

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

MONDAY, 12TH OCTOBER, 2015

[CORRECTED COPY]

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MONDAY, 12TH OCTOBER, 2015

The Parliament resumed at 9.50 a.m. pursuant to adjournment.

HONOURABLE SPEAKER took the Chair and read the Prayer.

PRESENT

Hon. Josai Voreqe Bainimarama, Prime Minister and Minister for iTaukei Affairs and Sugar

Hon. Aiyaz Sayed-Khaiyum, Attorney-General and Minister for Finance, Public Enterprises, Public Service and Communications

Hon. Faiyaz Siddiq Koya, Minister for Industry, Trade and Tourism

Hon. Parveen Kumar, Minister for Local Government, Housing, Environment, Infrastructure & Transport

Hon. Mereseini Rakuita Vuniwaqa, Minister for Lands and Mineral Resources

Hon. Lt. Col. Inia Batikoto Seruiratu, Minister for Agriculture, Rural & Maritime Development and National Disaster Management

Hon. Ratu Inoke Kubuabola, Minister for Foreign Affairs

Hon. Capt. Timoci Lesi Natuva, Minister for Immigration, National Security and Defence

Hon. Jone Usamate, Minister for Health and Medical Services

Hon. Dr. Mahendra Reddy, Minister for Education, Heritage and Arts

Hon. Major-General (Ret'd) Jioji Konusi Konrote, Minister for Employment, Productivity and Industrial Relations

Hon. Osea Naiqamu, Minister for Fisheries and Forests

Hon. Lt. Col. Laisenia Bale Tuitubou, Minister for Youth and Sports

Hon. Rosy Sofia Akbar, Minister for Women, Children and Poverty Alleviation

Hon. Lorna Eden, Assistant Minister Local Government, Housing & Environment

Hon. Cdr. Joeli Ratulevu Cawaki, Assistant Minister for Agriculture, Rural and Maritime Development and National Disaster Management

Hon. Veena Kumar Bhatnagar, Assistant Minister for Health and Medical Services

Hon. Iliesa Delana, Assistant Minister for Youth and Sports

Hon. Mosese Drecala Bilitavu

Hon. Roko Tupou Takeiwai Senirewa Draunidalo

Hon. Jiosefa Dulakiverata

Hon. Viliame Rogoibulu Gavoka

Hon. Semesa Druavesi Karavaki

Hon. Ro Teimumu Vuikaba Kepa

Hon. Ratu Kiniviliame Kiliraki

Hon. Cdr. Semi Tuleca Koroilavesau

Hon. Jijila Nalibu Kumar

Hon. Brij Lal

Hon. Mikaele Rokosova Leawere

Hon. Alvick Avhikrit Maharaj

Hon. Ratu Suliano Matanitobua

Hon. Alivereti Nabulivou

Hon. Vijay Nath

Hon. Ruveni Nadabe Nadalo

Hon. Ratu Sela Vuinakasa Nanovo

Hon. Niko Nawaikula
 Hon. Alexander David O'Connor
 Hon. Sanjit Patel
 Hon. Viam Pillay
 Hon. Professor Biman Chand Prasad
 Hon. Aseri Masivou Radrodro
 Hon. Salote Vuibureta Radrodro
 Hon. Lt. Col. Netani Rika
 Hon. Balmindar Singh
 Hon. Prem Singh
 Hon. Ashneel Sudhakar
 Hon. Lt. Col. Isoa Delamisi Tikoca
 Hon. Anare Tuidraki Vadei
 Hon. Samuela Bainikalou Vunivalu

Absent

Hon. Ratu Naiqama Tawake Lalabalavu

**NOMINATIONS FOR THE APPOINTMENT
 OF THE PRESIDENT OF THE REPUBLIC OF FIJI**

HON. SPEAKER.- In accordance with Section 84(2) of the Constitution of the Republic of Fiji, I now call upon the honourable Prime Minister to nominate his candidate for appointment.

HON. J.V. BAINIMARAMA.- Madam Speaker, my nomination for His Excellency the President's position is, of course, Major-General (Ret'd) Jioji Konusi Konrote. Thank you.

HON. SPEAKER.- Thank you. In accordance with Section 84(2) of the Constitution....

HON. S.D. KARAVAKI.- Madam Speaker, a Point of Order.

HON. SPEAKER.- Point of Order!

HON. S.D. KARAVAKI.- I rise under Standing Orders 74 and 18, Madam Speaker.

Section 74 gives me the right to rise before you, Madam Speaker, and Section 18 is the responsibility of Madam Speaker to ensure that everything that is done in this House upholds and complies with the Constitution.

My rising is on that Point of Order on the nomination made by the Honourable Prime Minister. According to the qualification under Section 83, I submit Section 83(1)(c), disqualifies Honourable Konrote to be nominated as a nominee for His Excellency the President's post. The issue there, Madam Speaker, is whether Honourable Konrote is a member of a political party. If he is a member of a political party, then he is disqualified from becoming a nominee.

The issue of being a holder of a public office does not even come into play here. The first issue that we have to examine and look at is whether he is a member of a political party, which is very obvious, Madam Speaker, that all Members of Parliament who are here today, whether we belong to a political party or an independent candidate, but there is no independent candidate here.

We see, Madam Speaker, that that idea or that understanding comes from even the appointment of the Attorney-General. The Government can look outside from those elected as members of a political party in Parliament, to be appointed as Attorney-General. So, the understanding of members of a political party comes and is drawn from there, that everyone that is in Parliament must either be a member of a political party or independent candidate.

Also, Madam Speaker, even Section 64(1) talks about the replacements of members, those who have resigned, and those who are to substitute, to replace those who have resigned, it talks about looking at those who are members of a political party. Here, we have, Madam Speaker, the nominee that we have before the House is Honourable Konrote. He is, of course, a member of the FijiFirst Party....

HON. SPEAKER.- Order! I think you have made your point clear.

HON. S.D. KARAVAKI.- I still have, Madam Speaker, a point to raise in this august House.

HON. SPEAKER.- You have made your point clear. Thank you. I will now make my ruling.

HON. S.D. KARAVAKI.- Madam Speaker, I still have the issue...

HON.SPEAKER.- You have made your point clear.

HON. S.D. KARAVAKI.- ... the issue, Madam Speaker.

HON. SPEAKER.- I will make my ruling. Please, take your seat.

HON. A. SAYED-KHAIYUM.- Sit down!

HON. S.D. KARAVAKI.- I am saying, he does not qualify under the Constitution.

HON. SPEAKER.- That is clear.

HON. S.D. KARAVAKI.- He is not qualified!

(Chorus of interjections)

HON. SPEAKER.- Your point is very clear. In your Point of Order, you should not be elaborating for so long, your point is clear. I will make my ruling now. You may take your seat.

HON. A. SAYED-KHAIYUM.- Sit down!

HON. S.D. KARAVAKI.- Madam Speaker is speaking to me. I am standing up, because I respect the Speaker.

HON. GOVERNMENT MEMBERS.- Sit down!

HON. S.D. KARAVAKI.- You shut up.

HON. A. SAYED-KHAIYUM.- I didn't say "shut up".

HON. SPEAKER.- Thank you.

With respect to being a member of a political party, whether you won seats in Parliament or did not win seats in Parliament, you are already registered as a political party. Therefore, Members who stood for Elections under those political parties, it is evident that they belong to that political party.

With respect to the issue that you have raised, I have received written communication of the resignation of Major-General Jioji Konrote from the FijiFirst Party...

(Chorus of interjections)

HON. SPEAKER.- ... and the vacation of his seat will be gazetted shortly.

HON. RATU I.D. TIKOCA.- He is still a member.

HON. SPEAKER.- This matter is, therefore, a non-issue. He has resigned.

HON. RATU I.D. TIKOCA.- It is an issue.

HON. S.D. KARAVAKI.- You are breaking your own Constitution.

HON. SPEAKER.- I already have a very good idea of who your nominee is going to be, and he is also a member of a political party, although they did not win a seat in Parliament, still under registered political party. However, it is a non-issue.

In accordance with Section 84(2) of the Constitution of the Republic of Fiji, I now call upon the Honourable Leader of the Opposition to nominate her candidate for appointment.

HON. RO T.V. KEPHA.- Thank you, Madam Speaker. Unfortunately, since we have all day in this Parliament on this particular day, we can only nominate and not give justification for why we have nominated the person we have nominated.

HON. SPEAKER.- Thank you.

HON. RO T.V. KEPHA.- In that regard, Madam Speaker, as Leader of the Opposition, our nomination is Ratu Epeli Gavidu Ganilau, holder of the Military Cross, the Order of St. John and the Meritorious Service Decoration. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Since there are two nominations before the House, Honourable Members shall proceed with the casting of secret votes.

HON. ROKO T.T.S. DRAUNIDALO.- Point of Order, Madam Speaker.

HON. SPEAKER.- Point of Order!

HON. ROKO T.T.S. DRAUNIDALO.- Apparently, this thing transpired before I got to the House, and I was told briefly that the speech of the Honourable Leader of the Opposition was

limited by the Secretariat to two minutes or just nomination.

This is under Standing Order 18, Madam Speaker. Let us not make this process any more of a farce than it already is. It is a secret ballot which means that Honourable Members of this House are entitled to use their conscience to vote, and how can they exercise their conscience or thinking when they do not know the background of who is being nominated?

The Honourable Prime Minister could very well convince some Honourable Members on this side to vote for his candidate, so too, those on that side of the House convinced by the Honourable Leader of the Opposition. This is why we do not want to take part in this ridiculous process, but I put it to you, Madam Speaker, it should not have been done, and you should correct it for the future.

HON. SPEAKER.- Thank you. The procedures before the House is based on what is in the Constitution and also what is in the Standing Orders. So, if there are gaps in the Standing Orders, we are in the process of reviewing the Standing Orders so that we can enhance what is in it for future reference. Right now, the procedures will be based on the Standing Orders, which is based on the Constitution, which is the procedure that we are following now.

HON. M.D. BULITAVU.- Point of Order, Madam Speaker.

Just a point of clarification, Madam Speaker. You said earlier that the Honourable Jioji Konusi Konrote had resigned from the Party. If the procedures are correct, then the Elections Office will be writing to you, Madam Speaker, and not the FijiFirst Party. We seek clarification on that, what really happened, and what has been done?

HON. SPEAKER.- Thank you. We are being very consistent on this. The same process took place when I became Speaker. I also resigned from the FijiFirst Party, and immediately I was nominated as Speaker, and this was accepted, and I have been the Speaker for the past year based on that. However, thank you for that Point of Order.

HON. N. NAWAIKULA.- I rise on Point of Order - Standing Order 68. This being a motion, I am asking, Madam Speaker, to make a ruling that the nominees are allowed to be given time to speak on the motion.

HON. A. SAYED-KHAIYUM.- It's not a motion.

HON. SPEAKER.- Thank you. The difference is that it is not a motion, it is a nomination.

HON. N. NAWAIKULA.- Whatever, Madam Speaker.

(Laughter)

HON. SPEAKER.- Thank you. I cannot have Honourable Members questioning the ruling of the Speaker. Please, I have made my ruling.

HON. N. NAWAIKULA.- It is very important. The public is entitled to know who are being nominated and what their background is. We have a full day to talk about that.

HON. SPEAKER.- Thank you. I will repeat, since there are two nominations before the

House, Honourable Members shall proceed with the casting of votes by a secret ballot.

I now call on the Chamber Attendants to give the ballot papers to Honourable Members.

(Chamber Attendants circulate ballot papers to Honourable Members)

HON. RATU I.D. TIKOCA.- Point or Order. Is there a chance for us to scrutinise the actual count because there should be one from this side, one from the National Federation Party, and one from that side.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

We have the procedures very clear. As soon as the ballot papers are being collected, we will call for scrutineers from both sides of the House before we announce the results.

I would ask Honourable Members to write the names of the person whom you wish to vote for. Honourable Members are requested to fold the ballot papers so that the name written on it cannot be seen.

ACKNOWLEDGMENT OF THE APPOINTMENT OF THE PRESIDENT OF THE REPUBLIC OF FIJI

HON. SPEAKER.- I now call on the Chamber Attendants to collect the ballot papers for counting at the table.

In accordance with Standing Order 136(4), I call on the representative of the Honourable Prime Minister and the representative of the Honourable Leader of the Opposition to act as scrutineers and observe the count at the table.

(Scrutineers observed the count at the Table)

Scrutineer, please can you remove the piece of paper you are holding, it might just be counted.

(Laughter)

HON. SPEAKER.- Thank you. The result of the secret ballot are as follows:

Major-General (Ret'd) Jioji Konusi Konrote	-	31 votes
Ratu Epeli Gavidia Ganilau	-	14 votes
Abstained	-	3 votes

In accordance with Section 84(3) of the Constitution of the Republic of Fiji, Major General (Ret'd) Jioji Konusi Konrote having received the support or the majority of the Members of Parliament present, is appointed as the President of the Republic of Fiji by Parliament.

(Applause)

Before we proceed further, I wish to congratulate Major-General (Ret'd) Jioji Konusi Konrote, the new President-elect of the Republic of Fiji. Let me be the first to wish you all the best in your tenure.

In accordance with Standing Order 136 (7), the Secretary General will destroy the ballot papers in the presence of the two scrutineers. I now call on the two scrutineers to come to the table please.

(Scrutineers observed the ballot papers being destroyed)

ADJOURNMENT

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

That Parliament adjourns until Friday, 6th November, 2015 at 10.00 a.m.

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

Question put

Motion agreed to.

HON. SPEAKER.- That brings us to the end of our sitting. I wish to take this opportunity to thank Honourable Members and guests who witnessed the special sitting, to appoint the President of the Republic of Fiji. It is not only a unique event, but also a historic one as it is the first of its kind under the Constitution of the Republic of Fiji.

The Secretariat has organised light refreshments and I invite guests in the public gallery to join the Honourable Members in the refreshments.

On another note, I wish to meet with all the Chairpersons of the six Standing Committees after refreshments in the Big Committee Room.

The Parliament is now adjourned until Friday, 6th November, 2015 at 10.00 a.m.

The Parliament adjourned at 10.24 a.m.