of postal voters will be impacted by these amendments. With the new border travel restrictions, I hope the Government would take into considerations the plights of these Fijian citizens abroad and they do not have to travel all the way to Fiji, just to be issued their new voter IDs.

Mr. Speaker, Sir, I could speak about the choices that our women have now been deprived off but I leave that to the women MPs on this side of the House. I hope, Mr. Speaker, Sir, the Government will take heed of the comments coming from this side of the House. These comments are concerns that have been relayed by all the people regarding their disguests and the suggestions that they have to again change their voter IDs for the 2022 General Elections.

This Government is expecting a higher number of people to not vote in the 2022 General Elections, especially when they have been echoing the bigger number of voters falling within the youth category, Mr. Speaker, Sir. These are new voters. This also raises more concerns, especially when voting is constitutionally not compulsory. So, where does this Bill takes us to, Mr. Speaker, Sir? What happens to the overseas voters?

Mr. Speaker, Sir, the Bill also seeks to amend the definition of “residential address” to delete the province and division part. I seek the Honourable Minister to give an explanation in this House on what group of people is he referring to that do not have their names in the English alphabet. Fijians have always considered English as our official language but things will change.

Mr. Speaker, Sir, I thank you and I do not support this Bill before the House.

HON. SPEAKER.- I thank the Honourable Member. I give the floor to the Honourable Minister for Agriculture, Waterways and Environment.

HON. DR. M. REDDY.- Mr. Speaker, Sir, I rise in support of the Bill before us. It is one of the primary responsibilities of this House to enact new laws and revise existing laws, given the scenario in front of us.

Mr. Speaker, Sir, as stated by Honourable Professor Prasad, it is not for courts to give a direction to us, to make amendments to laws. Courts can reveal a lacuna, a gap in the existing law. It is for us to take cue and make an amendment to the existing law by bringing in revised legislations. However, after

listening to the contributions made by Honourable Members from the other side, I find that they are confused.

(Honourable Opposition Members interject)

HON. SPEAKER.- Order, order!

HON. DR. M. REDDY.- You are taking my time.

Mr. Speaker, Sir, the question is, can we use any particular name that we want; yes. Can a married person use the surname of a partner; yes. Can we change our name multiple times; yes. Mr. Speaker, Sir, what all the amendment says is that, you use the name that is registered with the Registrar of Births, Deaths and Marriages at that particular point in time, very simple. If you feel like either tomorrow or next week that you want to use another name, follow the process, go and get it registered and use that so that at that particular point in time, all stakeholders (banks, FNPF, financial, et cetera,) know that at that particular point in time that this was your name.

Mr. Speaker, as Minister for Agriculture, we give assistance to farmers. We want to ensure that the farmer does not use another name at different point in time to apply for assistance, so that the farmer can get double or triple times the assistance, et cetera while others are not able to get assistance because there is a limited amount of assistance.

Mr. Speaker, Sir, what they need to understand is that, there is no issue about people using a name that they like or people like that name, you are known by that name amongst the people or rank and file. You can use it but you must get that name registered. There are no stoppages, no impediments in how many times you would want to change your name.

Mr. Speaker, Sir, having said that, I support the Bill before the House.

HON. SPEAKER.- I thank the Honourable Minister. I now give the floor to the Honourable Minister for Commerce, Trade, Tourism and Transport.

HON. F.S. KOYA.- Thank you, Mr. Speaker, Sir. I rise to support the motion that is before Parliament on the Electoral (Registration of Voters) (Amendment) Bill 2021.

Mr. Speaker, Sir, on Monday, the Opposition went on and on about the decision before the court in having an impact on the Bill before Parliament. However, reiterating the point that was made by the Honourable Attorney-General, the decision of the court and it is actually quite simple to understand, is independent of this legislature.

Mr. Speaker, Sir, it is a very basic principle that needs to be understood and clearly heard. The Opposition should know this. Three arms of Government and they are all independent of each other. You have the Judiciary, Executive and Parliament.

(Honourable Opposition Members interject)

HON. SPEAKER.- Order, order!

HON. F.S. KOYA.- I hope that time is added to my time, Sir, because they keep interjecting.

Honourable Nawaikula, on Monday, referred to the Government not agreeing to the court decision. That is wrong, Mr. Speaker, Sir. It is actually wrong to even say that. We are actually sitting

in Parliament. Parliament makes laws. It represents the communities in discussions about issues that affect them, investigates issues of importance to the community and scrutinises the actions of Government. This is what Parliament is about, Sir. This is exactly what we are doing. We are making laws and the voices of our people have been heard.

What is before the Parliament, Mr. Speaker, Sir, are simple amendments. They are so simple, it is not even difficult to understand, simplifying the definition of “residential address” at Section 2 of the Act.

Section 4 is amended to provide that the person’s application for registration as a voter must state his or her full name, as specified in the birth certificate and an additional subsection 2 which says the current definition of residential address is, and I quote:

“...means the address of where a person lives including the province and division provided however that he or she has lived there for a period of at least three months immediately before registration.”

I do not know what other English you need to explain that, Sir. It is really simple.

Mr. Speaker, Sir, the amendment simply removes a portion of the definition of residential address. The Bill therefore, defines residential address as meaning the address where a person lives. In its simplicity, just understand in its simplicity and it is a correction, Sir. If there is an anomaly that existed, that the court has pointed out, it is our job to fix it and that is all that we are doing, Sir. It leads to certainty, Sir.

There is no ambush as was alluded to by the Opposition on Monday, there are simple amendments being made to the Act. The Opposition is given the opportunity to provide their comments which they are doing right now, fair enough, Sir. However, they should really sit down and understand the text properly.

Section 4(2) states that an application for registration as a voter should be made to a registration officer and the application shall have recorded the applicant’s full name and with the additional requirement of birth certificate and such other particulars, as may be approved and published by the Supervisor of Election, Sir.

Mr. Speaker, Sir, the provision is very clear on name as on birth certificate, by ensuring that an individual has only one identity and that each and every identification card a person should have the same identity. This leads to certainty, everywhere, Sir. In this regard, the electoral roll will just have one identity.

Court decisions, Mr. Speaker, Sir, have an important impact on policy, law and legislative and the executive action. What actually has happened, Sir? In the court case of Niko Nawaikula, also known as Nikolau Tuiqamea, also known as Nikolau Tuiqamea Nawaikula versus the Supervisor of Elections in HBM58/2021. What is done in that court case is that, it is pertinent that the law specifies after that court case and corrects the anomaly. That is what we are doing, it is as simple as that. Why the massive argument? Why the call for all these - this is draconian?

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. F.S. KOYA.- What we are doing, Mr. Speaker, Sir, is to ensure that through this amendment, we clean the electoral register of people who could have fraudulently registered more than once or registered using an unauthenticated name.

Mr. Speaker, Sir, finally, to raise a couple of things that was raised by the Honourable Professor Prasad, he keeps talking about dictatorship.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. F.S. KOYA.- Let me tell you, this is firm leadership, not dictatorship.

(Honourable Members interject)

HON. F.S. KOYA.- This is having a leader, not being leaderless. Mr. Speaker, Sir, this leads to certainty, not disarray.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. F.S. KOYA.- Finally, Sir, let me just remind him, this is not a court, this is Parliament. We do not adjudicate, nor do we pass judgement, we make laws. I am a lawyer, I am telling you. This is not a court, get your definition right. Drastic and draconian, maybe he needs to go and read the definition. Mr. Speaker, Sir, I support the Bill wholeheartedly.

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

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. A number of issues have been raised but I would like to address firstly the issue about the racist comment made against me, Mr. Speaker, Sir. The word “shameful” has in fact been overused. The Opposition I think have essentially run out of ideas and it always reminds me and I have also mentioned in Parliament before, Sir.

When I was in Marist Brothers High School, Brother Eugene Flaherty, who used to be my coach for oratory contest, he always told me that if people attack you personally when you are talking about a subject matter, when they talk about your ethnicity, when they talk about your religion, when they talk about your family, you know that they have no good arguments to make. You know that they are intellectually deprived and they do not have intestinal fortitude to be able to argue intellectually.

In other words, they have continence, that really is what demonstrates what the entire Opposition has been like. I was rather surprised when Honourable Nawaikula who is known for his racial inclinations made those comments, some of the people who I thought from the Opposition who would not think like that but normally sit there quietly were all saying yes, yes and actually giving him accolades for that; all of them, including you, former Minister for Education.

I was actually surprised that Honourable Gavoka did not stand up and say anything, I am married to his daughter, who is an *iTaukei*, she is classified.

(Honourable Members interject)

HON. SPEAKER.- Order!

HON. A. SAYED-KHAIYUM.- In other words, Honourable Nawaikula says that I hate my wife. I will leave it at that.

(Honourable Members interject)

HON. N. NAWAIKULA.- A point of order.

HON. SPEAKER.- Order!

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the other issue that I wanted to raise....

HON. N. NAWAIKULA.- A point of order.

HON. SPEAKER.- There has been a point of order.

HON. N. NAWAIKULA.- Can I just clarify that I said he hated ethnicity. If I was wrong on that, I am sorry and I withdraw that but I meant he hated ethnicity.

(Honourable Member interjects)

HON. N. NAWAIKULA.- I say that for the record.

HON. A. SAYED-KHAIYUM.- He did say that, Sir.

HON. SPEAKER.- You have the floor.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the point that I wanted to start off by saying is that, he again misled Parliament. The court did not consider the fairness or otherwise of the elections. The court simply looked at that particular provision in the law and did the interpretation of it. If the court was not seized (and again he has misled Parliament) of the provisions that the Honourable Prime Minister referred to in Sections 52 and 53, that is the comment that I made about the need for the counsel from both sides to actually have made the court seized off those practical implications of interpreting the law in such a manner. There is nothing shameful about that, Honourable Waqanika. I was upfront about it and as I said, it is not the Chief Justice, it was a Court of Law presided by two Judges.

Mr. Speaker, Sir, everyone knows that in a Court of Disputed Returns, that is why it is called a Court of Disputed Returns, it is not a normal court of law, it has only 21 days to decide, therefore there is an even greater onus on the counsel from both sides to ensure that the court is seized off the practical implications of interpreting a particular provision in a particular manner. They have made a big song and dance about that.

Mr. Speaker, Sir, the other point, Honourable Nawaikula kept on talking about the Auditor-General, it is actually not the Auditor-General. He brought in sunset clause, he had absolutely no idea about what I mean by sunset clause in that thesis. It has got nothing to do about killing indigenous Fijian people or anything of that sort.

Mr. Speaker, Sir, legally again they are wrong, they said, "If you are bringing about this amendment, therefore all the other elections are put into question." What a lot of nonsense!

The Electoral Act after Independence in 1970 was amended a number of times also. Does that mean that the Elections in 1972 was not valid when the law was amended in 1979? Does that mean that the elections held in 1977 (two elections), the amendments that were held subsequently in the 1990s that the 1977 Elections was not valid?

Again, intellectually dishonest. I do not know whether they have the capacity to think about it. It does not have retrospective application. All countries even modern day states in other countries that have history of democracy are constantly looking at how to make the system even better. That is what this is about.

The purpose behind the amendment in the law as Multinational Observer Group Fiji (MOG) has identified in many instances, has said that we need to constantly fix up the laws. So we said, "let us get the right identification." The court obviously, interpreted and gave it a narrow interpretation, because the Supervisor of Elections asked for the birth certificates.

Honourable Nawaikula is registered under one name, but the allowance he picks up from the Parliament is under another name. It is a fact, he is getting paid money from Parliament under one name and registered on the voter list under another name.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, he is now coming back and saying, that is the same person.

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- Please, keep quiet, you have lost your provision.

HON. SPEAKER.- Order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the point is this, that if he is the same person, why is he using two different names?

HON. N. NAWAIKULA.- Why not?

HON. A. SAYED-KHAIYUM.- And he is asking, why not. Precisely, that is what con artists say, why not? I can open a bank account in one name, I will register under another name, I might as well register under three names in the Elections Office. Why not? Why not, I go and get married in another name, I apply for my passport in another name, why not? That is what you are saying and they think it is okay.

In the 21st century world global community, that is okay. They are digging themselves, excavating themselves in the holes that they are digging for themselves.

Mr. Speaker, Sir, the other point that he also said, "Honourable Prasad went on about the failures et cetera of the Supervisor of Elections." In 2015, the Supervisor of Elections was asked by the Pacific Islands Forum (PIF) Observer Mission to lead the Observer Mission Group to Bougainville. In 2016, he was the observer in the MSG Observer Mission to Vanuatu Snap Elections. In 2017, the observer in the Commonwealth Observer Mission to the Tongan Elections. If this man was incompetent, if the international community was not essentially assisting him working with him, he just had a meeting last

week with the international community on the upcoming elections and everyone gave a resounding applause to all the changes that are being made.

Elections were held in a credible manner, in a fair manner and here they are castigating someone for their own political agenda. The cases Honourable Prasad referred to are matters with the Fiji Independent Commission Against Corruption (FICAC). It is up to FICAC whether they want to pursue a case or not, not the Supervisor of Elections, he has a duty to report.

In the same way if, for example, a doctor has suspicion that a child may be abused at home or a woman may be abused at home, he then reports it, he has a reporting obligation to the proper authorities whether it is the police and then it is up to them to investigate, the DPP to prosecute. Their independent offices make the call. They talk about the rule of law but they actually blur the lines between institutions, they blur the lines between personal and practical implementations of the law and the law itself. Absolutely no idea.

Mr. Speaker, Sir, the other point I wanted to highlight was the issue about women's names. Mr. Speaker, Sir, if you look at most societies prior to European contact, most societies, the women never adopted the husbands' names. Even indigenous societies in Fiji did not do that prior to European contact. They all carried the names of their fathers even after they got married, you all know that.

This assumption of a woman taking her husband's name, that is now, it was never accepted before, that came out because of the European contact, because the English laws required that, because in England only 200 years ago, a woman could not own property. In fact, by law she was the property of the husband and therefore she took on the husband's name. That was the law. That was the cultural practice in England, so when they colonised half the world, they took those ideas with them and the colonised people adopted those ideas.

In places like India, a lot of societies, a lot of communities have only one name. Jitendra! When the British came and they said we want to know who owns all the land, they gave their names, they said, "no, no, no, you got to have two names." So they took on names, they took on names based on what they did, so then it reinforced the caste system. There was a movement in India to get rid of surnames because it reflected what the British did. In some societies, women are known by their father's name. You say, so and so, daughter of, so and so, son of.

Mr. Speaker, Sir, the laws here and I just see that there is something put out by the Women's Rights movement in *Fijivillage*, again, they have absolutely no idea, they are saying we are telling women, married women will not be able to have their husband's name. Of course, they can. Where in the law does it say they cannot? It does not say that at all. In fact, it makes it easier for them. At the moment, the provision is, a woman and she got the law wrong, she said, "They changed their name at marriage." They do not.

HON. R.S. AKBAR.- No, they do not!

HON. A. SAYED-KHAIYUM.- When you go to get married as a woman, you fill out the marriage form and you get married, there is no change. But women because it is accepted in an English-based society that we have been known for, I become known as Mrs. Prasad tomorrow, if I am marrying a Prasad, assuming I am a female. If I become Mrs. Prasad tomorrow, nothing changes. I will tell my school, "please tell the students, please call me Mrs. Prasad from now on." Nothing legally changed. I may actually go to LTA and they will ask me, what is your name? I will say that my name now is Aruna Prasad. They will say, "all right, Aruna Prasad, this is your licence." They do not require it, you just fill out the form.

If I want to travel overseas then to the Department of Immigration you will say, "I want my name as Mrs. Aruna Prasad." They say, "Your birth certificate name says you are a Chandra." You will say, "no, here is my birth certificate and here is my marriage certificate. See my husband's name is Prasad." Then they will make your passport under Aruna Prasad. That is the system at the moment. Nowhere else does it change, unless you go and tell them.

What we are saying, Sir, is that, if you want to become Aruna Prasad, all you have to do, there is now a form, change of name, you go and fill it out. Now, my name is Aruna Prasad, I used to be Aruna Chandra, now Aruna Prasad, the BDM is free. We are making it all free. Do not worry, we are making it all free.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Honourable Tabuya got it wrong on Monday. She said, "Oh, to change the name, you have to do a deed poll, go to a lawyer." *Areh*, if you look at the law, it does not say that. It says you no longer require a deed poll. You fill out the form, give it to the Registrar, and the Registrar will then issue a birth certificate with your new name. There will be an asterisk next to the name to show that you have changed your name and that is the birth certificate.

Under the law, the Registrar will therefore, have to notify everyone. Aruna Chandra is now Aruna Prasad; tell FRCS, tell FNPF, tell the Supervisor of Elections and everyone else. That is what happens.

Mr. Speaker, Sir, there is no discrimination. A married woman can continue to use her husband's name, all we are saying is to make it legitimate - you just have to fill out this form and everyone else will be notified. If you are a married woman, and like Honourable Tabuya, you do not want to change your surname, you do not change your surname; that is your choice.

HON. OPPOSITION MEMBER.- How long?

HON. A. SAYED-KHAIYUM.- He is asking for how long, as long as you want. If tomorrow you want to become a Rasova, then you become a Rasova; very simple.

Mr. Speaker, Sir, the point of the matter is that, none of these actually affects the rights of women. In fact, as we have highlighted, it increases their rights. They can now go and register their own child. They can now change their names as many times as they want. If they are married to Prasad today, they want to go and get married in three years' time to Nawaikula, they can do that and change it to Nawaikula. It is up to them.

Mr. Speaker, Sir, the other point that I wanted to also highlight, is that there were 76 people in 2020 in the Elections Office who tried to register more than once; they picked it up. By having one source of identity, you will actually completely eradicate the ability of people to try and register multiple times.

Honourable Aseri Radrodro talked about the voter card not expiring. He is absolutely right. When I presented these laws, Mr. Speaker, Sir, and again if you look at the Interpretation Act, that is why we need a trifecta of these laws, if you are smart enough to calculate this, it says that if you are registered under some form of identification and/or you have been issued with a licence, like I get a fishing licence and my fishing licence is for say three years, it is under a name that is not in my birth certificate, I continue with that name. It does not become invalid once we pass this law.

At the end of the three years when my licence expires and I want to apply, then to the fishing agency, to the Ministry, I apply under my birth registration name. So no one's rights at the moment gets affected. In the same way, if a person today is registered under one name in the Voter ID card, if, for example, they are not able to change their name for some reason or the other, that Voter ID card is still valid. I said this before.

Mr. Speaker, Sir, we are focussing because they are trying to say it will affect only women. I have a list, out of 300,000 women who are registered on the voter list, 200,000 women's names matches with their BRN. There are only a 100,000 left. And as we have highlighted, the Fijian Elections Office together with BDM will be going out. They know exactly, I can tell you.

On the island of Mali in the Northern Division, there are only 12 women whose names do not match. So when the Elections Office goes to Mali, they will go and talk to those people. They will ask them exactly what name they would want - the BDM people will be there, they fill out the name, the registration form will need to be changed, and they will do that. In Kia, there are 23 people; Namuka-i-Lau, there are six people; Labasa Town, there are 2,383 people and Nabouwalu, there are 166 people.

In the Central Division on the island of Toberua, there are three women; Viwa, there are 14 people; Bau, there are 49 people; Navua Town, there are 3,287; Navua Rural, there are 724 people. In the Eastern Division, we have all the single islands here. In the Western Division, Vatulele Island there are 72 women, Ba Town there are 5,590 people, Vomo Island there are six people and Mana Island there are 69 people, it is all there. The BDM Office will go and talk to them, the Ministry of Women's REACH Programme goes with them too. Is it not better that we fix up the records?

When the Honourable Minister for Agriculture, the Honourable Minister for Natural Disaster, Honourable Minister for Health, MCTTT, MSME and the Honourable Minister for Women - they want to give out resources and they want to make sure it goes out to the right people. As you said it will stop double-dipping. We will all have one ID and it will make it easier to rollout services. No-one can then say to the Minister for Natural Disaster Management "hey, that guy you gave it to him five times" - we get that complaint all the time - "You gave three goats to one person five times." In this case the horse. This is precisely what it does and I know some of the Honourable Members of the Opposition are trying to make it into an ethnic issue. It has absolutely nothing to do with ethnicity.

Mr. Speaker, Sir, Honourable Tuisawau, please, I thought you would have a bit more higher standards, now you are resorting to Graham Davis?

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Please do not get too excited. You had a leader that was with SODELPA and now he has formed another party. Do we go on about it all the time? Graham Davis was simply an employee. He is no longer employed. He has got grievances and he is sitting in Sydney in some little room of his and writing this stuff. So what? Rabuka was in your party, your leader, now he is fighting against you, half of you are going to go with him. Do we go on about that?

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. N. NAWAIKULA.- Point of order.

HON. A. SAYED-KHAIYUM.- Sir, just the last point getting back to the system. If it is leaking from the office, tell me who is leaking it because it is a breach of the Civil Service guidelines and they should be fired. If they are leaking information as civil servants, Honourable Jale would know this, as the former PS of Civil Service, they are breaching the law and they need to be punished.

Mr. Speaker, Sir, the last issue is about address, why was the address removed? Again, they are trying to put a sinister issue to it. The reason why we had divisions before, Mr. Speaker, Sir, was because we had constituencies. As I explained, like Israel, Moldova, Fiji has also a similar system where we have a one single constituency for the entire country. Many of these countries have done it for the same rationale that we have adopted before. Mr. Speaker, Sir, that is why we said all we require is your residential address.

Honourable Tuisawau, is saying that by us not putting the province and district therefore we do not know where they live. If I am going to say I live in 59 Vunakece Road, Namadi Heights, Suva you can automatically know where I live and in what province I am, you do the deduction. For the purposes of the Electoral Office they are not here to play politics, they want to assign you to the nearest polling station - that is their purpose.

Honourable Leawere, it is not a laughing matter. Read the 2006 EU Report on the 2006 Elections where they said that because of the number of polling stations were not enough, a lot of people missed out on voting. If you saw in the last few elections, Mr. Speaker, Sir, we had a lot more polling stations, making it easier. Polling stations within villages, community areas, farming areas wherever it was to make it easy for people. Before the polling stations used to be far away then political parties used to go and pay people money. I will take you in my minivan. I will take you in my bus. If you took the voter to the polling station then they voted for you. The point of the matter is, that is what the system is trying to address, that is why we do not have the residential address.

The last point he is going on about which is a very trite matter, Mr. Speaker, Sir, is about the long queues at Suvavou House. I think, Honourable Radrodro, you talked about why it is not at the Post Office and there are some sinister reasons. The Post Office charges \$15. At the BDM Office, which we have numerous BDM offices throughout Fiji (and I have actually got a list of those BDM offices that I want to point out), Sir, if you can give me a few minutes in respect of that and I will tell you where the BDM offices are.

HON. OPPOSITION. MEMBER.- You are taking too much time already.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, that is not for you to decide. Unfortunately the truth hurts.

Mr. Speaker, the BDM Offices are obviously in Suva, Nasinu, Nausori, Navua, Korovou, Sigatoka, Nadi, Lautoka, Ba, Tavua, Rakiraki, Labasa, Nabouwalu, Savusavu, Taveuni, Lakeba, Vunisea, Levuka, Rotuma, Vunidawa and Keiyasi. We never had a BDM Office in Lau, Rotuma and not even in Savusavu. There used to be only three BDM Offices throughout Fiji - Labasa, Lautoka and Suva, that was it. That is why when we did a sweep about seven years ago, we found over 26,000 Fijians throughout Fiji, some who were 40 to 60 years old not even having a birth certificate. We have to register them so we can identify them. We can give them social welfare assistance. We have targeted assistance through the Ministry of Health, Ministry of Education, Ministry of National Disaster Management all of those things, Mr. Speaker, Sir.

The long queues, Honourable Tuisawau, of late in the past week, I do not know if you spoke to them, maybe you just observed and waved to them from your car, I actually walk there and talk to them. A lot of them have queued up because they are registering their business because they want to access the

Micro Small and Medium Enterprise (MSME) \$200 million loans which is good because we are bringing everyone into the mainstream financial system.

So, Mr. Speaker, Sir, a lot has been said in respect of this. However, I would urge all Honourable Members to support this particular Bill as it is part of the trifecta that we are trying to do to ensure that we get certainty. We have one source of information in respect of identification of a person.

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

HON. L.S. QEREQERETABUA.- Point of order, Mr. Speaker.

HON. SPEAKER.- What is this for?

HON. L.S. QEREQERETABUA.- My point of order, Mr. Speaker, is on Standing Order 54 on the processes of voting within the Parliament and also Standing Order 18(3)(b)&(c) on Speakers functions, duties and powers.

Mr. Speaker, I again want to bring to the public attention the vote procedure under Standing Order 54(2) when the electronic voting system is unavailable and it states:

“A roll call vote is conducted by the Secretary-General, who asks each member separately how the member wishes to vote. Each member, upon being called, gives his or her vote by saying “Aye” or “No” or, if the member wishes to abstain from voting, by saying “I abstain.” On the completion of the vote, the Secretary-General declares the result and records in the minutes the vote or abstention of each member.”

Under Standing Order 18(3) under Speaker’s function, duties and powers, it says and I quote:

“The Speaker, in performing the functions and duties and exercising the powers of the Speaker -

- (b) Serves to secure the honour and dignity of Parliament; and
- (c) Must act impartially and without fear, favour or prejudice.”

So, I ask again, Mr. Speaker, Sir, that we vote by division.

HON. SPEAKER.- Honourable Member, I do not know where have you been all this time.

(Honourable Members interject)

HON. SPEAKER.- The Business Committee has made its decision on the voting system. Unless that is changed by the Business Committee, it would not change, and if you think I am going to change it now, no I cannot change that, that is not the job of the Speaker. That is the job of the Business Committee. The Business Committee makes the decision, do not try and filibuster and hold the process up, we are going to have the vote now.

Honourable Members, Parliament will now vote.

Question put.

Motion agreed to.

[Electoral (Registration of Voters) (Amendment)(No.2) Bill 2021 passed and enacted by the Parliament of the Republic of Fiji (Act No. of 2021)]

HON. SPEAKER.- Honourable Members, that is the voting system that we have adopted and adopted by the Business Committee and that is what is going to happen on this Bill and the next two Bills, there is no change. So, do not try and filibuster.

On that note, we will take a break for lunch and we will resume at 2.30 p.m.

The Parliament adjourned at 12.38 p.m.

The Parliament resumed at 2.37 p.m.

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

BIRTHS, DEATHS AND MARRIAGES REGISTRATION (AMENDMENT) BILL 2021

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Monday, 20th September, 2021, I move:

That the Births, Deaths and Marriages Registration (Amendment) Bill 2021, Bill No. 33/2021, be debated and voted upon and be passed.

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

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

HON. A. SAYED-KHAIYUM.- Thank you Mr. Speaker, Sir. The Births, Deaths and Marriages Registration Act 1975 provides for the registration of births, deaths and marriages, as the name suggests. The Births, Deaths and Marriages (Amendment) Bill 2021 seeks to amend Section 11 of the Act to permit the mother of a child born alive or stillborn in Fiji to register her child.

Currently, Mr. Speaker, Sir, only the father of a child may register the child at first and the mother of the child may only register her child if the father of the child is deceased, ill, absent or is unable to register the child. This practice, however, has been of course, considered discriminatory and, indeed, it is discriminatory, and we can go into the merits as to why it is.

The Bill also seeks to amend Section 15 of the Act to simplify the process of changing a person's name. At the moment, a person has to register a deed poll at the office of the Registrar of Deeds before his or her name can be changed by the Births, Deaths and Marriages Office.

Mr. Speaker, Sir, the proposed amendments remove the requirement for a deed poll and instead requires a person who wishes to change his or her name to do so by simply applying to have his or her name change registered. So, you are no longer, Mr. Speaker, Sir, have to do it by deed poll, you do not have to go to an expensive lawyer, who will charge you for deed poll. Some lawyers of course, even though they may not be that good, they still charge a lot of money for these things.

Mr. Speaker, Sir, you are no longer will, actually have to go and register your deed poll. As I mentioned the other day, a lot of people change their names by deed poll but do not actually have it registered. There is no requirement for that. What will happen now, you simply need to go to the BDM Office, fill out a form and apply with a prescribed fee, of course, which can be waived and we said we will waive this for this period of time, for your name to be changed by registration. The BDM Office will assess your application, register your change of name and issue you with a new birth certificate that will contain your new name. For all intents and purposes, under any written law, you will need to use your name on your birth certificate. Therefore, you can use Mrs. Prasad wherever you go.

Mr. Speaker, Sir, we are also changing the regulations pertaining to that. Prescribing application form from change of name registration and of course, any fees that may be associated with that, Mr. Speaker, Sir.

Mr. Speaker, Sir, the other amendment which is, of course, to help our youth. As you know that we change the law for voting. Before you could only vote if you were 21, you could get married without anyone's consent if you were 21 but of course, that has all changed but in this particular Act, that 21 to the 18 reduction had not taken place which we are therefore, amending to be in compliance with all the other laws and therefore, once you reach the age of 18, should you wish to change your name, you can do so without anyone else's consent because you are an adult, Mr. Speaker, Sir.

Mr. Speaker, Sir, the Bill also seeks to amend Sections 23 and 24 of the Act to refer to birth certificates, death certificates and marriage certificates which currently it does not. So, with those amendments, it also does help in terms of making sure that the law is non-discriminatory. It also helps mothers to be able to register their names. We know that we have a number of mothers who are single or mothers who are separated or parents who are divorced, they can do so and in any case, there is an assumption that only fathers can do so because this is, you know, very archaic piece of legislation and that mothers do not necessarily have the literary skills or the literacy skillsets to be able to do so. That was the old assumption, of course, that is not true.

Mr. Speaker, Sir, the amendments to the Act goes beyond then just what the Opposition has been talking about which is not only about the electoral registration, the registration of voters on the electoral list and ultimately, the voter list. It is more than that. It is getting our laws to be modern.

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

Honourable Members, the floor is now open for debate and I give the floor to the first speaker on my list of seven speakers, at the moment. I now give the floor to the Honourable Kepa. You have the floor.

HON. RO T.V. KEPA.- Thank you, Mr. Speaker. The three Bills before us are all related and all point towards FijiFirst winning the 2022 General Elections. The targeted audience, are in my view, the women of Fiji, who are 50 percent of the population and 50 percent of the voters, according to the Household Income and Expenditure Survey 2019-2020. I know that the other side does not agree with that survey saying that it is flawed but it is a survey that has been supported by other well-known economists and they are not comparing a report to a survey here, Mr. Speaker.

HON. GOVERNMENT MEMBER.- Oh, come on.

HON. SPEAKER.- Order, order!

HON. RO T.V. KEPA.- Mr. Speaker, we have already had two Elections in 2014 and 2018. FijiFirst touting to the world that these elections were free, fair, credible and the best elections ever and getting the Multinational Observer Group (MOG) to believe that it was so. These Bills, however, Mr. Speaker, is telling us that Elections in 2014 and 2018 were not free ...

(Honourable Government Members interject)

HON. SPEAKER.- Order!

HON. RO T.V. KEPA.- ... not fair and not credible and maybe the worst Elections ever. If that is so, Mr. Speaker, why are these Bills before the House?

(Honourable Government Members interject)

HON. RO T.V. KEPA.- Someone from your side wrote this.

HON. SPEAKER.- Order, order!

HON. RO T.V. KEPA.- If that is so, why are these Bills before the House?

HON. A. SAYED-KHAIYUM.- Obviously, you do not know what you are talking about.

HON. SPEAKER.- Order!

HON. RO T.V. KEPA.- Why are you bullying, Honourable Attorney-General, penalising the women, especially the married women who adopted their husband's name at marriage. For the husbands here in this Chamber whose wives have adopted their name, I am sure you will hear a few choice words at home which because of their inconvenience ...

HON. T. WAQANIKA.- Hear, hear!

HON. RO T.V. KEPA.- ... time wasted, et cetera, you will be hearing again and again from them, why have you allowed these Bills to go through? What are these Bills here for, Mr. Speaker? For the women who are having their husband's name will have to go the BDM and have their birth certificate name changed, this is a big issue and a *tamani* big ask. Just let me explain briefly, Mr. Speaker, before going into the "big ask" this is on religion as this touches on religion also.

In Christian churches, for example, the Catholic Church, Honourable Prime Minister, Mr. Speaker (you would know Honourable gentlemen), and also the Honourable Leader of the Opposition and other Christians here, members go through a ceremony to receive the sacrament of matrimony which encourages unity from the wife and children to have one family name and usually it is patriarchal because of our society - name of the husband.

However, if Honourable Aiyaz Sayed-Khaiyum wants to change his name to Aiyaz Gavoka you are very welcome to do that, Honourable Attorney-General.

(Hon. A. Sayed-Khaiyum interjects)

HON. SPEAKER.- Order, order!

HON. RO T.V. KEPA.- You are very welcome. So Mr. Speaker, our married name is very important to us as we have received that sacrament which helps bring unity to the family.

(Honourable Government Members interject)

HON. SPEAKER.- Order!

HON. RO T.V. KEPA.- Young Women Survey and Report, Honourable Minister for Agriculture, young women getting married now will think twice before taking up their husband's name because of the problems this Bill is going to bring up.

One of the problems, Mr. Speaker, as I see it, for example, the name that I have here on all my documents is Teimumu Vuikaba Kepa, Kepa being my late husband's name who was from Ono-i-Lau. The birth certificate and Vola ni Kawa Bula are connected, Mr. Speaker. So my birth certificate is connected to the VKB from my *Mataqali* - Valelevu, *Yavusa* - Burebasaga and Province of Rewa.

Now if I were to go to my birth certificate, Mr. Speaker, and change that name to Teimumu Vuikaba Kepa, I was telling Honourable Ro Tuisawau who belongs to the same *mataqali* as I, the first

thing they will do is complain - where is this Kepa from, this Kepa does not belong to this, you people want land from here, et cetera, and you want to be part of the assets of my *mataqali*? That is what they will say.

(Honourable Government Members interject)

HON. SPEAKER.- Order, order!

HON. RO T.V. KEP A.- Mr. Speaker, they will tell me that, that Kepa is from Ono-i-Lau and I have to be very careful here because there are people from Ono-i-Lau in this room. If they were to throw me to Ono-i-Lau they will say “Yes, Kepa we recognise”, but not the first two names - Teimumu Vuikaba, so you do not have any part to play in this.

It is going to be a big issue, Mr. Speaker, in terms of the documentation for our *mataqali* and for the indigenous Fijians which because of lack of consultation, this would have been addressed. But then I am thinking why all these problems? Why are they going through all these, so it goes back to Honourable Nawaikula’s case and that was dealt with very well by Honourable Nawaikula and others who spoke from outside this morning where the judges said, from Niko’s name being struck from the register was unlawful, improper, irrational, proportionately and procedurally unfair, and that is what the Honourable Attorney-General is doing to us in terms of these Bills that are coming before the House. I do not agree with the Bills and I do not support it.

HON. SPEAKER.- I thank the Honourable Member for her contribution to the debate. I now give the floor to the second speaker on my list, the Honourable Minister for Health. You have the floor.

HON. DR. I. WAQAINABETE.- Thank you, Mr. Speaker. I rise to support the motion before the House on the Bill for an Act to amend the Births, Deaths and Marriages Registration Act 1975.

Mr. Speaker, Section 11 of the Principal Act is amended by deleting, “The father of every child born alive or stillborn in Fiji, or, in case of death, illness, absence, or inability of both the father, the mother of such child, or in case ...” can then register the child. This amendment is contemporary and is important and I am speaking from the Ministry of Health’s experience.

Mr. Speaker, we have single mothers who have proudly carried their children despite the turbulences and the challenges that they have faced. After nine months they finally give birth to their child and there is the lacuna in the law in terms of being able to register the child themselves because it says unless the father is not available, the father is absent, deceased or the father in that case not available then able to register them. I think all of us here would know, I personally know, my daughter is a single mother and I know that this important part of the law will actually be beneficial for our young women.

The second part of it is, we have single mothers and as I have alluded to, this also empowers them. If we look at the three Bills together and I want the Honourable Members on the other side to understand that the three Bills are contemporary. They are consistent with best practice and very important also for the Ministry of Health in terms of our national hospital numbers. You would know instances when you have had relatives and some of you in this august House have actually contacted us, contacted me to say that the folder of your relative cannot be found. It is because they are registered under a different name in our system. In some instances when someone passes away is difficult to be able to actually give them their death certificate because they register with a different name and their birth certificate has a different name.

What is happening here is being able to align it so that at the end of the day we have the right person who has the name on the birth certificate existing with the right hospital folder and the ability of

a mother to be able to register the name. There is nothing sinister in this, nothing about ethnicity, and I find it very despicable that Members of the Opposition will bring up the race card into this discussion because it has nothing about race card.

I want to reassure the *Marama Roko Tui Dreketi*, Honourable Kepa, that her birth rights remains. Nothing about this takes away the fact that she is a high chief in her own right. Nothing in this about the name takes away the fact that the Honourable Leader of the Opposition is actually a high chief in his own right, the birth right remains. It does not take away the birth right. It only does ensure that the person who has three, four or five names we will then align it down to one name. One name in the Ministry of Health record instead of three, four or five. That when your relative does die, then it is easy for us to actually give you the death certificate because it is the same name that is on the birth certificate that is in the hospital records.

That is why we in the Ministry of Health want this, and many times I am saying here because some of you on the other side actually contact me to say, "Look there is a problem. This person we cannot find their name, we cannot find the folder." Exactly, you cannot find the folder because they have different names. I give you an example, maybe the person's name is Ifereimi Waqa Waqainabete. In one hospital he is Ifereimi Waqa and in another hospital, he is Waqa Waqainabete and in another hospital he is Ifereimi Waqainabete, but he is the same person.

All we are trying to do is to ensure that there is verification of the name, that the name is simple, the name represents the right person and that that person is able to enjoy all the benefits that come for bearing the right name. There is nothing about ethnicity, nothing sinister of what have been done, nothing about taking away your rights as an *iTaukei*, they remain, and it is very poor of the people on the other side, the Honourable Members to say that their birth right, their ability to be able to write their name in the *Vola ni Kawa Bula* can be affected.

I have two of my children have their mother's name before their surname, Senokonoko Waqainabete, two of them. Does that take away their birth right, or being part of the *Mataqali Valelevu* in Nakoroiwai, Keteira, Moala, Lau? It does not. They remain part of us, even though they carry their mother's name, they remain part of us. That is what you have to understand.

It is nothing about ethnicity, nothing about disparity, it is about ensuring that we are contemporary, it is ensuring that we have the right person, that that right person can be offered help when he needs it in the hospital, that right person can be offered help when he needs social protection, that that person can be offered the help when he needs to go to school and have a scholarship because he has got the right name that exists with the person being offered the scholarship. That is the whole reason of the three Bills that are before us. The one that has been enacted and the two that are before us, and I thank you, Mr. Speaker, Sir, for this opportunity.

HON. SPEAKER.- I thank the Honourable Minister. I give the floor to the Honourable Qionibaravi. You have the floor.

HON. ADI L. QIONIBARAVI.- Thank you, Mr. Speaker, Sir. I rise to contribute to the debate on Bill No. 33 of 2021 to propose amendments to the Births, Deaths and Marriages Registration Act 1975. At the outset, may I express my wholehearted support for my colleagues from this side of the House who have expressed their concerns on the proposed amendments on the three Bills debated today.

Firstly, it is sad to know that the Solicitor-General, Mr. Sharvada Nand Sharma has been removed unceremoniously from his position as legal adviser to Government because of the Governments' loss on the Court of Disputed Returns, Mr. Speaker, Sir.

It is unfortunate that Government is hell-bent on being right even to the extent of inconveniencing all the married women voters and others. In bringing these three Bills, Sir, Government is suppressing the fundamental right to vote of thousands of voters. It is our fundamental human right to change our Government in regular, free and fair elections as guaranteed in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR) which the Government signed in 2018.

This ICCPR Treaty, Sir, is binding on the Government and this Bill is a breach of our treaty obligation yet we claim to champion human rights as President of the Human Rights Council of the UN. Already, Sir, over 180,000 voters did not vote in 2018.

(Honourable Member interjects)

HON. ADI L. QIONIBARAVI.- They were registered to the wrong voter list, for example, Narewa in Nadi, Narewa in Sigatoka, Moala in Nadi, Moala in Lau, Lamiti in Gau, Lamiti in Lami, et cetera. Many hundreds, thousands of married women will not vote in 2022 because of this draconian law change either because they cannot afford to change their name at the registry or because they refuse to do so.

The three people who tried to register twice in 2018 were discovered because the system works. There is nothing to change, there is no need to change the law to force hundreds and thousands of women to change their names and get a new voter ID just because three people tried to register twice in 2018.

Mr. Speaker, Sir, this change in the law imposes a huge obligation on our women, especially the rural and remote communities. Even for those in urban and peri-urban areas it means bus fare, hours standing at the BDM and then booking an appointment at the Elections Office, which is only via the FEO website, Sir. With the current pandemic and our national economic hardship, the vast majority of women cannot afford the time and expense of new birth certificates to reflect their husband's surnames.

Sir, it is likely a huge number of women would rather save money to pay for food and children's needs rather than travel to the nearest BDM Office for a new birth certificate, then additional expenses of going to Suva, Lautoka or Labasa; the only three places where the Fijian Elections Office Voter Services Centre exists. Then they must have smart phones to book an appointment at the Voter Services Centre, which are only by prior appointment booked at the FEO website, Sir. Will Government pay the extra nice accommodation and expenses waiting for their appointment? I fear, Sir, it is likely the number of women voting in 2022 will reduce further and what a sad day this will be for Fiji. So much for Government's lip service for the empowerment of women.

Secondly, Mr. Speaker, Sir, the amendments also impact on the culture and tradition of the first people of the nation. In particular, the impacts on the Vola ni Kawa Bula (VKB) commonly known as the second bible of the first people of the nation.

Mr. Speaker, Sir, the first people plays great importance to the name bestowed on a newborn. Parents seek the approval of family elders for the name. It is not just the choice of parents. After the name is bestowed, the *vakatoka yaca* ceremony is held, then the child is registered at the Births, Deaths and Marriages (BDM) Office. In fact, Sir, the Bill should have been taken to the provincial councils at the 14 *Bose Vanua* in place of the Bose Levu Vakaturaga. Yet again, a law is imposed affecting the indigenous people's rights without their free, prior and informed consent.

Mr. Speaker, Sir, to propose that a married woman adds her husband's surname to the name that she was bestowed with is in short, a ridicule and an attack on our culture. Sir, the amendment proposes that where a person has changed his or her name, the Registrar of BDM must then inform relevant state

entities as approved by the Minister by notice in the gazette, the registration of the person's new name. I assume this means every register and record requiring people to register to exercise their right to license a right, et cetera.

This means, Mr. Speaker, Sir, that the changed name will be sent to the Native Lands Commission (NLC) charged with the responsibility to ascertain what lands in each province in Fiji are the rightful and hereditary property of native owners, whether *mataqali* or *tokatoka*, et cetera. That office administers the register of native landowners via the VKB records, Sir.

My question to the Honourable Attorney-General is whether the NLC then removes the original names registered in the VKB and replaces them with the new names in the revised birth certificates? Sir, the VKB records the names as recorded in the original birth certificate issued by the BDM. These are names from within a family or maybe drawn from a blood relative in another province. For example, Mr. Speaker, Sir, the late paramount chief of Burebasaga, *Na Radini Lau* has the name of "Lalabalavu" in her name to reflect the close blood ties between the chiefly houses of Bau, Somosomo and Rewa, thus she was affectionately known as "Ro Lala."

If the NLC deletes the original name in the VKB and adopts the name in the revised birth certificate, this is a major change on the VKB with addition of our husband's names. Our husband's names are not names from within our *mataqali* or *tokatoka* and they may be looked at in disfavour by our *mataqali* and *tokatoka* members.

Thus Mr. Speaker, Sir, the inclusion of husbands' surnames are not the original intention of our forefathers who have passed on. Their honourable intention which should be respected is that their original names should be retained in the VKB.

This Bill, Sir, is not well considered. It must go back to the drawing board and it requires more consultations in particular with those affected by the Bill; the women of Fiji and the indigenous people or the first people of this nation.

I beg my colleagues on the other side, please take the Bill back for further consultations. We, on this side of the House are here to work with you, if you will only work with us in particular on laws like this. I thank you for the opportunity to contribute to the debate and I do not support the Bill before the House.

HON. SPEAKER.- I thank the Honourable Member for her contribution to the debate. I remind future speakers of your speaking times. I now give the floor to the next speaker, the Honourable Minister for Commerce, Trade, Tourism and Transport. You have the floor.

HON. F.S. KOYA.- Mr. Speaker, Sir, I will be very brief. I rise to support the motion in front of the House, Bill No. 33/2021, which is the Births, Deaths and Marriages Registration (Amendment) Bill 2021.

Mr. Speaker, Sir, clause 2 of the Bill amends Section 11 of the Act, allowing the mother of the child as alluded to earlier by the Honourable Attorney-General, to register the birth of a child, thus having equal status as that of the father of the child. It needs to all be put into perspective, Sir. At the moment, only the father of the child may register the child as he has mentioned time and time again in this House as of Monday, whilst the mother of the child may only register her child if the father of the child is deceased, ill, absent or is unable to register the child, again as alluded to even by the Honourable Minister for Health. The current provision has been considered discriminatory and limited the rights of the mother of the child.

Mr. Speaker, Sir, what everyone fails to realise and they get very myopic when they think about these things, that there are conventions and treaties also that were already established that recognises and promotes the rights of the child and women, in particular, in relation to birth registration.

Mr. Speaker, Sir, the Convention of the Rights of the Child, the most ratified human rights treaty in history includes birth registration among the fundamental rights of the children. Similarly, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Sir, and they should all stand up behind this. This is so important. Sir, CEDAW calls on states to grant women equal rights with men with respect to the conferral of the nationality on their children.

Mr. Speaker, Sir, additionally pursuant to Section 26(1) of the 2013 Fijian Constitution states that and I quote:

“Every person is equal before the law and has the right to equal protection, treatment and the benefit of the law.”

Hence, the proposed amendment will conform to the constitutional rights and help create equality by giving the same right over the child to both parents. It is very plain, very simple, Sir. That should be at the forefront of everyone’s mind.

Mr. Speaker, Sir, clause 3 of the Bill amends Section 15 of the Act which will allow Fijians of 18 years and above to change their names by registration. This amendment will rectify the legal age within the Act and bring consistency and harmonisation amongst other Acts and legislations of Fiji.

Mr. Speaker, Sir, the Bill also seeks to amend Sections 23 and 24 of the Act to specify that the copies of the entries of the registers could be in the form of a birth certificate, death certificate or marriage certificate. With such amendments, Sir, simply there will be more of a streamlined administrative process and again, this is something that has been alluded to by the Honourable Minister for Health. It just makes everything streamlined. It is a streamlined administrative process through the elimination of deed polls and search register books with the introduction of these registration forms and the use of a singular birth certificate, death certificate or marriage certificate for searches.

To conclude, Mr. Speaker, Sir, the Fijian Government is complementing our efforts to make the laws of Fiji more gender inclusive and above all will ensure that the rights of all Fijians are protected. Therefore, Mr. Speaker, Sir, I fully support the Bill before the House.

HON. SPEAKER.- I thank the Honourable Minister for his contribution to the debate. I now give the floor to the Honourable Qereqeretabua. You have the floor, Madam.

HON. L.S. QEREQERETABUA.- Thank you, Mr. Speaker. Mr. Speaker, I rise to contribute some thoughts on the Births, Deaths and Marriages Bill before us, Bill No. 33 of 2021. I want to start though, Mr. Speaker, through you, to remind the Honourable Attorney-General and self-acclaimed expert on everything that taking a pathetic and childish pot-shot at my competence at the Business Committee level is not only misogynistic, it is also sexist and I will not be lectured by him about competence when his own incompetence with lacunas everywhere has thrown the nation off a cliff from \$2 billion in debt to now almost \$9 billion. And then he has the audacity to lie to us that debt is good.

Mr. Speaker, firstly it goes without saying that we reject this Bill similar to how our Party Leader has detailed on the Electoral (Registration of Voters) Bill. The reasons are thus, Mr. Speaker, we, Members of the highest court of the land, mandated by the people to make laws for them with their consent are now being arm-twisted into giving the Supervisor of Elections a pass mark when we all know he is an epic and abject failure with his competence. I do not say this lightly, Mr. Speaker.

In the 2018 Elections, only 63 percent of those registered to vote by pre-poll eventually voted. In the 2018 Elections, only 73 percent of those registered to vote nationally, eventually voted. Yet here we are, with these three omnibus Bills, being asked to legalise that more people do not vote in 2022. This august House is being asked to endorse administrative vote-rigging to disenfranchise voters and deny them their political rights as per the Constitution of Fiji. Neither the Supervisor of Elections nor the Electoral Commission sitting idly on their hands until they are ordered around like puppets, nor the Minister responsible for Elections has thought to recommend one Bill that makes Mr. Saneem accountable and face penalties for bad voter turnout. Instead we pay him to deny the will of the people. In what universe does this happen, Mr. Speaker?

We all remember the Level 9 huddle by the Government Members of Parliament in confusion, where even the Supervisor of Elections was publicly photographed leaving the scared, dejected Government Members of Parliament camping out, having a pyjama party up there.

We all remember pictures of mattresses, pillows, towels, food delivery and some fake group of a "low hanging fruit" workshop. What a farce!

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. L.S. QEREQERETABUA.- Why, Mr. Speaker, did Mr. Saneem avail himself at those odd hours to the Government side? When did he ever make himself available at odd hours to the Opposition side at a time when the election results were being disputed? Where was the Supervisor of Elections when Opposition parties questioned the allocation of voters to wrong polling venues of similar sounding names? Taking them to Court as usual, as he did to Mr. Jale Baba and threatening them as he did to Dr. Neelesh Gounder for raising concerns about odd numbers in the voter roll on ABC Radio. And what happened, Mr. Speaker? Mr. Baba and Dr. Gounder are, indeed, vindicated by the low voter turnout for pre-poll voters and national voters.

What an absolute disgrace, Mr. Speaker, that taxpayers must pay for incompetence and stupidity. Imagine how other democracies must be laughing at how a special cabal of minions get away with administrative rigging, just so that the ruling party remains in power.

Mr. Speaker, this is where the fairy-tale gets funny and almost fake. The Supervisor of Elections holds a press conference and mentions that 76 people attempted to obtain voter identification cards by using alternate names in 2020 and that is the reason why we must all now use birth certificate names for Voter IDs.

Mr. Speaker, are both, the Electoral Commission and the Supervisor of Elections now obligated to report to this House of the status of those 76 people are? If they committed such an act in 2020, and now it is 2021, have they been arrested? Are they in jail or Mr. Saneem expecting us to believe in unicorns and fairies just to justify these Bills?

Mr. Speaker, in their haste to railroad these changes, that will be a major inconvenience and cost to married women, did the amendment to this Bill fail to forget that the Marriage Act of 1968, Section 36 clearly states and I quote:

“Validity of registered marriage

Every marriage duly solemnised under the provisions of this Act unless therein expressly declared to be void shall be deemed to be good and valid in law until the contrary be proven.”

By legislating that, married women use their married names, it conflicts with this provision of the Marriage Act and causes major concern about the sacred institution of marriage.

Since the Government is so single-minded about its plans, it must ensure that the Elections Office budget pays for rural voters to get the changes done. Another special round of \$360 for rural and semi-urban voters from the elections budget is a must especially in light of the high poverty numbers as so expertly profiled in the latest Household, Income and Expenditure Survey.

Furthermore, Mr. Speaker, what happens to my Honourable female Members of Parliament colleagues sitting in this august House who have contested and won their right to be elected Members of this Parliament using their married names, as of this moment? Do their seats become vacant once this Act comes into force? Like what Mr. Saneem viciously tried to manipulate with my colleague Honourable Nawaikula?

I will not ask what my Honourable male counterparts will think because obviously the Honourable Prime Minister and the Honourable Attorney-General are already very comfortable about their better halves reverting to their maiden names because the Voter ID is not the only thing that will change. According to the other law that is being part of this omnibus package, the Interpretation Bill says all other IDs will have to change to one's birth certificate. It is very clear in the Explanatory Notes.

Clause 2 of the Bill amends Section 2 of the Act to also require any agency or approving authority of any kind which receives applications or submissions to only except the name of an applicant if the name is as it appears on the applicant's birth certificate. We, in the Opposition side will merely laugh at what happens from this point forward because we already know their game plan and we are more than ready to play ball.

HON. SPEAKER.- I thank the Honourable Member. I now give the floor to the Honourable Minister for Education, Heritage and Arts, and Local Government.

HON. P.D. KUMAR.- Thank you, Mr. Speaker, Sir. I rise to contribute in support of Bill No. 33 of 2021. The Civil Registration Records of Birth, Deaths and Marriages are necessary to compile accurate, complete and timely vital statistics. It is important that the legislative amendments allow laws and policies to be refined over time rather than replaced outright.

The Bill in question proposes vital changes to the existing Act which intends to promote fairness for the benefit for all Fijians. Mr. Speaker, Sir, by virtue of the Constitution of the Republic of Fiji everyone must be treated equally and without any form of discrimination.

Section 26(3) of the Constitution provides, and I quote:

“A person must not be unfairly discriminated against, directly or indirectly on the grounds of his or her, actual or supposed personal characteristics or circumstances, including race, culture, ethnic or social origin, colour, place of origin, sex, gender, sexual orientation, gender identity and expression, birth, primary language, economic or social or health status, disability, age, religion, conscience, marital status or pregnancy.”

Mr. Speaker, Sir, this amendment is needed to meet the changing demands of the society. The reforms mentioned which I have just stated is very significant and it is significant to note that the Bill amends to allow the mother of a child to register her child and to give her equal status as that of the father of the child. The reform to the legislation aims to promote the provisions of the supreme law of the land that is the Constitution. The intention of the Bill is to correct the flaws in the current Act and replace with provisions that are reasonable to protect and promote the rights of every women in the country.

The world has rapidly changed over period of time. Women have struggled for equality and against oppression for centuries all over the world. Woman's Rights are also human rights and women must be awarded equal treatment which this legislation simply does.

Mr. Speaker, Sir, the reforms mentioned in the Bill are needed for a fair and just society. We have heard from the Opposition they have been talking about everything and particularly they have been talking about the Electoral Registration of Voters (Amendment) Bill which was passed. It is gone, done and dusted but we are still talking about that but not talking about the rights of a woman to register her child. That is not the subject we are talking about.

Honourable Qereqeretabua, in her response to the Bill - did she really speaks on the Bill, no? She spoke about everything else except what is important to the women which is a woman's right to register her child, but she did not make any reference to it. It was all about name and again we are saying that the marriage name of a woman remains with the woman. She can make her decision. If she decides to, she can get it registered.

Again, it is very important that we have one identity, Mr. Speaker, Sir. It is not only from human trafficking point of view, terrorism and other aspects, it is also when you are seeking justice like for example insurance claim, FNPF and you have other names and all that - it creates a lot more confusion and sometimes women misses out. That is all I have to say, Mr. Speaker, Sir, and I support the Bill.

HON. SPEAKER.- I thank the Honourable Minister. I now give the floor to the Honourable Kuridrani.

HON. I. KURIDRANI.- Mr. Speaker, Sir, considering the timing of this Bill and the other two Bills in the House, I question the integrity and the motive of introducing these Bills. I agree with the Honourable Aseri Radrodro this morning and others from this side of the House, that it has some hidden agenda to consolidate the Government's position in the next eElection. I, therefore, consider these Bills as deceptive, deceitful, discriminatory and evil.

I cannot understand the logic of introducing these Bills and see no merit especially during the time when this Government is supposed to be attending to other important issues, such as:

- (1) rehabilitation programmes for the people that had suffered during this COVID-19 crisis;
- (2) provide investment plans for our resource based such as forestry, fisheries and agriculture;
- (3) revitalise our economy and provide employment;
- (4) improve our health facilities which we all understand, crumbled during this crisis;
- (5) develop policies and strategies that will ensure our safety for future disasters and disease invasion that we do not commit the same mistake as we have witnessed during this COVID-19 pandemic; and
- (6) review our National Development Programme based on this COVID-19 crisis.

Mr. Speaker, Sir, we are already living in a sophisticated and over-regulated society with confusion, chaos and poverty. I believe that this government has not considered the social and economic ramifications of this Bill as it will make the poor get poorer and the rich get richer. Imagine people living in isolated and remote villages like the case in our province of Nadroga/Navosa, in the province of Naitasiri, in the highlands of Ba and the maritime islands. People have to dig deeper into their already empty pockets in order to comply with these Bills.

HON. A. SAIYED-KHAIYUM.- Why?

HON. I. KURIDRANI.- They have to pay for their bus fare to come and change their name.

HON. A. SAIYED-KHAIYUM.- No, no.

HON. I. KURIDRANI.- Are you providing the staff to go there and change their names

HON. A. SAIYED-KHAIYUM.- Yes. You were not listening. Change your script.

HON. SPEAKER.- Order!

HON. I. KURIDRANI.- No, I cannot change it. This is a fact. Some people are already suffering.

HON. A. SAIYED-KHAIYUM.- Nobody is suffering.

HON. I. KURIDRANI.- They are even having one meal a day and finding it hard to put food on the table for their next meal. Not only that, but the Bills will also violate and compromise our custom and Christian beliefs and principles.

HON. A. SAIYED-KHAIYUM.- How?

HON. I. KURIDRANI.- Mr. Speaker, Sir, I plead for this government to think of the people who have suffered so much during this crisis. They should be ashamed of themselves because it was through their poor decision, lack of vision, poor governance that led to the breach of protocols, loss of lives, unemployment, hardship and poverty at an unprecedented level. Please, give them time to rejuvenate.

Mr. Speaker, Sir, I request this Government to withdraw this Bill based on the reasons that I have stated above if they have the heart for the people.

HON. SPEAKER.- I thank the Honourable Member. I now give the floor to the Honourable Minister for Women, Children and Poverty Alleviation.

HON. R.S. AKBAR.- Thank you Mr. Speaker, Sir. I rise to give my comments to support the Bill before the House. I think, as rightly commented by a member from this side, most of the members are talking about a Bill that has already passed. As the Honourable Attorney-General rightly said a few minutes ago, people do not seem to be listening to facts that is given to the House and we keep going on, on topics that have already been discussed.

My short contribution to the Bill before the House Mr. Speaker, Sir, is in the form of two short narratives about why I support the fact that women now will be given the powers to register the birth of their children. I recall when I was in secondary school, my younger brother came home crying one day with his birth certificate torn from the side where the father's name should have been.

Unfortunately, we come from a family where we did not experience good parenting from the side of my father. So, when my brother was born, my mother had a difficult time to register his birth because my father refused to sign the paper that is normally given to register the birth. Today, I realise the pain and anguish that children and mothers go through when they try to get responsibility out of the fathers.

We have to go through these things Mr. Speaker, Sir, and Members of the House need to understand why certain changes are important. When I grew up and I became a Minister, my mother brought this to my attention, that my brother needs his father's name. Unfortunately, my father had passed away by that time, but we had to engage lawyers to see that he got the name of his father on his birth certificate. I really feel for those children and those mothers who go through this.

When I was in the Education Sector, we had a lot of children who were registered without the father's name. Today, we have a Bill in front of us which I would have expected every Member to support. We talk about women's rights, we talk about women's emotions, we try to talk about elevating the status of women and here is a Bill in front of the House and I see opposition from the other side.

HON. S.V. RADRODRO.- You are the Minister for Women ...

HON. R.S. AKBAR.- Please, please, we are here to make life easier for our women and I suggest that rather than making long talks and other sessions, let us support this Bill and give our women the right that they truly deserve. Let us take the discriminatory part of having the father register the child, let us take it away. I think this is a gift that we can give to all our single mothers, all our mothers out there and I urge all of us to support this.

HON. SPEAKER.- I thank the Honourable Minister's contribution to the debate. I give the floor to the Honourable Jale.

HON. A. JALE.- Thank you Mr. Speaker, Sir. My contribution is in regards to the amendment to Section 11 of the Principal Act. This is in regards to empowering women to register their child. There is no denial of who the mother is, because there are people there that witness the birth; the midwives, other people like doctors and others there that will prove the mother of a child. But there is a concern who the father of that child is, because we are talking here not only about wedlock children but children out of wedlock.

The reason why, in the past, only fathers could register their children was intentional, because the father must first of all agree that the child is his. The other concern here is about the iTaukei angle, the VKB angle, because if we are giving the power to a woman to register her child under the Registrar of Birth, she can name the father in that registration, without the knowledge of that particular person. They can claim that the particular person is the father of her child. What is the proof of that?

You can see the implication of the VKB - a woman can give birth to a child and name someone like Simi Rasova as the father. You see what will happen - that particular child will have an automatic entry to the VKB in his *tokatoka, mataqali* and all that. Let us consider it very seriously, it has implications. It is not easy and it is not straight forward for *iTaukei* children because women can name someone as the father who is really not the father. There are situations all around Fiji in all *tikina* in Fiji I am sure in *Bau Tikina* too, you have people who are born and fathered by someone, but when they grow up we see their feature is quite different. Here is a situation where we are giving room to a woman to register someone who is really under the birth registration and namely someone who is really not the father and I am worried about the implication of that on the VKB registration.

HON. SPEAKER.- I thank the Honourable Member for his contribution to the debate. I give the floor to the Honourable Rasova. You have the floor.

HON. S.R. RASOVA.- *Bula vinaka*, Mr. Speaker, Sir. Thank you very much for giving me the time to speak on the Bill. I think I missed out on Bill No. 32 and Bill No. 34. Happy Birthday in advance, Honourable Attorney-General. Your birthday is tomorrow, you will be 55. Yeah!

HON. L.D. TABUYA.- 26.

HON. S.R. RASOVA.- 24. But anyway, happy birthday. We are giving you a hard time but then, it is your birthday.

HON. SPEAKER.- Do not carry out a conversation between you two.

HON. S.R. RASOVA.- Alright, Mr. Speaker, the cake for him tomorrow.

HON. A. SAYED-KHAIYUM.- Do not poison it.

HON. S.R. RASOVA.- Mr. Speaker, Sir, in regards to the Bill, I am glad that the Honourable Attorney-General said that with regards to the history of Fiji where the British had put in place a conformance duty of a father to register the son. I did not even know about that but anyway, thank you. But this Bill here gives the mother to register the son and I was talking to Honourable Jale, he has already alluded to that. I mean we have seen what he said regarding the child of a single mum.

She is pregnant and after that she is blaming the boyfriend that he is the father but the boyfriend could not consent and said, "No, no, I am not the father." But then she now gives the right, the liberal and the human right to go and register the name. What if she does not register the name under the father, that man did not give his consent and the child is not his son? Later on, she is going to take the birth certificate to court and claim maintenance because she went ahead and named the son to the gentleman, the boyfriend, who did not consent to that, that it is his child. Alright, let us take it.

If I go back to the registration of people, I went over this morning to the Births, Deaths and Marriage Office, 200 people were lining there. I went back during lunch hour, they were still there, may be about 600 people may have left home, probably. That is why I asked the Honourable Aiyaz Sayed-Khaiyum, how long this is going to happen because he just said about 100,000 that is unclear from the register.

Mr. Speaker, Sir, the honourable Attorney-General is distracting me. Honourable Minister for Health, you were speaking on this Bill here, this is not health, this is the registration.

HON. SPEAKER.- Order, order!

HON. S.R. RASOVA.- You are supposed to be speaking on COVID-19.

HON. SPEAKER.- Order, order!

HON. S.R. RASOVA.- You have been silent all this time but now, you speak on this Bill, which is not supposed to be yours. Mr. Speaker, Sir, someone is blaming you.

Anyway, Mr. Speaker, the reason I am saying this is because all these ladies in this House, if they do not change their names to the marriage names and use their old name and if they put it, if they will stand in the next election, nobody will know them. For example, Mrs. Kepa is only known as Mrs. Kepa, nobody knows her as Ms. Tuisawau.

HON. A. SAYED-KHAIYUM.- She can.

HON. S.R. RASOVA.- No, but she does not want to change. I mean, she is single right now. She would not even want to. You know very well, Mr. Speaker and if she uses Tuisawau, no one knows she is Ms. Tuisawau then how are they going to vote for her. I am telling you people because this Act is done by the Honourable Josaia Voreqe Bainimarama and Honourable Aiyaz Sayed-Khaiyum. Only the two of them know about this Bill.

HON. SPEAKER.- I thank the Honourable Member for his contribution to the debate. I now give the floor to the Honourable Prime Minister. You have the floor, Sir.

HON. J.V. BAINIMARAMA.- Sir, we have more jokers in this place than we bargain for.

Mr. Speaker, I rise to speak in support of the Bill presented before the House by the Honourable Attorney-General and Minister for Economy. When Honourable Jale mentioned about the *Tikina* of Bau, he is really referring to Logani area which is the Vugalei people.

Mr. Speaker, I would not worry too much about the bitterness spewed from the mouth of Honourable Qereqeretabua, especially as a proxy of Richard Naidu and Munro Leys, do not worry too much about it.

Mr. Speaker, the objective of the Principal Act is on the civil registration recording of the births, deaths and marriages registry, in order to establish ones status of existence in the eyes of the law. Mr. Speaker, I must say that I am very disappointed in the views and interpretations from Honourable Members from the other side of the House, particularly those that have not understood about how and this amendment give way to the rights of women in Fiji.

Sir, Honourable Members of the other side of the House such as the likes of Honourable Tabuya failed to understand that through this side of the House; Fiji remains the signatory to CEDAW and the Beijing Declaration and Platform for Action in 1995. As a signatory, Mr. Speaker, there is no way that this amendment will see the rights of women to vote in this country being taken away. We are dedicated to continue our commitment and ensuring that women are included in all the processes.

Mr. Speaker, the amendment will ensure that we give women equal status to register their child soon after birth which under the current law, is the right given to the father. There are a lot of speculations and interpretations politicising the amendments before us. Speculations and interpretations led by most Honourable Members on the other side to create fear in our people.

As Minister responsible for iTaukei Affairs, let me assure this august House today, as well as all Fijians that the amendment Bill does not have any consequences on the culture, the registration of *iTaukei* in the Vola ni Kawa Bula and its maintenance. Mr. Speaker, the VKB is not under attack from the amendment. Registration of new births under the Births, Deaths and Marriages Registration Act is separate and different to the registration in the VKB under the iTaukei Lands Act 1905.

First and foremost, Mr. Speaker, the difference is that, BDM Registration is meant for all Fijians, whilst the VKB Registration is meant for *iTaukei* people only. Now, Fijians no longer need a Deed Poll for any name change, they do not need to go through the cumbersome process again of visiting lawyers and paying high cost to change their own name.

Sir, improvements in business processes and reviewing of relevant laws aligned to international best practices of having only one name identity across the board, whether it be a passport, driver's license, FNPF, Voter ID and all information are harmonised, maintaining authenticity and leaving no room for manipulations.

Mr. Speaker, such amendments are not plucked out of thin air but after careful thought and consideration of its legal, social and economic implications. Sir, the amendments ultimately support Government's continued vision and mission of improving and investing in crucial sectors for the benefit of all Fijians. It also, Mr. Speaker, will ensure that there is a single source of identification, thereby making Government services a lot more streamlined and it will assist in removing corruption and create transparency, by identifying theft and ensure the Government resources are not wasted. Sir, I support the Bill.

HON. SPEAKER.- I thank the Honourable Prime Minister for his contribution to the debate. Honourable Members, I now call on the Honourable Attorney-General to speak in reply. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. There are a few matters that are raised by the other side that requires response, Sir. I think the problem with the Opposition has been, notwithstanding the facts and the rationale given to them with the past few days and earlier this morning and I feel like giving them all the factual matters that will take place, they developed a narrative and they come today with narrative and they will stick to that narrative come what may. Unfortunately for them, they have decided to excavate themselves into a bigger home, and that is what they are doing.

Before I respond, Honourable Qereqeretabua, said because I called her role in the Business Committee as incompetent. She said I was there for sexes, that is completely getting it all wrong. Again, incompetent because it would be sexes if I call only females incompetent. It would be sexes if I only target her because she is a female.

My continuous contribution in Parliament, I have called other people incompetent from her Party too who have been males, including her leader. She did not say that was sexism. Sexism is when you are actually target someone because of the gender which I am not. I am targeting your competence or lack of.

Mr. Speaker, Sir, as your leader has called Members from this side who are Ministers incompetent who are females too but we do not jump up and down and say he has been sexist. We never said that. I rest my case, please.

Mr. Speaker, Sir, the next point is this. They think that we are doing all of this to stay in power. Honourable Kuridrani says we were doing this to stay in power.

As I explained on Monday, Mr. Speaker, Sir, by having a voter list that has integrity and everyone's name is verifiable it means that even you get the benefit too. You benefit as a political party or political parties because if in the next election, as I have said previously, we could have voters who support FijiFirst who may not have the integrity and may go and register five or six times.

If there is 200 or 300 of them doing that and if you lose by 200 or 300 and you discover that there are people who have voted three or four times, you may not know who they voted for but you most certainly if you have lost, you will say, hey, this thing is rigged. That is precisely what you will say, so it cuts both ways.

In fact, it cuts in every way. It is for the benefit of all political parties. It is in our benefit to ensure that the Voter Registration List is actually has enormous integrity and incredibility. It benefits all political parties. No one can point fingers at anyone else. Put the shoes on the other foot, please think electorally.

Mr. Speaker, Sir, the other point that I also want to make is that, they said that we are doing this because we want to marginalise women. We want to marginalise youth. If you do actually a breakdown, we will get most of our votes from women, in fact, most of our voters have been women. Most of our voters have been the youth. Do a breakdown and you will see that. So, are we that stupid to try and victimise the two largest groups that voted for us? Your logic is incomprehensible.

Mr. Speaker, Sir, again, Honourable Qereqeretabua said that people will lose all their IDs, driving licence or their documents, et cetera, but she failed to again intellectual dishonest. This is what happened - that there is a transition provision. I read this out the other day. There is a transition provision.

So, if for example, Honourable Kepa goes by her married name and this is not in the birth certificate but she got a driving licence, that continues. This law gets passed today, it continues until her driving licence expires. If by that stage, Honourable Kepa has gone and just simply filled out a form to say I no longer want my surname to be Vuikaba. I want it to be Kepa at no cost, take two minutes of her

time or she will probably get someone else to fill it out for her and just lodge it at no fee and it is done, she continues with Honourable Kepa. How is that discriminatory against married women? How is that? Mr. Speaker, Sir, I heard some squeaky voice from the other side, you are enforcing that.

Mr. Speaker, Sir, to get a passport, to use your married name you actually have to go and provide documents. The Honourable Radrodro did not become Radrodro on the passport because she would have had to give a marriage certificate. This is what we are saying now, if she wants to hold the name Radrodro, she can have it everywhere and anywhere and the simplest way to do that is that you simply fill out the form at no cost, you will be known by Radrodro everywhere. That is the point, because if you go to a bank and the bank requires your birth certificate, it will not have Radrodro.

Mr. Speaker, Sir, Honourable Tabuya, again, is revealing perhaps her lack of knowledge on certain things. When you actually change your name and she would know as a lawyer that if you change your name by deed poll that you take that deed poll to the BDM Office, they will then give you a new birth certificate which has your new name on it and even though you were not born with that name, that is what a deed poll does.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the same thing if you want to be known by your husband's name, you can change that because that is a formal documentation. If you go overseas and you apply for various things, they will want your formal registered name and at the moment there is no formal way of registering your name, even your married name. There is no mechanism for that apart from the passport mechanism. That is the fact and that is what the law is at the moment.

Mr. Speaker, Sir, the other point that the Honourable Qionibaravi raised, she said oh! They have got only three offices and you have to book but she again was dishonest about it intellectually because she did not say that these measures did not exist prior to COVID-19. These measures have only been put in place because of the COVID-19 restrictions and that is the only why it is now, and as has been announced by our Honourable Prime Minister, 70 percent vaccination rate - 70 percent of the people go to work, as has already been announced by the Fijian Elections Office.

As we have said on the floor of this Parliament, there will be an outreach programme as you know that before the Elections at least six or nine months before the Elections, the Elections Office opens satellite offices throughout Fiji. It is not only restricted to the three major towns and cities and they open offices everywhere.

We have already said on Monday or I said it earlier today that we will have outreach programmes together with BDM going out to the places where there is a need to do registration, re-registration. I have already read out to you about where some women are whose names do not gel with the BDM names, and they will have an outreach programme. They will go to those places together with the BDM Office, that is what they will do at no cost to the voter, we are going out to them.

The Fijian Elections Office carried out a similar exercise going all the way to Lau, Lomaiviti and everywhere. Four to six years ago they did not do that, they are going to do it again. Mr. Speaker, Sir, it will be very easy but with all that is, we will actually have a streamline process where everyone will have one identity, one name and we can change the name whenever you want to.

Honourable Kepa went on about and Honourable Qionibaravi said the VKB is the second Bible, well that is the interpretation of it, that is fine. Honourable Ro Teimumu Vuikaba when she was born, her father would have registered her in the VKB under that name and I am sure that name continues in the VKB, her name continues.

The VKB registration, the BDM registration are two separate things. The Honourable Prime Minister has already pointed that out to you. Other people have pointed that out to you. The Honourable Minister for Health had pointed that out to you. They are two separate registrations so why are they pontificating as if there are some sort of assault on the VKB and they are saying it is. Areh, how can it be? They said it is an assault on the VKB.

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- How can it be?

HON. SPEAKER.- Order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, logically, I want to carry this through. So, far Honourable Ro Teimumu Kepa is Ro Teimumu Kepa because she has adopted her late husband's name, but her name in the VKB, Ro Teimumu Vuikaba has not changed. All we are saying now is that for her to be legally known in her passport, driver's licence, FRCS, FNPF or everywhere else in the Voter List, she wants the name Ro Teimumu Kepa, it will be there. She just has to fill out the form, but her name in the VKB remains the same. How is that an assault?

Honourable Nawaikula, you really would understand if you listen.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, if tomorrow, Honourable Kepa decides to get married for example, and her new name, because they are neighbouring provinces, Bainimarama, for example, so she can become Ro Teimumu Bainimarama, but in VKB, she will still be Ro Teimumu Vuikaba. That does not change, Vuikaba will always remain there.

Mr. Speaker, Sir, so I think that has resolved it and we have already had a marriage of convenience in that respect. As I also highlighted the other day, when someone dies, the police in order to ensure they certify the death of the correct person, will want to see the birth certificate. That obviously, Mr. Speaker, Sir, is a practice, and that is a good practice. Now, we want to make it easy for the police, so there is not always different names given to them.

Mr. Speaker, Sir, on the last point, I was really fascinated by Honourable Jale's contribution and what he was saying is fundamentally many feminists would argue and say that is in fact very sexist, because there is an assumption that women who give birth have a proclivity to lie about who the father is. There is an inherent assumption in that and many feminists would actually rip it to shreds as to what he said.

Mr. Speaker, Sir, if there is a dispute, even in marriages we have seen dispute, people have disputed; the husbands says I am not the father. How do they prove it? They now have paternity tests, they now do a DNA test and if you want to prove that, we have DNA tests and paternity tests now. Some Honourable Members in this House may have actually gone through that. I know some people have said no, that is not my child. Honourable Tikoduadua is laughing, he may know of some people. I did not know there was a prevalent issue, Mr. Speaker, Sir, but, Honourable Jale, I think I should touch on a very kind of sexist notion of it, but the point of the matter is, if there is dispute about the father of the child, there is ability to test; you have the paternity test and the DNA test.

Mr. Speaker, Sir, I think I have covered all the issues that have been highlighted and I just wanted to finish with the quote that was given to me by the Honourable Prime Minister and I think it quite fits the Opposition. This is a code by Nelson Mandela where he said, “Bitterness will make you jealous and think that other people are the reason you have not made it” Maybe that is the thinking that is prevalent in the Opposition at the point in time.

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

Question put.

Motion agreed to.

[Births, Deaths and Marriages Registration (Amendment) Bill 2021 passed and enacted by the Parliament of the Republic of Fiji (Act No. of 2021)]

HON. SPEAKER.- I now call upon the Attorney-General and Minister for Economy, Civil Service, Communications, Housing and Community Development to move his motion. You have the floor, Sir.

INTERPRETATION (AMENDMENT) BILL 2021

HON. A. SAYED-KHAIYUM.- Mr Speaker, Sir, pursuant to the resolution of Parliament on Monday, 20th September 2021, I move:

That the Interpretation (Amendment) Bill 2021 (Bill No. 34/2021) be debated, voted upon and be passed.

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

HON. SPEAKER.- I now call on the Attorney-General to speak on his motion. You have the floor.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. The Interpretation (Amendment) Bill 2021 seeks to amend the Interpretation Act 1967 to mandate people to use their birth certificates name when they are required by written law to provide their names. Similarly, agencies that require a person’s name under written law are mandated to accept or receive the person’s name on their birth certificate.

This amendment is intended to formalise the use of an official proper name as registered in the birth certificate for all purposes. This addresses the potential risk of fraud or identity theft. The effect of this change that the married spouses primarily women that use their spouse’s surname will have to change the name on the birth certificate if they intend to continue to use that name formally. However, the corresponding amendment to the Births, Deaths and Marriage Registration Act 1975 allows for the simple, seamless registration of the change of that name that will not be a significant inconvenience for such persons.

We will also be amending other laws to align them to use these changes. For example, Mr. Speaker, Sir, the Travel Documents Regulation 2019 which sets out amongst other things the application requirements for a Fijian passport would also have to be amended. At the moment the regulations allow those who are married to their spouse’s name on their passports.

With the proposed policy changes, if a person wishes to use his or her spouse's name on his or her passport, he or she would first have to change his or her name on his or her birth certificate by registration with the BDM Office. Once a change of name is registered by the BDM Office and the person's birth certificate has been updated, he or she can then use that name for passport purposes and indeed any other purpose. These are particularly common for women who wish to use their husband's name.

Mr. Speaker, Sir, there are also transitional provisions. These provisions will ensure that certificates, licences, permits, deeds and other documents which refer to the names of people that are different from the names on their current birth certificates, continue in existence if they do not have an expiration date.

On the other hand, if such documents have an expiration date then the renewal of the documents would have to refer to their names as specified on their birth certificates. Mr. Speaker, Sir, if you have a driver's licence with the name that is different from the one that is on your birth certificate, your driver's licence will still be valid and you can still use it until its expiry date. But once it has expired and you apply for a new driver licence, you will be required by law to provide to LTA your name as it appears on your birth certificate. LTA then issue you with your new driver's licence with the correct name as it appears in both, on the birth certificate.

Mr. Speaker, Sir, if a certificate, licence, permit, deed or other document does not have an expiry date then those will remain valid.

Mr. Speaker, Sir, I think rather than going to the clauses, I think they are self-explanatory and I urge Parliament to support this particular Bill.

HON. SPEAKER.- Honourable Members, the floor is now open for debate on this motion. I now call upon the first speaker on my list, the Honourable Tikoduadua. You have the floor, Sir.

HON. LT. COL. P. TIKODUADUA.- Mr. Speaker, I rise to add some thoughts on the Bill before us. Can I preface this intervention to state how amazed and shocked I am at the sheer stupidity, we as legislators are being asked to endorse this today? It goes without saying on my part that I unreservedly reject these three omnibus Bills put before us, as already well laid out by our Party Leader on Bill No. 32, as well as highlighted by our Party Vice-President for Bill No. 33.

Mr. Speaker, if ever there was a time for taxpayers and voters to witness the deceptive mission creep and wholesale intention to defraud the nation, here it is in Bill No. 34. This Bill wants to force us as elected representatives to require those who are authorised or required by any written law to provide their name, as it appears on their birth certificate. It extends any form of identification provided by a person where such form of identification must state the name as it appears on the person's birth certificate.

To showcase the extremely low standards of shoddy legislative drafting being brought to us as elected lawmakers, there is a repeat of the words to provide their name in paragraph 2.3 of the Explanatory Notes. Not only that, Mr. Speaker, this Interpretation Bill requires any agency or approving authority of any kind which receives applications or submissions to only accept the name of an applicant if the name is as it appears on the applicant's birth certificate.

If that is not enough, Mr. Speaker, these provisions will ensure that certificates, licences, permits, deeds and other documents which refer to names of people that are different from the names on their birth certificates continue in existence if they do not have an expiration date. On the other hand, if such documents have an expiration date, then any renewal or new documents issued would have to refer to their names as specified on their birth certificates.

So, Mr. Speaker, we are being tricked into agreeing that not only will Voter IDs be changed, but every single official form of national identification used by every person, will need to change to one's birth certificate name. That means wills, titles, trusts, deeds, bills, bank accounts, home ownership, mortgages, vehicle and company ownership, shares, insurance, credit cards, loans, superannuation, tax ID, scholarship applications, diploma/certificate/degrees, internal human resource records and pay details and the list is endless.

Mr. Speaker, if you recall during the debate on the Cybercrime Bill, I had raised the issue of the draconian National Registration Bill draft that was leaked. It was denied vehemently by the Honourable Attorney General. Now, we see that Bill No. 34 is driving the same intention of the National Registration Bill using the fake dramas of 76 naughty people to justify why Voter IDs should be in birth certificate names. The Supervisor of Elections whose intellectual character and trust currency is already at an all-time low, loyally agrees to be rolled under the bus again to be the convenient example and scapegoat for why all IDs must now be in our birth certificate names as per Bill No. 34.

It is amazing, Mr. Speaker, that in talking about data for elections, neither the Minister responsible nor the Supervisor nor the Electoral Commission have seen fit, in fact the Government blocks our request all the times at Business Committee to table in this House the IT Audit of the 2018 Elections carried out by KPMG. This was paid for by public funds, the Chair of the Commission already told all parties that it was done but we are denied the right to examine that report. This is the manner of underhandedness that we have to deal with, Mr. Speaker. But we already know that Government wants to standardise all personal and private data with a single Unique Identifier (IUD) which is a birth certificate name. We already know that Government wants all our personal and private data. You see, Mr. Speaker, we also know how the data works.

The leaked draft of the National Registration Bill gave it away because it had track changes marked up. One such change tells us exactly what is going on. In that leaked National Registration Bill that the Chief Legal advisor to Government denied any knowledge of, there is reference to the words "has the same meaning as in Section 9A2 of the Registration of Births and Deaths Cap. 267, the track-change comment to that states, and I quote:

"We would like to know how this works. Section 9(a)(2) of Singapore's Births, Deaths Registration Act Cap. 267 says. 'Permitted character' means a character that the Registrar-General, by notification in the gazette, specifies'. We would like to know what these characters are? Can we be furnished with these gazette notices?"

And would you not know it, Mr. Speaker, in Singapore laws, there are actually does exist a law called Cap. 267 which also has a Section 9(a)(ii) as was queried and cross-referenced in that draft. What is going on, Mr. Speaker? Why are we so beholden to Singapore and its ideas? In two words, Mr, Speaker, it is digitalFIJI.

Sir, digitalFIJI is that ambitious multimillion and multi-pronged four-year project that expires in 2022 between Government and Singapore Cooperation Enterprise which is an integrated arm of the Singapore Government's Ministry of Trade and Ministry of Foreign Affairs. It has gone beyond digital to even town planning as we have seen it in budget documents.

Mr. Speaker, the Honourable Attorney-General seems to have a soft spot for Singapore, the location and its medical facilities just as he seems to have a very soft spot for digitalFIJI and its staff but this manner of deceit and underhandedness is all about personal and private data being swept under one net through digitalFIJI because data equals control when the State knows which buttons to press and manipulate for the end game of power.

In such a time of extreme poverty and hardship, there is nothing compassionate or kind about this Government amending laws to know all our personal details. In fact we only have to look at a few of the sub-projects of digitalFIJI like apps that invade privacy to judge their value for money.

The careFIJI App, I must say, Mr. Speaker, seems to have lost all steam after contact tracing efforts fell apart by the Ministry of Health. Now, did this digitalFIJI App oversell its capabilities, I ask? And of course, Mr. Speaker, let us not forget how key data pools are currently separate such as vaccination rates, voter registration numbers and census numbers may not be aligned.

Let me also say, Mr. Speaker, but certainly the integrity of the vaccination ID data is at question right now, if the details of fake vaccination cards are likely unknown as we all know. What does this mean in terms of fairness for those who were coerced into the "no jab, no job" nonsense. Mr. Speaker, I think we can safely say that digitalFIJI's efforts have been less than sterling and obscene waste of money for a vanity project at a time when our people need so much help from the onslaught of COVID-19.

Finally, Mr. Speaker, what is the end point of this manic obsession to control data to be interfaced across all data sources available to the State using a unique identifier like a birth certificate name and number. Is a social credit system like that in China on the cards?

We can never give consent to this Bill, Mr. Speaker, and the Government is going to learn some hard and painful lessons about real data and solid numbers not in its favour and the withdrawal of public consent for them to govern come the elections next year.

HON. SPEAKER.- I thank the Honourable Member for his contribution to the debate and I now give the floor to the next speaker on the list, the Honourable Salote Radrodoro. You have the floor, Madam.

HON. S.V. RADRODRO.- Thank you, Mr. Speaker. I rise to make a contribution to Bill No. 34 of 2021. At the outset I must say that I do not support this Bill because I find that it is very discriminatory against women. It does not empower women to exercise their civic duty and their right to vote.

This Bill, Mr. Speaker, if indeed the other side of the House say that it is to empower women then take it to the women, why bring it under Standing Order 51? Take it for consultation and hear from the women themselves or from the women's group. They talk about CEDAW, this will be included in the next CEDAW Report. It is shameful that the Honourable Minister for Women herself is supporting this Bill, when she knows very well that it has not been taken for consultation. So, whose voice is she representing? If she is representing the women's voice then take it to the women, take it to the community for consultation, Mr. Speaker, Sir.

This Bill is also unnecessary; unnecessary in the sense that it only brings in a lot of inconvenience to the women especially in regards to their time and time is money. Where will they get the money to try and attend to all these administrative requirements? They say that they will go to the community, that is another question that is still seen to be done.

Mr. Speaker, Sir, I heard the Honourable Minister for Health spoke very strongly in support of this Bill. The tone, the volume of his voice, if only he had exercised that when he was giving the Ministerial Statement on COVID-19.

(Honourable Members interject)

HON. S.V. RADRODRO.- When he gave his Ministerial Statement for COVID-19, we could hardly hear his voice.

(Laughter)

I had to actually request that he could speak up.

HON. SPEAKER.- Order!

HON. S.V. RADRODRO.- But when speaking on this Bill, he sounded like he owned it but the women's priority right now is how are they going to look after their families because of COVID-19 challenges. That is their priority. This is not their priority, Mr. Speaker, Sir and that is why I am saying that it is an unnecessary piece of legislation.

Mr. Speaker, Sir, having said that, I am more to believe that this is brought into the House for some reasons which we are not aware of now, it will only come up later. So, it is very deceiving.

(Honourable Members interject)

HON. S.V. RADRODRO.- Mr. Speaker, Sir, this could have also been brought up just to save their faces because they had lost out on the case on Honourable Nawaikula who is now back in the House. Let me remind the other side of the House is to err is human so accept it and do not bring in this kind of legislation just to try and justify your own agenda.

On this Bill, Mr. Speaker, Sir, women are asking me because they are confused and have not been consulted. They are seeking clarifications. For example, for someone like myself who has all my records under my married name and as the Honourable Attorney-General has said that the Voter ID does not have an expiry date. All other ones have expiry dates. This is the question put to me by one of the women. Does this mean that if we want to retain our married name in all these records that we have whether it is bank, whether it is education, institution, whether it is work, then we have to go and change our name in the birth certificate. Is that the case? That is the question women have put through to me, Mr. Speaker, Sir, and they are saying, "why should we go and change our names in the birth certificate, when we can provide our marriage certificate which has our date of birth?".

Mr. Speaker, Sir, for us indigenous or *iTaukei* women, it holds a very important aspect of our married life. When we get married, our family take us and we call it in the *iTaukei* vernacular, that is our *tataunaki*. We are only taken there for marriage and after that if and when the husband dies, our family will come again and ask that we return to our family. Our only family link is in the birth certificate. So, why should we go and change our name in the birth certificate? It is unnecessary to reflect our married name, Mr. Speaker, Sir.

(Honourable Members interject)

HON. SPEAKER.- Order!

(Honourable Members interject)

HON. S.V. RADRODRO.- It does not matter, I am talking about birth certificate, that is the issue that is being brought up here, Honourable Attorney-General.

(Honourable Members interject)

HON. SPEAKER.- Order!

HON. S.V. RADRODRO.- Mr. Speaker, Sir, some women do not want to do that so what other choice do they have? As I have already mentioned, there is the marriage certificate that reflect our married name, Mr. Speaker.

HON. A. SAIYED-KHAIYUM.- Your name is reflected in the VKB.

HON. SPEAKER.- Order, order!

HON. S.V. RADRODRO.- It does not matter, I am talking about birth certificate, that is the issue that is being brought up here Honourable Attorney-General.

There is the marriage certificate which has all those information, so this is unnecessary work for the women and it discriminates against women. Where is our right to choose what name we use? Why should a piece of legislation mandate us to go and change our name in the birth certificate? That is the issue Mr. Speaker, Sir. Why should that be a mandatory requirement? They talk about empowering women, they talk about CEDAW, they talk about children's rights; they do not understand what those mean.

(Honourable Members interject)

HON. S.V. RADRODRO.- They do not.

HON. SPEAKER.- Order, order!

HON. S.V. RADRODRO.- They are only mimicking what they hear. They do not understand the spirit of those international legislations that Fiji has acceded to ratify, but we only talk about them. We do not put actions into our words by this very particular amendment to the Bill.

HON. SPEAKER.- I thank the Honourable Member for her contribution to the debate. I now give the floor to the Honourable Tabuya.

HON. L.D. TABUYA.- Thank you, Mr. Speaker, Sir. I rise to oppose the amendments in this Bill that is before the House.

Mr. Speaker, Sir, this amendment is unnecessary and it is after the fact justification for the birth certificate policy that the Supervisor of Elections illegally introduced last year, which now has the effects for these three Bills. At the time the Supervisor claimed that the law required birth certificate names, he had previously been lenient, but now had to apply the law.

Mr. Speaker, Sir, after the court, in the Honourable Nawaikula's case, ruled that it was wrong in law and only the Electoral Commission has the legal authority to change election policy, the Honourable Attorney-General jumps to his rescue, moves quickly to change the law, using the justification that registration under birth certificate names is necessary for free and fair elections. Is it really for free and fair elections? How about we just call a spade a spade, and it has been mentioned by my colleagues.

This amendment here defines the decision of the court presided by the Chief Justice because the Attorney-General lost the case. He ran down the solicitors in the case, he suspended the Solicitor-General and in the final act to save face, he is bringing these amendments to defy the judiciary and use this esteemed House for his own personal victory. He should be ashamed of himself. This amendment will unfairly burden many married women and indigenous Fijians as we have seen in the case of Honourable Nawaikula. Even if the requirement for a formal deed poll is done away with, these amendments still require women who are registered under their married name to go to the Births, Deaths and Marriages

Office and register a change. If they do not do this, they will be treated as having broken the law and lose the right to vote.

Tell me this Government, tell me this. Is forcing a married woman to make the choice of what name to use as her identity fair? You are making her choose whether she keeps her married name or chooses the birth certificate name, she still has to go through a process. Is that fair? No it is not. Is forcing a married woman to go through another costly and burdensome process fair? No, it is not.

Mr. Speaker, Sir, Honourable Bala states that we need this amendment to prevent fraud and the Supervisor of Elections as we have heard stated that 76 voters tried to obtain voter ID cards using alternate names in 2020. Sir, that is 76 out of the current registered voters of over 600,000 - 0.001 percent. Is that such a hard administrative issue to handle? If it is for the Supervisor of Elections, please tell him to resign if it is so hard.

HON. T. WAQANIKA.- Sack him!

HON. L.D. TABUYA.- The Honourable Minister for Education, Heritage and Arts, and Local Government says that I am patronising the women in the rural areas and that it is a simple process to just go to the BDM Office and make changes. This is the same Minister who does not know the difference between a *Roko Tui* and landowners. Does she know where the closest BDM Office is for the women of Kadavu? We just heard the Honourable Attorney-General say it is in Vunisea. It is, at least, \$500 by boat return because there are hardly any roads in Kadavu to travel to Vunisea. Are we going to put that through our women in Kadavu, in the maritime areas? It is very simple for her, Mr. Speaker, she has got a vehicle and a driver, she does not appreciate what rural women go through.

HON. A. SAIYED-KHAIYUM.- And you do?

HON. SPEAKER.- Order!

HON. L.D. TABUYA.- Yes, I do. Mr. Speaker, the Honourable Attorney-General went on and on about the history of the name, of a married woman using her name because of British tradition. We could be here all day discussing it, but the point is that you are making women go through another process; a process that is unnecessary and burdensome and breaches women's rights to retain their married name as of right. As of right - they do not have to get off their couch or leave their home to exercise their right but you are making them go through another process. That is the issue here. You are making them go through another process and this is not what the other side appreciate. It is not easy. It is not streamlined. It is going to be burdensome and costly, yes. They say it is yet another easy process, but what the Honourable Attorney-General does not talk about is how much it is going to cost.

Another expensive and unnecessary exercise in the millions of dollars, Mr. Speaker - money that we need right now to feed our people. Money right now to help our struggling people. Money right now that can help an overburdened health system fight COVID-19 and other diseases that we are facing. Yet we want to spend this money on this unnecessary exercise. Mr. Speaker, there is a simple solution for this. If the Supervisor of Elections needs the birth certificate details to register a person who uses an alternate name, then he can achieve this by taking the Birth Registration Number detail or BRN in addition to people's commonly used name to verify the person's identity.

It is being done for vaccination which we are now up to what? Is it 98 percent or 96 percent - it keeps going up and down. It is either right up, or right down. We do not know where we are now. Honourable Attorney-General and Honourable Minister for Health, putting their heads down now because they do not know where we up to. Is it 98 percent or 96 percent?

Mr. Speaker, this is being done for vaccination. They have allowed these ID cards, whatever has been used for vaccination, so on the one hand they are forcing people to get vaccinated with the name they are using now, now they are forcing women to make a choice as to whether or not to use her married name to vote, to drive, to travel and to pay taxes. How dare you? How dare you make these women do this? Take another process, respect her right to choose whatever name she wants and to use a common name which the court, in your face Honourable Attorney-General, has said that you can use your name which is of repute and usage.

Mr. Speaker, where is this highly-flaunted digitalFIJI platform? Millions of dollars in digitalFIJI platform. *Areh!* Link up the BDM to Elections Office. Link up the BDM to LTA, link up the BDM to FNPF and to FRCS and to Department of Immigration - use the BRN to verify. There is no need to force people to use their names on their birth certificate for the electoral register or all forms of identity, Mr. Speaker, in this case, yes. So, please just stop this personal vendetta and leave our married women be. I oppose this Bill, Mr. Speaker.

HON. SPEAKER.- I thank the Honourable Member. Order! Honourable Members, for the purposes of complying with the Standing Orders with respect to sitting times, I now call upon the Leader of the Government in Parliament to move a suspension motion.

SUSPENSION OF STANDING ORDERS

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

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

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, we are on the last of the three Bills and, of course, we have the schedule on Questions and, thus the request to sit beyond 4.30 p.m. today.

Question put.

Motion agreed to.

RESUMPTION OF DEBATE ON THE INTERPRETATION (AMENDMENT) BILL 2021

HON. J.V. BAINIMARAMA.- Thank you, Mr. Speaker, I rise to speak in support of the Bill. We all know that the Bill presented today will give effect to the policies that will be developed to bring into effect the required change and modernise the archaic Interpretation Act of 1976.

Sir, the objective of the Principle Act is to set out the principles and rules for the interpretation of written laws and public documents in Fiji. As alluded to earlier in my statement of support for the Electoral Bill 2021 and the Births, Deaths, Marriages Registration Bill 2021, the requirement and acceptance of names as stated in one birth certificate is to protect the authenticity of one's identity to avoid impersonation; possibility of multiple voting by one person, seeking uniformity across all agencies and to create transparency.

Mr. Speaker, the definition of birth certificate is welcomed, given its numerous references across a number of written laws depicting the importance of the documents in reflecting the two entries with the

person's information in the birth registration register and being a mandatory requirement to create a national identification document for all Fijians. With our effort to continue our commitment to modernising and decentralising the services of births, deaths and marriages registration, aligning of policies to relevant laws are vital aspects of ensuring better information security and protection of a Fijians' identity and status.

Mr. Speaker, based on the principles of uniformity and integrity, the realignment, harmonising and provision of a transition period for updating names appearing in certificates, licenses, permits, deeds and other national identification documents will mean all citizens will not suddenly have to rush to change their documents. Based on these remarks, Mr. Speaker, I therefore do support the Bill.

HON. SPEAKER.- I thank the Honourable Prime Minister. Honourable Members, I now give the floor to the Honourable Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I remember I had this article and I would like to quote the former President of National Federation Party who of course Honourable Professor Biman Prasad forgot to mention when he talked about how Graham David jumped ship and all that. Roko Tupou Draunidalo says, and I quote:

“Like many people around the world during COVID-19, I try to steer clear of manufactured angsts for cheap political point over a very important issue but it was difficult to ignore the angst from the usual quarters in this country about the collection interpretation of data on ethnicity.”

And that is precisely what is happening. See, when he gets nervous, he laughs.

Mr. Speaker, Sir, the point is, this is manufactured angst. I only laugh when I listen to stupidity from the other side. Sir, this is manufactured angst. This is simply about getting our records right.

Honourable Tikoduadua obviously has joined the fray of those people who believe in conspiracy theories. He talks about gathering of data, et cetera. When we had the *careFIJI* app, we said that we do not know the location of the people, we simply know if they came into contact with people more than 15 minutes within two metres. We just have their phone numbers. We went to a great deal of extent in not getting into those private space areas. Many other countries including Australia and New Zealand gather a lot more data.

Honourable Tabuya, the queen of *TikTok*. In fact, *TikTok* has more of her information than any of you would ever give, Mr. Speaker, Sir.

I urge the Honourable Members, go to *YouTube* and watch the *Four Corners* programme recently on *TikTok* and some of the websites, even things like those of you who used *Apple* phones. They actually have more information about you. *Viber* has more information about you than Government does or will ever have. They know your location. Some of them now, the new iPhones actually have access to your photos, emails, text messages and that is part and parcel of buying the iPhone. *TikTok* does face identification. They have data over a billion people and this programme is actually about how vulnerable our children are because a lot of our teenagers are into *TikTok*. Of course, aided and abetted by people like the Honourable Tabuya who made it really fanciful for Fiji to be on *TikTok*. That has far more information about us individually than Government does or Government ever will. So, please let us call a spade a spade.

Mr. Speaker, Sir, he also talked about the \$360, No Jab, No Job being a silly thing. Many other countries are now adopting it actually. They do not allow you to work now if you do not get a jab. USA,

France and America in certain workplaces require you now, otherwise you cannot work. So, please let us call a spade a spade. Let us not make it out as something peculiar is happening in Fiji.

Honourable Salote Radrodro, talked about the sacredness of marriage. Fiji is a country that obviously still holds marriage as a sacred institution. She talked about the cultural linkages. There are many other cultural practices that also has sacredness attached to the institution of marriage. That is why in Fiji, we do not allow for same sex marriage because we believe an overwhelming number of people in this country when we had about 19 public consultations for this Constitution, an overwhelming number of people said we do not want same sex marriage. That is why until today the Marriage Act says it is a union between a man and a woman.

Mr. Speaker, Sir, despite the sacredness of course, Honourable Tabuya, has chosen to keep her family name before she got married. Honourable Akbar has decided to keep her family name and others of course, but others have chosen to accept the husband's name, that is fine. No one is forcing anyone to make a choice in fact they have already made choices. All we are saying to you, whatever choice you have made, just essentially get it legalised, and that is all.

Honourable Salote Radrodro is shaking her head because she is caught in a quandary now because that is the narrative they have developed. If you already have all your bank identifications and everything, all the other stuff will actually gone to the trouble every time to take your birth certificate, marriage certificate, you are going to the trouble, they are not coming to you and you have done that.

All we are saying now is that, you simply just fill out a form and next time you want to go and open another bank account or go and get a fishing licence, et cetera or forestry licence, you do not have to do all that. You do not have to take your marriage certificate and take your birth certificate. It will be already centralised, you simply give your BRN number and that is it, the job is done. Unfortunately, they are like the drunk boxers in a pub fight. They will keep on coming at you, irrespective of what the facts are, irrespective of what the realities are.

(Honourable Member interjects)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- We have continuously said and I will say it slowly again for comprehension purposes, the Elections Office, together with the BDM Office, together with the REACH Programme will go to all these areas, I have read it out here. Honourable Salote Radrodro, listen you will learn, you can go and tell people. They would not, as Honourable Tabuya said, they are sitting on their couches, not all women sit on couches actually. They will go to them, no matter where they are, whether they are in their *iteitei*, whether they are in their workplace or whatever it is, they will go to them, they would not have to spend money. They will go to them as opposed to them going to the Elections Office....

(Honourable Members interject)

HON. SPEAKER.- Order!

HON. A. SAYED-KHAIYUM.- They will go to them, Sir, and say, "this is your voter registration name, your birth certificate name is here. Which one would you like?"

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- You choose and whatever name they choose to be registered, they will facilitate that if there is a need to do that. That is all they will do. That is all they will have to do. It makes it easy for them, like I said, Mr. Speaker, Sir, women today are a lot more entrepreneurial than before. We have seen now women go and get into various areas of businesses through the MSME programmes.

So, every time they go somewhere, they want to register, they have to take all these documents with them because they want to be known by their married name. That is fine, that is their right but they have to take all of these. Once they are registered, BDM is centralised, they do not have to do that, they just simply give their number, that is all - the job is done. No need to carry documents around with you. Is it not making life easier? Is it not that making non-discriminatory actually those practices? It is so fundamental and so basic, I cannot explain it any other way.

Mr. Speaker, Sir, the other point that they made was that, they always bring this ethnic element to it and I think the reality of the matter is this, they do not actually have any policies. If you see anything that we say, it is always reactive and it is only ethnic analysis too fundamentally. This is why to date, SODELPA has not given a concrete policy, this is why to date SODELPA has not given an alternative budget, neither has NFP for that matter, because they know they will have to be held accountable, they know that their policies will actually be reviewed and that is a fundamental problem with this Opposition.

Mr. Speaker, Sir, the last point I would like to make that Honourable Tabuya again got the law wrong where she said the Supervisor of Elections said birth certificates should be used and it was in the law, no actually, that was not the issue. The particular provision was actually interpreted in which the court held that the provision does not allow the Supervisor to go that extra mile to use the birth certificate, there is a document.

Obviously as we stated before, Mr. Speaker, Sir, that narrow interpretation and I again go back to my point about what Honourable Waqanika made is that, I highlighted this issue that the court was not made to be seized of the matter of the implications on the voter list. That was never discussed in the court; 52, 53 was not discussed. So, obviously as legislators, if we want to ensure that there is integrity in the voter list, then we have to ensure that we fix up all the issues that will allow us to have a voter list that actually has credibility and integrity.

Now, they have gone on about, "Oh, only 70 or seven voters." Elections are won and lost on those number of votes, previously when a single member constituency, I remember Lavenia Padarath lost a seat by 12 votes, from memory.

These things happen. The SDL Government held on to government by two extra seats only, but it was the government. If, for example in the next elections, votes can go either way, so it is in your interest also to make sure the Voter List has integrity. They are saying, "we take this personally, you are trying to fix it", actually no, that is not the philosophy we come from. It is not about us, it is not about us individually and I would like to see the glass half full, because what had actually happened, with the result that came out, apart from trying to fix up the issue regarding a Voter List, we were able to then look at all the other areas pertaining to registration of birth.

All these laws that are there now, with those amendments, we looked at it more closely, we realised the discriminatory provisions, only the father could only register the birth, mothers could not. Only 21 year olds could change name, not 18 year olds. All the other 18 year olds are included in other things. That gave us the space to be able to carry out these positive changes.

The other point that I also wanted to make, they talked about no assistance and people not getting any form of assistance. I just announced yesterday in the Question and Answer session that over \$360

million has been given in direct cash assistance, including to the informal sector. Never in the history of Fiji has the informal sector received direct Government assistance in such a large quantum.

Again, Mr. Speaker, Sir, they are again misleading Parliament. I urge all Honourable Members to support this Bill.

HON. SPEAKER.- I thank the Honourable Attorney-General for his Right of Reply.

Honourable Members, Parliament will now vote.

Question put.

Motion agreed.

[Interpretation (Amendment) Bill 2021 passed and enacted by the Parliament of the Republic of Fiji (Act No. of 2021)]

HON. SPEAKER.- Honourable Members, on that note, we will suspend proceedings for a break and we will resume in half an hour.

The Parliament adjourned at 4.43 p.m.

The Parliament resumed at 5.18 p.m.

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

QUESTIONS

Oral Questions

HON. SPEAKER.- Honourable Members, the first Oral Question has been withdrawn.

(Question No. 210/2021 was withdrawn)

We will move on to the second Oral Question for today.

Development of Bamboo Industry in Fiji - Update (Question No. 211/2021)

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

Given that Fiji is a member of the International Bamboo and Rattan Organisation (INBAR), can the Honourable Prime Minister and Minister for iTaukei Affairs, Sugar Industry, Foreign Affairs and Forestry provide an update on the Ministry's work to develop the bamboo industry in Fiji?

HON. J.V. BAINIMARAMA (Prime Minister and Minister for iTaukei Affairs, Sugar Industry, Foreign Affairs and Forestry).- Thank you, Mr, Speaker. I rise in reply to the Honourable Member's question.

Mr. Speaker, we approach the development of future's budding bamboo industry with the same science-based, people first and future-forward approach that defines my Government's approach to resource-based sectors. In the case of bamboo, the Ministry of Forestry is employing cutting edge botany to tap the high potential of this forestry sector, but before I get into the weeds of how we are building up our bamboo industry, I want Fijians watching from home to understand why we are committed to growing this sector.

I can tell you it is not because the Government plans to forge a national fleet of *bilibili*, as the Honourable Member mentioned, Fiji is a member country of the International Bamboo and Rattan Organisation (INBAR). This International organisation posed bamboo as the tradition of the future. It is one of the fastest growing plants on the planet with the growth rate of around one to four inches per day. And it is incredibly strong with the higher compressive strength than many mixtures of concrete and higher tensile strength than many alloys of steel.

Mr. Speaker, bamboo has been branded by engineers as the new steel of the 21st century. Indeed it can be the foundation of more climate resilient societies. Many countries that have invested in bamboo are using it to construct cyclone-proof buildings that are both beautiful and environmental-friendly. Unlike steel which emits carbon with every tonne produced, bamboo, like other trees, captures carbon.

Fiji's bamboo working group is researching on the properties of bamboo. From an engineering perspective suitability to construct a modern buildings that are cyclone-proof to our worst in climate conditions. Do not imagine the humble bamboo homes we are used to seeing. Bamboo can build modern structures that are suited to the needs of families across Fiji.

Mr. Speaker, through the Ministry of Forestry is privatising scientific research to help with our strategic decisions on bamboo. The Ministry has established a working group comprising representatives from the Fiji National University, the Ministry of Infrastructure in Meteorological Services, Habitat for Humanity and the Pacific Islands Development Forum (PIDF). Other stakeholders will be co-opted as and when appropriate.

The aim of this group, Mr. Speaker, is to research both locals and introduce bamboo species with the focus on the types of bamboos that grow well in the country and could serve multiple purposes such as being part of Fiji's nature based solutions to addressing climate change. And among other things provide fast going carbon storage material for construction and furniture and even for food.

Additionally, Mr. Speaker, the PIDF is helping with the construction of the Fiji Bamboo Centre at the Forestry Station at Nasinu. The Centre will serve as the national hub for bamboo-related activities, including botanical and agricultural research, mapping of bamboo habitats around Fiji and the Pacific and the designated exhibition showroom to showcase different bamboo products.

The Fiji Bamboo Centre should forge partnerships with neighbouring countries for joint research on bamboo species. We are the hub of the Pacific and we have every reason to lead and developing new forestry sectors for the benefit of all Pacific Islanders. The Centre, Mr. Speaker, will support cottage industries and communities that wish to earn a living from bamboo. In Ba, it will help to provide training for the interested communities and artisans.

Mr. Speaker, as a major non-wood forest product bamboo can help ease the pressure on our native forests and this will be a significant development, in as far as a sustainable management of our forests is concerned. The current research also involves identifying suitable sites for establishing bamboo as a plantation species. Bamboo grows incredibly fast compared to trees as I have mentioned before, Mr. Speaker. In other words it could generate quicker economic returns and the well-established timber trees such as pine, mahogany and native trees which take decades to mature.

Bamboo is one of the six species groups that our Ministry is researching for economic, social and environmental benefits to promote and maintain the short and long term relevance of the forestry sector, Mr. Speaker, including auger wood, beach mahogany or *dilo*, candlenut or *sikeci*, coconut and sandalwood. Besides the regular wood products from these trees, numerous non-wood forest products from these trees include biofuel, medicinal and fragrant oils and other high value products that may be collected and processed within three years of being planted. As they are not necessarily felled for wood and timber products, these trees can also be a part of Fiji's Carbon Trade thus providing additional income to those that chose to grow them.

Mr. Speaker, I will be very pleased to continue to update this House on the work that the Ministry is doing with its stakeholders to develop bamboo and all these other species to ultimately achieve our explicit stated goal of sustainably managing our forests to benefit the environment, our economy and our people now and for decades to come.

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

HON. J. SAUKURU.- Mr. Speaker, Sir, I thank the Honourable Prime Minister for the response to the question.

My supplementary question is, there are a few species, a few types of bamboos that are available locally, for this particular development that the Honourable Prime Minister is referring to, is he talking about specific species or the whole bamboo species?

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

HON. J.V. BAINIMARAMA.- The whole bamboo species, Mr. Speaker.

HON. SPEAKER.- Honourable O'Connor, you have the floor.

HON. A.D. O'CONNOR.- A supplementary question, Mr. Speaker, Sir: in addition to the developing of the bamboo industry in Fiji, can the Honourable Prime Minister elaborate more on the research that the Ministry of Forestry is involved with?

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

HON. J.V. BAINIMARAMA.- Mr. Speaker, my answer to that question very quickly in broad terms, the Ministry's Research is categorised into the following two areas:

- (1) Silviculture Research; and
- (2) Timber Utilisation Research.

The Silviculture Research Division studies three genetics for both native and exotic trees. Some of these outcomes of this research including pine or mahogany which have been planted in large commercial scales as we all know, and are currently the main industries in Fiji driving the economy for the forestry sector.

The Division is also studying native trees species to ensure that among other things, Mr. Speaker, we are adequately restocking trees that are endemic to Fiji to ensure the conservation of the genetic integrity and avoid the extinction of these tree species integral to Fiji and our people.

HON. SPEAKER.- Thank you. Honourable Ratu Matanitobua, you have the floor.

HON. RATU S. MATANITOBUA.- Thank you, Mr. Speaker. I thank the Honourable Prime Minister & iTaukei Affairs. Is there any financial assistance for the people in the rural areas to plant their trees?

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

HON. J.V. BAINIMARAMA.- Yes, there is, Mr. Speaker, but you need to go to the Forestry Department to find out how much money you can get out of that.

HON. SPEAKER.- Before we move on, there is a story about bamboo *bitu* and boat *ruarua* but I will leave that to another occasion.

(Laughter)

We will move on to the third Oral Question for today and I call on the Honourable Adi Litia Qionibaravi to asked Question No. 212/2021. You have the floor, Madam.

Classification Guidelines – Death of COVID-19 Positive Patients
(Question No. 212/2021)

HON. ADI L. QIONIBARAVI asked the Government, upon notice:

Can the Honourable Minister for Health and Medical Services update Parliament on whether Fiji's classification guidelines for deaths of COVID-19 positive patients is different from the guidelines issued by WHO?

HON. DR. I. WAQAINABETE (Minister for Health and Medical Services).- Thank you, Sir. I thank the Honourable Member for that question. The simple answer, Sir, is yes. We utilise the WHO Guideline and there is actually a guidance document. It is called the International Guideline for Certification and Classification of COVID-19 deaths.

Mr. Speaker, Sir, what usually happens is every person who passes away, when they are tested and that comes out as positive for those that we do not know yet that are positive. They are then discussed between the physicians, doctors, specialists from certain areas including bringing out the medical records and again bringing to fore the importance of actually making sure that we validate names because in some instances there have been members of the public, our families that have been waiting for a few days until the certification has been carried through because we are waiting for the folders to be actually ascertained that this is exactly the person that had passed away. So, they then sit down with the medical history that is at present, they discuss the history and then they make the decision whether the person died from COVID-19 or died with COVID-19.

As we are aware, there may be some who had myocardial infarction or they had high blood pressure and they also had ischemia heart disease or stroke and they died from this. That is why our classification system had the two in place but this is in keeping with what WHO had put out in its guidance that we need to ensure that we document those who died with COVID-19 and those who died from COVID-19.

HON. SPEAKER.- Thank you. Honourable Qionibaravi.

HON. ADI L. QIONIBARAVI.- Mr. Speaker, Sir, my supplementary question, can the Honourable Minister for Health please advise the House the reasons for the delay in reporting of deaths from July to August 2021 with the large number of deaths from those months being reported in September with no details on location or the date of death?

HON. DR. I. WAQAINABETE.- Thank you, Mr. Speaker, Sir. As I was alluding to earlier, there have been instances where the team of specialists needed to sit down and go through the folders, sometimes the folders or the x-ray results, for example, were not to hand. Sometimes some of our family members who passed on, passed away in this institution while the majority of their records may be in a different institution. That had to be brought out to be able to be ascertained.

One thing is very clear is that during that period where we had a high number of cases within our community and also the death numbers were high, the meeting will be able to ascertain whether someone died from COVID-19 or died with COVID-19 was not able to actually do it on a day-to-day basis of everyone who passed on during that day. So, that is why in some instances where there was not enough information to hand, that had to wait until all that information was to hand. We had WHO experts working with our team and they were also ensuring that we met all the pre-requisites that were in place to classify whether someone died from COVID-19 or died with COVID-19.

HON. SPEAKER.- I thank the Honourable Minister. We move on to the fourth Oral Question for today and I give the floor to the Honourable Lal to ask his question. You have the floor, Sir.

Teacher Transfer for 2022 Academic Year
(Question No. 213/2021)

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

Can the Honourable Minister for Education, Heritage and Arts and Local Government inform Parliament how the Ministry plans to handle and facilitate teacher transfers for the 2022 academic year, given the current situation?

HON. P.D. KUMAR (Minister for Education, Heritage and Arts, and Local Government).- Mr. Speaker, Sir, I also thank the Honourable Member for the question.

The Ministry employs 13,200 teaching staff spread across 175 secondary schools, 735 primary schools and 871 early childhood education centres. Any request for teachers transfer can be challenging. The Ministry is managing employee transfers based on our Teacher Transfer Policy and Procedures. In the 2020 academic year, the Ministry facilitated 1,085 teacher transfers. For this year, the Ministry received 767 transfer applications.

Mr. Speaker, Sir, the Ministry each year receives over 1,000 applications from teachers wishing to be transferred for many reasons such as wanting to be close to their families, to look after their sick family member, to join their spouse or they have served three years in a remote area and are now eligible for transfer.

Mr. Speaker, Sir, teacher transfer is also initiated by the Ministry when teachers retire, resign or pass away or when there is shortage or surplus of teachers in a school. To manage a large number of teacher transfer requests, an annual teacher transfer window is open where teachers can submit their transfer applications. This is done during the months of July to August when placements for the following year is being considered.

There are number of factors that needs to be considered when one is processing teacher transfer applications. This includes checking schools that may have surplus teachers, a replacement for a specific subject combination or teacher's willingness to move to another location when he or she did not apply for transfer. Sometimes teachers make arrangement to swap schools which is facilitated by the Ministry after clearance from the Head of School.

Over the years, teacher transfer applications were handled manually. It involved Human Resources (HR) calling schools to identify any surplus teachers or finding out if teachers in schools wish to take the transfer. This takes between two to three months and it incurred a lot of overtime costs.

Mr. Speaker, Sir, this year, the Ministry rolled out an online teacher transfer application process and I would like to acknowledge the former Minister for Education for her foresight into developing a teacher transfer application process online. This is built in the FEMIS which allows teachers to access forms online using the teacher logins.

At every stage of processing, work flow will notify the respective assigned officer of the pending action to execute till a decision is made. The new process allows teachers, heads of schools and district officials to track and approve transfer request remotely; from their desktops, laptops or even smart phones. Teachers can also see the exact stage of their transfer application during its transfer process.

Mr. Speaker, Sir, this avoids hundreds of calls from teachers enquiring about their transfer status which gets in the queue during the peak of the transfer period. With this automated transfer application

process, human errors and issues of lost forms are completely negated and turnaround time is much faster now.

In phase two, the application is expected to automate the functionality of matching the appropriate schools to every transfer request and this process is underway at the moment, as the team is working on the teacher-student ratio and they have to work a formula so that we can roll out phase two. In the current climate, teacher transfers will be considered to bring families together who have been separated for a long period during the second wave of COVID-19 pandemic.

Mr. Speaker, Sir, the Ministry tries to ensure that the teachers are placed in schools where they are needed most, work in safe environment and live close to their loved ones.

HON. SPEAKER.- I thank the Honourable Minister. I give the floor to the Honourable Leawere. You have the floor.

HON. M.R. LEAWERE.- Thank you, Mr. Speaker, Sir. Just a clarification from the Honourable Minister. Does the Ministry pay for the cost of transfer and transportation when teachers move from one location to another?

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

HON. P.D. KUMAR.- Thank you, Mr. Speaker, Sir. The answer is, yes, we do pay.

HON. SPEAKER.- Thank you. We will move on to the fifth Oral Question for today. You have the floor, Sir.

Five-Year Strategic Development Plan 2019-2023
(Question No. 214/2021)

HON. I. KURIDRANI asked the Government, upon notice:

Can the Honourable Minister for Agriculture, Waterways and Environment inform Parliament whether the Ministry has reviewed its 5-year Strategic Development Plan 2019-2023?

HON. DR. M. REDDY (Minister for Agriculture, Waterways and Environment).- Mr. Speaker, Sir, this question is incomplete. I preside over three ministries, the Ministry of Agriculture, Ministry of Waterways and Ministry of Environment. The question does not say which Ministry's strategic plan they are dealing with. I suggest that they re-submit the question.

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

HON. I. KURIDRANI.- My supplementary question to the Honourable Minister, Sir. Has the Honourable Minister drawn up a revised agriculture strategic plan based on the impact of COVID-19 for our economy?

HON. SPEAKER.- Honourable Member, based on his answer to your previous question, I think we have a problem here. I think we should take this question back and re-submit it in the form that he has suggested and make sure you do it in that form so he can answer for the three, not only one.

HON. V.R. GAVOKA.- Point of order, Mr. Speaker. This question has gone through Tables and to the Business Committee. Why was it not rejected at that point because we have other questions that were returned that are sitting in our files in the caucus? Why was it not done there and then, Mr. Speaker?

HON. SPEAKER.- Honourable Member, do not jump the gun too soon. Do not jump the gun. I am suggesting that, that is what he should do. Honourable Minister, you have the floor.

HON. DR. M. REDDY.- Mr. Speaker, Sir, I go by your ruling. The Honourable Member has asked a supplementary question when the original question is not correct, how can you have a supplementary question?

HON. SPEAKER.- We will move on to the sixth Oral Question for today.

Progress on Construction of Nature-Based Seawalls
(Question No. 215/2021)

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

Can the Honourable Minister for Agriculture, Waterways and Environment update Parliament on the progress of new nature-based seawalls constructed to protect coastal communities?

HON. DR. M. REDDY (Minister for Agriculture, Waterways and Environment).- Mr. Speaker, Sir, I thank the Honourable Member for asking the question. Mr. Speaker, Sir, in the last financial year, we were able to complete seven nature-based seawalls in Fiji. Unfortunately, our target was more than that but due to the pandemic we were not able to complete the targeted number.

We were looking at about 18 nature based seawalls but with the lockdowns and COVID restrictions, we completed seven - three in the Northern Division, three in the Western Division and one in the maritime zone. In the Northern Division the three projects benefited a population of 805, in the Western Division it benefited a population of 410 and in the maritime zone it benefited a population of 200.

The ongoing projects we have now are in the Northern Division where we have completed seawalls at Raviravi and Drekeniwai; in the Western Division we have completed Malomalo, Nabukadra and Veidogo. Currently, we have got three ongoing projects that is Vatubogi where 105 individuals will benefit from 660 metres of coastline with a seawall to protect the community. There is another ongoing project at Verevere Village in Ra which should be completed, maybe by the middle of next week or so, where 225 individuals will benefit from 150 metres of coastline to develop the nature based seawall.

Because of the border that was on the other side of Nausori, we are quite behind with the project for Nananu Village. It is a big project with 500 metres and we are probably looking at two months to finish the project. We want to restart the project immediately from next week, but there was also an issue on the supply of supply of boulders. Today, at lunch time we had a short meeting about where we were going to get the boulders from so a staff will visit the nearby village, maybe tomorrow to talk to the Turaga Ni Koro if we can get boulders from there. We are looking at completing these three ongoing projects in Vatubogi, Verevere and Nananu. Vatubogi and Verevere should finish in two weeks' time whereas Nananu in two months' time.

Mr. Speaker, Sir, we are looking at a total of 11 more seawall projects to be completed this year from the Ministry's budgetary allocation for this financial year. In the Northern Division for Nabubu we

are looking at 140 metres of seawall, Navunievu - 250 metres of seawall and Visoqo - 250 metres of seawall. In the Western Division we are about to start at Viseisei then we will go to Navolau. We are about to start in Namatakula maybe next week we will do the ground breaking ceremony and Nailaga. The Namatakula one will be funded through the British High Commission funding. In the Central and maritime, we have Suvavou, Namuana and Wailevu.

Mr. Speaker, Sir, these are the ones that would be funded by the Ministry's budget. We also have got \$1.5 million from ADB. There are some changes to the paperwork and by the time we get the funding it will probably be November or so. Our target from that is to do Natewa Village, Lakeba Village, Kanakana Village in Cakaudrove. In the Western Division our target is Navutu Settlements, Saioko Village and Tagaqe, followed by Galoa, Veivatuloa, Toguru in the Central Division and Qarani in Gau. If we get the funding by November we will probably outsource this (we are looking at that) and we should be able to finish that, if done simultaneously by June to July 2022. That is the target.

HON. SPEAKER.- I thank the Honourable Minister. We will move on to the seventh Oral Question for today. I give the floor to the Honourable Kepa to ask her question. You have the floor.

Management of the Revolving Trust Account – FPF
(Question No. 216/2021)

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

Can the Honourable Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management update Parliament on the actions taken by the Fiji Police Force to improve management of the Revolving Trust Account?

HON. LT. COL. I.B. SERUIRATU (Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management).- Thank you, Mr. Speaker, Sir. I wish to acknowledge the Honourable Member for the question.

Again, I have been given on numerous occasions, the assurance by the Commissioner of Police and his senior management of their commitment to continue the improvement in their services, not only in their service delivery but of course on governance issues as well, management and even leadership. We acknowledge all the issues raised, either through the audit reports and of course the appearance before the Committees of Parliament as well. This again helps the Commissioner in addressing the issues and of course continuing to improve the work of the Fiji Police Force.

Mr. Speaker, Sir, in managing the Revolving Trust Fund the Fiji Police Force in line with the Accounting Regulations and Processes issues accountable advances from the Revolving Fund to members of the force for the purpose of official travel. The Assistant Commissioner of Police responsible for administration or the Chief Administration Officer is directly responsible to the Commissioner of Police for this. They have very recently appointed an officer within the accounting unit as a Monitoring and Evaluation Official to monitor this fund, specifically the Revolving Trust Account. It's actually a she, Mr. Speaker, Sir, is responsible to the Chief Accountant who is also answerable to the Assistant Commissioner of Police Chief Administration.

The process that they have in place, Mr. Speaker, Sir, is if an officer has an outstanding advance he or she will not be issued with a new advance unless endorsed by the Commissioner of Police or the Deputy Commissioner of Police in his absence. Where an advance has not been acquittal within seven days of travel the Force Accountant shall effect full recovery of advance through a salary deduction from the concerned officers' salary within six fortnights. This has really worked

well because most of those do not want this compulsory deduction from their pay and as a result they respond immediately once the deduction takes place.

Also Mr. Speaker, Sir, travelling officers shall retire travel advances within seven days of completing travel by submitting all acquittal reports with the supporting documents and as I have stated there has been improvement in addressing this issue. May I also say that they are not only trying to improve governance and management issues within the Fiji Police Force as part of its reform, but a few changes are also happening? In this particular regard, they are looking at the processes and systems, and even some of the policy documents to ensure that it is aligned to the regulations, the Financial Instructions and of course, some of their legal documents.

I have talked about the organisation structure. They are creating posts to address some of the specific needs in ensuring that it brings effectiveness and efficiency in the day-to-day operations of these functional units.

Capacity development is also an area that the Fiji Police Force takes very seriously and most recently Mr. Speaker, Sir, you know that this is also an issue in the RFMF, they are beginning to replace uniformed personnel with civilians who have the right expertise. In that way we have the right person to do the job and at the same time we are freeing up uniformed officers so that they can do the normal policing work. I think most of the ministries are also going along the same line so we have uniformed personnel being replaced by civilians in that regard.

Lastly, again we are continuing to review their processes and systems with the use of technology, particularly computerised systems which helps them a lot in improving and of course bringing efficiency into the system. Those are some of the work being undertaken by the Fiji Police Force in order to address this issue, Mr. Speaker, Sir.

HON. RO T.V. KEPA.- I thank the Honourable Minister for his response to this question stating that it is a recurring issue, it has been long standing. Just my question to the Honourable Minister, you mentioned internal controls - what sort of risk policy have you got in place? Can you tell us a little bit about is being done in that regard?

HON. LT. COL. I.B. SERUIRATU.- Mr. Speaker, Sir, in trying to get a better understanding of the background to this and of course ensuring that I provide the right response as well, I spoke to the Deputy Commissioner of Police, Mr. Itendra Nair who was the Chief Administration Officer. He was the one that put the new processes and systems in place including the appointment off an officer to be solely responsible for this fund in terms of monitoring and providing feedback and timely information within the specified period, to the Chief Accountant and through the Chief Administration Officer.

That is the immediate plan that they have to address this but in the long term, those are the issues that I have mentioned - the whole organisational structure, capacity development, their processes and systems and of course, the replacement of uniformed personnel with civilians who are more qualified and experienced, so that it can free up the Police Force because of the nature of the work and the increasing demand, so that they can concentrate on normal police work and give the administrative work to civilians, if I may say, Mr. Speaker, Sir.

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

HON. A.M. RADRODRO.- Thank you, Mr. Speaker, Sir. I thank the Honourable Minister for his explanation on the improvement done at the Fiji Police Force. He talked about capacity development, I just want to ask the Honourable Minister if he can advise this House whether staff training and staff development, not only with Accounts staff, but also around the organisation as a whole, so they both

understand the processes and the procedures that are being put in place that includes staff training and staff development.

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

HON. LT. COL. I.B. SERUIRATU.- Thank you, Mr. Speaker, Sir, I am quite encouraged to see the number of uniform personnel who are doing courses outside their normal work and this is very pleasing in making comparisons between the forces. There are a lot of policemen and women who are doing a lot of courses outside their normal work related training and courses at FNU, University of Fiji and even the University of the South Pacific.

I think this is something that during the days of Isikeli Ligairi, the then Deputy Police Commissioner, he was the one that put systems in place that encourage and of course, has seen a lot of uniform personnel doing courses outside and it is not only for normal police related work. Of course, we are thankful to our bilateral partners for the assistance that they provide particularly, in police pacific work related courses. There are a lot of them that are doing courses outside as well, which will be good for their professional development and opportunity for employment outside the Fiji Police Force.

There is a reasonable number of them and I am thankful to the Commissioner, for allowing them as well to do these courses without any interference to the work that they undertake daily.

HON. SPEAKER.- Thank you, we will move on to the eighth Oral Question for today and I call on the Honourable Nand to ask his question. You have the floor, Sir.

Update on the REACH Project
(Question No. 217/2021)

HON. J. NAND asked the Government upon notice:

Can the Honourable Minister for Women, Children and Poverty Alleviation update Parliament on the work carried out by the REACH Project since its inception?

HON. R.S. AKBAR (Minister for Women, Children and Poverty Alleviation).- Thank you Mr. Speaker, Sir and I thank the Honourable Member for this question.

Mr. Speaker, Sir, Rights Empowerment and Cohesion is the REACH Project and it is a program that is very close to my heart and it started in 2015. I would like to thank the former Minister and her team for progressing with this project. It was indeed a delight to go back to the same Ministry and see how much progress the Ministry has made.

Sir, REACH is basically providing access to rural communities. A reality with the vision of efficiency, effectiveness and timely service delivery. In April 2015, the Fijian Government and the United Nations Development Programme signed a three year agreement for the implementation of the REACH Project. The aim of this project has since been the inclusive participation of Fijians in the legal, social, environment and the project was implemented with the initial funding of US\$2.6 million for the duration of three years since then.

Mr. Speaker, Sir, the collective donor funded activity by the Government of Japan, UNDP and DFAT has enabled the project to deliver social, health, legal and economic services to Fijians in the urban, peri-urban, rural and maritime areas. Our achievements, Mr. Speaker, Sir, include the coming together of state and non-state actors, who are key stakeholders, who take the services to the people and having

further strengthened their own capacities to undertake awareness raising and service delivery on mobile basis.

Needless to say, Mr. Speaker, Sir, the Rights, Empowerment and Cohesion (REACH) for Rural and Urban Fijians Project is one of the first of its kind in Fiji and now not only in Fiji but also in the region and now other countries in the region such as Tonga have come on board to replicate the project in their own communities, as we have done in Fiji.

Sir, REACH is basically about the utilisation of three mobile service delivery buses which were funded by the Government of Japan and this has been critical in enhancing service delivery in our three divisions; Central, Western and Northern. Having seen the value of REACH and the work that it does, it actually adds to the vision of the Fijian Government to leave no one behind and the government approved the integration of the project into a programme in 2019 under the Ministry.

While we have had the implementation, we are grateful to our partners for making the REACH Project an avenue, not only for accessing services but also for changing lives and making memory. For example, marriages are conducted in these mobile buses. The political will demonstrated by the Fijian Government is a clear indication of trust, care and humility to reach Fijians who are physically, geographically and financially marginalised.

Mr. Speaker, Sir, so far the Ministry-led REACH Programme has covered a total of 220 districts, including Rotuma and reaching out to 1,136 communities inclusive of villages, settlements and schools. Sir, 31,000 individuals, including men, women and children have benefitted from the mobile awareness training and 61,744 services were delivered by state and non-state actors.

Mr. Speaker, Sir, the statistics that we have at hand establishes that more women than men have been able to take advantage of the services that were being provided during the outreach programmes. Women especially in rural areas, were faced or that had been faced with great challenge in accessing basic services such as health, justice, legal, financial and social welfare services including other government services of little information regarding the programme's remoteness and even less awareness of their own benefitted from this REACH awareness.

I must applaud at this time the intense monitoring and recordkeeping that the REACH Project has been able to maintain over the years to substantiate the effectiveness of this programme and once again, I must acknowledge the United Nations Development Programme (UNDP) for the various monitoring and evaluation methods they have supported.

Mr. Speaker, Sir, following the crisis triggered by COVID-19 and the recent tropical cyclones, many families' livelihood, homes and economic activities were severely affected. Of course, there is a long way to go to provide stability within our family units which also means that essential services must continue to reach Fijians throughout Fiji for their various needs. In order to ensure that services continued to be taken to the Fijians living in the new norm, especially with restricted movements and increased financial challenges, we are extremely grateful once again to the Government of Japan and UNDP for providing additional project funding, an agreement that we signed last month towards REACH and of course, administration of these funds respectively.

Mr. Speaker, Sir, the project's fund will help us draw on existing partnerships, lessons learnt and support state and non-state actors to review and redesign the modality to suit COVID-19 protocols, scaling up the implementation in Fiji and focus on COVID-19-related and existing health services, care for our people living with disabilities, prevention and responses to violence against women and children and of course, the provision of accessible justice services, supports the government to develop strategies which are safe, efficient, economical and sustainable approaches.

With supply of additional Information and Communications Technology equipment to facilitate remote service delivery by the REACH platform and provide continuous management and technical support to lead government counterparts. Mr. Speaker, Sir, with all the talk from the early morning sessions regarding the Bill – the Electoral (Registration of Voters) (Amendment) Bill 2021, as mentioned by the Honourable Attorney-General that close to 100,000 women mostly who will be affected by the new registration Bill, we can assure the House and of course, all the women out there that REACH will support the Fijian Elections Office and BDM Office and bring the services to their doorsteps.

There has been talk about costs associated with that, there is talk about inconvenience caused to the women, there is talk about people queuing up to change their names according to the new Bill, we are here to provide that support and the women, especially in the rural, and deep rural areas can be assured of that.

Mr. Speaker, Sir, I have been bombarded with questions about married women losing their rights to vote, their other rights. We can assure that as the choice, no women will be disadvantaged, we will make sure that these services reach the women so that they are able to vote during the next elections. And that is our assurance to all the women out there and it is a choice that they have to make with a lot of misinformation going out, I urge the Honourable Members to ensure that the right information goes out so that we actually do not disadvantage the very women that we want to come forward and vote.

With these words, Mr. Speaker, Sir, REACH Project is in fact a service way ahead of time with the normal and the new normal mobile services are of greater need and value than ever before. We are happy to be able to carry the project forward and set examples to our neighbours in the Pacific region.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Members, that brings us to the end of Oral Questions for today. There is only one Written Question and I allow the Honourable Tikoduadua to ask the question in place of Honourable Lenora Qereqeretabua. You have the floor, Sir.

Written Question

Registered Complaints and Legal Proceedings - FCCC (Question No. 218/2021)

HON. LT. COL. P. TIKODUADUA asked the Government, upon notice:

Can the Honourable Minister for Commerce, Trade, Tourism and Transport provide the number and type of complaints and legal proceedings registered and being acted upon by the Fijian Competition and Consumer Commission from 2018 to date?

HON. F.S. KOYA (Minister for Commerce, Trade, Tourism and Transport).- Thank you, Mr. Speaker, Sir and I thank the Honourable Member for the question.

Mr. Speaker, Sir, with your leave, may I table the answer and I will do that now.

(Reply to the Question handed to the Secretary-General)

HON. SPEAKER.- I thank the Honourable Minister for his surprise. Honourable Members, that brings to an end the agenda for today. Parliament is now adjourned until tomorrow morning at 9.30.

The Parliament adjourned at 6.13 p.m.