

# **PARLIAMENT OF THE REPUBLIC OF FIJI**



## **PARLIAMENTARY DEBATES**

### **DAILY HANSARD**

**THURSDAY, 10<sup>TH</sup> FEBRUARY, 2022**

**[CORRECTED COPY]**

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## **THURSDAY, 10TH FEBRUARY, 2022**

The Parliament met at 9.25 a.m. pursuant to adjournment.

MR. SPEAKER took the Chair and read the Prayer.

### **PRESENT**

All Members were present, except the honourable Prime Minister and Minister for iTaukei Affairs, Sugar Industry, Foreign Affairs and Forestry and honourable Adi L. Qionibaravi.

### **MINUTES**

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

That the Minutes of the sitting of Parliament held on Wednesday, 9<sup>th</sup> February, 2022, 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.

### **COMMUNICATIONS FROM THE SPEAKER**

I welcome all honourable Members to today's sitting of Parliament, those present in person and those joining virtually. I also welcome all those watching the live broadcast and the live streaming of today's proceedings from the comfort of their homes, offices and use of their electronic devices. Thank you for your continued interest in the workings of your Parliament.

For the information of honourable Members, the Hansard report for yesterday's sitting will be circulated later today because of the late sitting.

### **PRESENTATION OF REPORTS OF COMMITTEES**

#### 2018-2019 Audit Report on Government Commercial Companies, Commercial Statutory Authorities and Other Entities and 2018-2019 Audit Report on Statutory Authorities

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, this Report follows the review finding of the Committee on the following two Audit Reports:

- a) 2018-2019 Audit Report on Government Commercial Companies, Commercial Statutory Authorities and Other Entities.
- b) 2018-2019 Audit Report on Statutory Authorities.

The Committee reviewed the audit findings of the seven entities in the Government Commercial Companies, Commercial Statutory Authorities and Other Entities report and eleven entities were covered under the Statutory Authorities report. The Office of the Auditor- General (OAG) had issued eight audit opinions for the Government Commercial Companies, Commercial

Statutory Authorities and Other Entities in which five were related to the 2019 financial statements while three were for previous years.

Mr. Speaker, Sir, there was one modified opinion issued for the 2019 financial statement and two of the financial statements from previous years were issued with a modified audit opinion as well. The Auditor-General had issued an unmodified audit opinion on four of the 2019 financial statements that were audited for the various entities and one financial statement from the previous year was issued also with an unmodified audit opinion.

The financial statements of most entities audited for 2019 were timely and of good quality. However, further improvements can be made to enhance the quality and timeliness of submission of financial statements to the Office of the Auditor-General for audit purpose.

The Auditor-General had issued 11 audit opinions for the Statutory Authorities out of which three were related to the 2016 financial statements, one related to the 2017 financial statement, four related to the 2018 financial statements and three related to the 2019 financial statements for the various entities.

It is important to note that some of the entities have resolved the audit issues that were raised during the time of audit while some are working towards resolving these control issues. Mr. Speaker, Sir, I wish to highlight some of the actions taken by some of the entities in addressing the issues that were raised during the audit.

Mr. Speaker, Sir, firstly for Fiji Broadcasting Corporation Pte Limited (FBCL) in terms of the unpaid broadcasting licence fee, FBCL informed the Committee that all outstanding fees had been paid to the Telecommunication Authority and the invoices provided as evidence to the Standing Committee on Public Accounts.

Mr. Speaker, Sir, the Committee was informed that in terms of timeliness of financial reporting by the Fiji Public Trustees Corporation improved for the financial year 2018. The Corporation is currently pursuing on the procurement of a new accounting and financial reporting system supported by the digitisation project currently in progress which is part of the Corporation's modernisation plans.

Mr. Speaker, Sir, Fiji Hardwood Corporation Limited (FHCL) is currently addressing the issue of forest valuation. In this regard, the Corporation highlighted that in 2016 there was an independent assessment by FHCL Management with an increase net asset value of \$75 million. In 2017, an independent Forestry Expert assessment increased the asset value by a further \$8.3 million. Mr. Speaker, Sir, currently the FHCL Board and management are anticipating to have a re-assessment of its current assets through a fair valuation done for the forests by an independent professional valuer.

In relation to the financial disclosures, the FHCL Board has appointed a new management that looks into this, therefore PKF was hired in August, 2020 to conduct a thorough review system and accounting processes at FHCL and during that period some major issues were highlighted and the Board has acted on the report.

Mr. Speaker, Sir, Energy Fiji Limited (EFL), the Committee noted from the response received that as at 11th February, 2021, EFL had a total of 56 projects for the Rural Electrification Scheme for which full payment had been received from Government, plus one for which partial payment had also been received.

Mr. Speaker, Sir, construction of stage 1 of the partially paid scheme was scheduled to commence in 3rd Quarter of 2021, with completion targeted for the First Quarter of 2022. Sir, also noted that all projects should be completed by end of June this year.

Mr. Speaker, Sir, EFL had invested the funds for Rural Electrification into term deposits so that it could gain interest as procurement of raw materials from overseas were taking longer than expected.

Mr. Speaker Sir, the other entities that are also covered in these two Audit Reports have taken necessary actions and measures to address those pertinent issues that were raised. The Committee strongly recommends that immediate action is required by the respective entities in order to improve financial accountability. However, it is also important to note that most entities are working towards achieving their contribution towards Fiji's 5-Year and 20-Year National Development Plan in line with the relevant SDG targets.

Overall, I thank the Executives of Government Commercial Companies, Commercial Statutory Authorities and other entities, as well as the respective Statutory Authorities for positively responding to those audit issues that were raised, and the staff of the Office of the Auditor-General for providing technical clarifications.

I also wish to extend my appreciation to all the honourable Members of the Committee who were part of the successful compilation of this bipartisan Report, namely; honourable Joseph Nand (Deputy Chairperson), honourable Ro Teimumu Kepa, honourable Virendra Lal and honourable Aseri Radrodoro. On behalf of the Committee, I also acknowledge the Public Accounts Committee Secretariat team for their timely support throughout the scrutiny process that was undertaken, and the compilation and finalisation of this detailed Report.

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

(Report handed to the Secretary-General)

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

Question put.

Motion agreed to.

### **LIQUOR (AMENDMENT) BILL 2022**

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Wednesday, 9<sup>th</sup> February, 2022, I move:

That the Liquor (Amendment) Bill 2022 be debated, voted upon and be passed.

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

MR. SPEAKER.- Honourable Members, I remind you that pursuant to the resolution of Parliament, debate will be limited to one hour. This will also be the case for the next three Bills that will follow.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, as highlighted in the tabling of this Bill yesterday evening, the Liquor Act 2006 regulates, amongst other things, the sale and supply of liquor in Fiji. Under the Act any person who sells or supplies liquor must be licensed subject to the conditions specified under the Act, and any other condition as the Divisional Liquor Licensing and Authority issuing the licence may impose.

Under section 15(1) of the Act, the maximum term of the licence, other than licence for special use is three years. For ease of doing business administration, the Liquor (Amendment) Bill 2022 seeks to amend the Act to extend the maximum term of licence, other than the licence for special use or temporary licence, from three to five years.

Mr. Speaker, Sir, the main gist of the Bill also is that, it seeks to amend the Act to exempt a person from the payment of prescribed fees when the person did not operate as outlined in the person's licence due to difficulties faced as a result of COVID-19 restrictions.

The Bill, which the Members have before them, will see that Clause 3 of the Bill is pertinent in this respect. It says: in Clause 3(6), and I quote:

“Notwithstanding subsection (2), a person may apply for the renewal of a licence after the expiration of the term of the licence if the Authority is satisfied that the person did not apply for the renewal of the licence due to COVID-19 restrictions.”

Mr. Speaker, Sir, the other point that is also relevant is the exemption. It states in Clause 86A(1), and I quote:

“The Minister (which is the Minister responsible for this particular Act) may, by order in the Gazette and subject to any condition the Minister thinks fit, exempt a person from paying the prescribed fee....

If the Minister is satisfied that the person –

- (a) paid the applicable prescribed fee for the licence issued for the term immediately prior to the term of a licence for which payment of the prescribed fee is due and payable;
- (b) did not sell or supply liquor due to COVID-19 restrictions;
- (c) did not sell or supply liquor for the term of the licence issued, in part or for the entire term; and
- (d) incurred a significant loss of revenue for the term of the licence issued.”

So, that is essentially what this Bill seeks to do, Mr. Speaker,

Sir, firstly, it extends the term up to five years and secondly, assist those businesses that used to sell liquor and predominately, this will apply to the hotels that actually have liquor licence, Sir. Well, a lot of them closed down and as explained yesterday if, for example, they had applied for a licence in 2020 and then they, however, shut down because of the border closure and they do not sell liquor for the rest of the year and then last year did not apply for it too, now this year when the hotels are open when they go to apply for it, the current restriction in the law is that, they have to go through the entire application process again as opposed to simply getting a renewal. This gives the latitude

for them to be able to get a simple renewal and also, indeed, for them to be exempted from payment, should they have made some payments previously but did not use it for that particular term or period. Thank you, Sir.

MR. SPEAKER.- I thank the honourable Acting Prime Minister. Honourable Members, the floor is now open for debate on this motion.

HON. V.R. GAVOKA.- Mr. Speaker, there was outrage last evening from this side of the House in the manner this Bill was tabled in Parliament. We were ready to go home after 9.00 p.m. last night, and we were told that we need to consider four Bills to be debated today and to become law. This was 9.00 p.m. last evening, Mr. Speaker.

It was bad enough that we used to get the Bill on Monday to be debated on Wednesday to become law on Wednesday. Now, we have come to a new law that the Bill is given to us at 9.20 p.m. last evening and to be debated now at 9.40 a.m. and to be made law within the next few minutes.

As I have said last night, Mr. Speaker, this is not a kindergarten. This is the Parliament of the people of Fiji. In actual fact, I need to apologise to the people who run kindergartens because they do a better job than FijiFirst in the way they run this Parliament.

Mr. Speaker, I know that whatever we say from this side to try and improve the process, is like talking to a wall. The people of Fiji are the losers because they elected a Government that is so casual in the way it manages the Parliament of the people of Fiji.

(Hon. Cdr. S.T. Koroilavesau interjects)

HON. V.R. GAVOKA.- Mr. Speaker, the Ministers are saying, “We are following process.” Have respect of the people when you apply that process. Have respect of the people. You cannot come at 9.00 p.m. on Wednesday evening with a Bill and expect it to be law at 9.00 a.m. on Thursday morning.

MR. SPEAKER.- Honourable Member, just stick to the Bill that is there.

HON. CDR. S.T. KOROILAVESAU.- Let us not create something out of nothing. It is a very simple matter. Very simple!

HON. V.R. GAVOKA.- Mr. Speaker, according to honourable Koroilavesau, it is a very simple matter but with the people of Fiji liquor is not a simple matter.

HON. CDR. S.T. KOROILAVESAU.- Awwh, come on!

HON. V.R. GAVOKA.- Alcohol is not a simple matter, Mr. Speaker.

HON. CDR. S.T. KOROILAVESAU.- Liquor has been there ever since....

MR. SPEAKER.- Order, order!

HON. V.R. GAVOKA.- Our parents, Mr. Speaker, had taken precautions to ensure the society in this country - the Fijian people are safe from the abuse of alcohol. Our parents have done that. And here we are, we are making it easy for people to make alcohol available to them when we know the danger of the abuse of alcohol.

(Honourable Members interject)

MR. SPEAKER.- Order!

HON. V.R. GAVOKA.- Here is the Bill that says, “that a licence can be not only for one year or three years, you can now go to five years.”

(Hon. Cdr. S.T. Koroilavesau interjects)

MR. SPEAKER.- Order, order!

HON. V.R. GAVOKA.- Mr. Speaker, Sir, this side of the House also want increase in revenue as honourable Koroilavesau is saying, but in a responsible manner, not to destroy our society.

(Honourable Member interjects)

MR. SPEAKER.- Order, order!

HON. V.R. GAVOKA.- And this is what is happening here today, Mr. Speaker. This should have been taken to the people.

(Hon. Cdr. S.T. Koroilavesau interjects)

MR. SPEAKER.- Order, order!

HON. V.R. GAVOKA.- Mr. Speaker, can you give him a yellow card, please? Can he go out of the House, please?

MR. SPEAKER.- I think I will give both of you a yellow card.

HON. CDR S.T. KOROILAVESAU.- What is he talking about?

MR. SPEAKER.- Order!

HON. V.R. GAVOKA.- Mr. Speaker, Sir, the use of Standing Order 51 is out of control in this House now....

HON. CDR S.T. KOROILAVESAU.-This is the allocated process within the Standing Order.

MR. SPEAKER.- Order, order!

HON. V.R. GAVOKA.- Can I sit down and honourable Koroilavesau to speak, Mr. Speaker? He needs to be shown the card, Sir.

Mr. Speaker, in the past, because of the control aspect of alcohol, we used to do it on a yearly basis. I was a hotelier, I did it every year. I would go renew my licence and I would meet all the criteria, tick all the boxes, before I was given my licence, for that reason alone, Mr. Speaker. Now, anyone can get a licence for five years....

HON. RO F. TUISAWAU.- Mr. Speaker, Sir, I would like to raise a Point of Order regarding honourable Koroilavesau on the interjections he is making which is unprecedented. It is another level we are facing today, the disruption during the presentation by our Member and his level of



disruption has never happened in this House. When you are speaking and he is shouting from that side, Sir, you need to make a ruling on him. Thank you.

(Honourable Members interject)

MR. SPEAKER.- Order, order!

Honourable Member, take a sit. I have not finished.

Honourable Member, I do not know where you were last night, but we had a ding dong here last night that is worse than this. Now, you are complaining because of one Minister shouting from here and there, it has been done before. It is nothing new. You can hear it, I can hear it as well, and it comes out loud on my earphones.

You have the floor, honourable Member.

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

We need to respect our people, we need to get their views on this and there should have been consultation on this. We should ask the churches, the villagers, do you want to give licence now for five years instead of one year? They will give you their views and that will help us, as leaders, to craft the Bill, to bring it here and make it law.

I mean, in normal democracy that is the way it is done. You care for your citizenry to have their say in the law that is being crafted. This is total abuse, Mr. Speaker, and total disrespect for the people of Fiji, and I hope the people of Fiji will remember this Election year and I hope they will say, “enough is enough FijiFirst, we are sick of this abuse.”

Mr. Speaker, specifically on clause 6, it says here that the amendments and the application can go to the Minister and he can say “aye” or “nay” to the application. In the past, I ask the question, “What happened to the Central Liquor Board, the Western Liquor Board?” What happened to those boards that used to hear all those applications and then they would go through the process, tick all the boxes and then make a decision because they cared about the danger of being casual about liquor licences. What happened to them? Will the Minister now have the only say in this? Will he be the only one who decides whether it is yes or no? No more Central Liquor Board. No more linkages, Mr. Speaker.

HON. CDR. S.T. KOROILAVESAU.- Stop lying to Parliament. It still goes through the same process.

MR. SPEAKER.- Order, order!

HON. V.R. GAVOKA.- It says here that they can circumvent that and go straight to the Minister. That needs to be made clear because it can be subjected to abuse. Mr. Speaker, I again say, this is not a Bill that should be passed in this manner. It is one that needs to be taken to the people and one that needs to be brought in the way all Bills of this importance should be treated.

What we have now, Mr. Speaker, is the concentration of population in a big way. The corridor between Lami and Nausori, the population, if you are going to give liquor licences into just about every neighbourhood, Mr. Speaker, can you imagine the safety and the threat to the community. It was bad enough before COVID-19 to walk the streets of Suva on some occasions.

With this, Mr. Speaker, with the proliferation of liquor outlets and running for five years, we will be creating neighbourhoods that are not safe for our people. We are very concerned from this side that we need to keep Fiji safe. It is very thoughtless on the part of the part of FijiFirst to do this. Not only that it is wrong but the manner they bring it into Parliament would indicate that someone is trying to hide something, that someone is afraid of the opinion of the citizenry to say to you, “Do not do it.” That is what it is. They are just afraid of the people of Fiji to say, “No, we disagree with you.” That is what it is.

Mr. Speaker, we totally disagree, we totally oppose this Bill and shame on you for the way you are doing it and for treating people in this manner.

HON. N. NAWAIKULA.- I wish to raise a Point of Order, Mr. Speaker.

MR. SPEAKER.- What is your Point of Order?

HON. N. NAWAIKULA.- I do not mean to interfere with the process of Government but I am basically submitting that discussion of these Bills is out of order and I seek a ruling in relation to that maybe later in the day but I am relying on Standing Order 34(2) which basically says once the Agenda is stated, that is it unless the Business Committee determines otherwise which did not happen yesterday or you have it with the leave of the court.

You will see that the discussion of these three Bills came in during Question time after we had passed the Bills. I can remember when we passed through that point in Agenda – Bills, you said there were no Bills to be discussed, so my point is that this is out of order because it did not come in by the consent of the Business Committee or with the leave of the court. That is my submission and I seek a ruling in relation to that, so I am relying on Standing Order 34(2).

MR. SPEAKER.- Honourable Member, the Business Committee was told that there were going to be Bills and our Acting Prime Minister said that. I was there at the Business Committee. I made the announcement yesterday morning, there were no Bills at that time. The Bills came in after, that is why I made the announcement that we are going to extend the sitting time.

As for sitting time, when I have been a former Speaker, I have extended sitting time to one o'clock in the morning. There is no problem with that, but I am not worried about that side of the House or that side of the House. When I do that, I am worried about my staff because after you leave, an hour after you leave then they leave. But they are here next morning an hour before you arrive to start procedure. That is why I have to guard against that, but we do not do that all the time, only on rare occasions we have to do it and if we have to do it, it is a necessary thing. It is not done everyday.

HON. N. NAWAIKULA.- Thank you for that clarity and I take that as a ruling in relation to the Point of Order that I raised.

MR. SPEAKER.- Thank you.

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, as usual, this Bill is just a disorganised piece of writing from a disorganised Government that just cannot think ahead, so it just rushes laws through Parliament at 12 hours' notice and the honourable Members on the Government side just sit there while this happens. There they are, as we call them the “silent 25”, the honourable Attorney-General insults this whole Parliament by introducing Bills on 12 hours' notice, but they just sit there quietly accepting this insult.

Mr. Speaker, Sir, when we are all examining the historical record of this disastrous Government, the people will be asking the silent 25, “what did you do about it, why did you just sit there?”

Mr. Speaker, Sir, the Government cannot even get simple English right. Please read the Bill properly, the third line of the amendment on page 2 to section 15(4) should read: “... and which is yet to be processed.”

Mr. Speaker, Sir, of course we have had no time to discuss the Bill with anyone including hotels and small businesses and liquor outlets, and we certainly have not had time to discuss this Bill with other people and communities who may be affected by it. The whole purpose of the Liquor Act is to ensure that people have reasonable access to alcohol for the enjoyment and their recreation, but not in a way which disturbs the community when it is consumed excessively.

There have been many instances when liquor outlets have irresponsibly sold liquor and intoxicated people have then become a problem for the community creating noise, threatening and harassing others especially women and girls.

This extension of licences might be fine for big hotels but it does not work for everyone. We have not heard from the people about this especially since taxes were lowered on liquor in 2020. We have heard many stories about people spending government welfare payments on alcohol and becoming a nuisance to others. Now we are talking about extending licences in situations which may become harmful to some communities, but, of course, Mr. Speaker, this Government does not consult anyone and it does not care and there is nothing new about that.

HON. GOVERNMENT MEMBER.- Hogwash!

HON. S.R. RASOVA.- Mr. Speaker, Sir, I rise to contribute to the amendment of the Liquor Act 2006. I thank the honourable Acting Minister for the Bill which we disapproved of yesterday. This side of the House did not approve it because of the abuse of Standing Order 51 to proceed without delay. That is the Standing Order in which you brought in from the Standing Orders. With the previous procedure, it is always submitted on Monday and we have about three days and then we debate it on Thursday.

HON. CDR. S.T. KOROILAVESAU.- 24 hours.

HON. S.R. RASOVA.- We know from the Standing Orders is within 24 hours, immediate without delay; that is Standing Order 51. But if you do in Standing Order 46(2), no less than two days. But then, Mr. Speaker, Sir, when they follow the Standing Orders in which I try to debate on Standing Order 41(3) in which oral questions and motions are given no less than four days. Now our current proceedings is 14 days prior. We on this side of the House is giving-in in to your request, Mr. Speaker, Sir.

Mr. Speaker, Sir, it states in Standing Order 41(3) that all oral questions are supposed to be submitted four days prior to the sitting but then you have changed it verbally and put a note or flying minute to 14 days. We gave in to that and that Government is supposed to give us at least four days to read the Liquor Bill. We think there is an abuse of Standing Order 51. The secrecy in which it came in, almost midnight yesterday, everyone left home at about 7 o'clock to come in to Parliament and then you bring in a Bill at almost 9.30 p.m.

HON. GOVERNMENT MEMBER.- So?

(Chorus of interjections)

HON. S.R. RASOVA.- The secrecy of this Bill.

HON. GOVERNMENT MEMBER.- So?

HON. S.R. RASOVA.- There is saying on the secrecy of this Bill.

“Secrecy is the keystone to all tyranny. Not force, but secrecy and censorship. When any government ...undertakes to say to its subjects...you must not know...the end result is tyranny and oppression no matter how holy the motives.”

You have come to change the Bill because of all the hotels ...

(Honourable Member interjects)

HON. S.R. RASOVA.- You listen because this is a health problem too. They drink alcohol and they come over there and you have an outbreak in all the hospitals in Fiji.

(Chorus of interjections)

HON. S.R. RASOVA.- Listen, so that you can know something from us.

(Chorus of interjections)

MR. SPEAKER.- Order!

HON. S.R. RASOVA.- Everything is excuses from Government, Mr. Speaker, Sir. You look at them, do not look at me, Mr. Speaker, Sir, how they react. The Ease of Doing Business, these are their reasons of changing all these. It is from a three-year to a five-year because of the liquor law. Their annual reports come five years later. They introduced it last night to make it a law today.

HON. CDR. S.T. KOROILAVESAU.- Ease of Doing Business.

HON. S. R. RASOVA.- Financial Management Act (FMA), they cannot even rectify where Ministers and the Permanent Secretaries bring their annual reports. We highlight that every day, it comes here five or six years later. We have only about seven months to complete this session of Parliament. Things from 2015 and 2016 are still coming; that is who they are. That is the performance rating. This Bill comes in at midnight last night for us to pass it this today at around 10.15 a.m. and we strongly oppose.

Everyday you trumpet about honourable Bulitavu as he is supporting you people, that is fine. He is from Macuata, I am from Kadavu, I do not support the Bill.

(Chorus of interjections)

HON. S.R. RASOVA.- Go to Macuata!

MR. SPEAKER.- Order, order!

HON. S.R. RASOVA.- He can say it, that is the President up there, he will of course support the Bill because he supports the President.

(Chorus of interjections)

HON. S.R. RASOVA.- I will come to that, I will come to that.

MR. SPEAKER.- Order, order!

(Chorus of interjections)

HON. S.R. RASOVA.- The Tobacco Bill is coming, you give licence to that, why not legalise *marijuana*.

(Laughter)

MR. SPEAKER.- Stick to the Bill.

HON. S.R. RASOVA.- I think honourable Gavoka has touched on that. What is the status of the Central Liquor Board in existence? What is the existence of the Commissioner Western, Commissioner Eastern and Commissioner Central? Those are people who do the licences. They are the ones who sign. Of course, you did that, now they have taken it away from you and it is going to go to the Minister.

Honourable Usamate says, “The doctrine of separation of powers”, the Minister is now intervening in this process where the Commissioner Eastern, Commissioner Western is supposed to write. But now the Minister is going there to sign the exemption. The doctrines of separation of powers Mr. Speaker, Sir, they have abused that.

Mr. Speaker, Sir, as honourable Leader for SODELPA asked, “What is the church?” It is the people, it is the consumers that we are worried about. It is the consumers! You approve the licence from three years to five years. Let them pay.

HON. CDR S.T. KOROILAVESAU.- What is wrong with that?

HON. S.R. RASOVA.- You did the hotel licence last year. They are supposed to renew after 12 months because if it is due diligence, we have to check them every time. Now, you were given a five year last year, now you are given a three year to five years this year. What is the matter with you people?

Control, this is a sovereignty of Fiji. We control our laws against other people.

Mr. Speaker, Sir, the Convention on Violence against Women and Girls. You approve the liquor, you are relaxing the laws for liquor. What do they do? Honourable Akbar was just talking about it yesterday, the violence against women and girls. How to control it? It happens over here but this is one of the number one reasons.

HON. CDR. S.T. KOROILAVESAU.- Well, you are blaming liquor for that.

HON. S.R. RASOVA.- You talk to the Minister for Social Welfare. You talk to the Minister for Health on how it happens, it combines – the liquor, social welfare, so it is a combination of everything.

Anyway, I just like to thank this side of the House in opposing this motion. It is so shameful, shameful! The people are watching. Honourable Lenora said it yesterday, “Shh, the people are

watching”, that is because of you people.

HON. CDR S.T. KOROILAVESAU.- Why?

HON. S.R. RASOVA.- You want to know why? Because this is an abuse of Standing Order 51, abuse of Parliament, abuse of privileges. Thank you, Mr. Speaker, Sir, that is my contribution and I am against this motion.

HON. S. NAND.- Mr. Speaker, Sir, I would like to make a small contribution towards the Bill. I have heard a lot from the Opposition side on the Bill saying that the consumers would be affected, the liquor sales would be affected and honourable Rasova has said the violence against women would be increasing because of this Bill. Absolutely not!

The Bill only says, “Increase of the licence term”. It does not, I repeat, it does not change the conditions of trade, it still remains and for sellers licence, the condition of trade is 8.00 a.m. to midnight. That still remains, nothing changes. Absolutely nothing changes!

The cumbersome task of getting the licence every year or every three years, that is being eased and extended to five years. I have heard a lot, saying the Minister is intervening. If they have read it correctly, the Bill says and I quote, “The Minister may exempt the applicant from paying the fee”, so he does not interfere in the licencing process.

The liquor licence still has to be lodged with Commissioner Central, Commissioner Northern or Commissioner Western. The liquor licence still goes the Tribunal. The vendor or the vendee has to go to the Tribunal to present himself and get the licence. Nothing has absolutely changed. They are just creating huff and puff so that they can get mileage. Absolutely nothing has changed. I beg the Opposition Members to please read, the least they can do is read. Nothing is changing except the term of the licence, the conditions of the licence, the trading conditions remains the same. It is the task of getting that licence every year that is being eased.

It is alright for the people in the urban areas, they can go through the process every year and get the licence but little do they realise what tasks are involved in getting a licence. It takes about a month to go through all the processes and get that licence and for people in the rural and outer island areas where they have to renew their licence every three years, they have to either do it through a lawyer or come to the mainland and get it done themselves. There is a lot of cost and time involved; time that can be used to do something more productive in their businesses.

They should read rather than opening their mouths first than reading later. You think, you read, you think and then open your mouth. Do not open your mouth then go and read anything. So, that is what I am requesting. Please, it is not for the sake of opposing the Bill, read the Bill and then oppose. Nothing is changing, only the term of the licence is increasing. Absolutely nothing else and the Minister will not be intervening, the clause only says that the Minister may exempt, not necessarily will. So please read the Bill and contribute.

The Bill is for the betterment of the tourism industry and betterment of all liquor traders because it gives them the liberty of getting the licence once and trading for three to five years and not going through the process every year or so. If the vendor or the licence holder is not abiding by the rules of the trade, the licence can be cancelled. So there is nothing there that encourages the abuse of the licence. Please do not go for political mileage, think why it is being done and what is the benefit of it.

HON. LT. COL. I.B. SERUIRATU.- Mr. Speaker, Sir. I rise in support of this Bill and wish to first make a few comments on the points raised from the other side. I am, indeed, insulted by the comments made by the honourable Qereqeretabua about the Silent 25.

Mr. Speaker, whenever a Bill comes into Parliament, it goes through Cabinet. There is Cabinet endorsement before it comes into Parliament. That is the process. It is something that the honourable Attorney-General or whoever is bringing the Bill just plucks it out of thin air and brings it here.

Yesterday, Mr. Speaker, Sir, the President of NFP raised an oral question about the assistance that was to be given to the business community affected by the flood and it is exactly along the same principle. These are businesses that were affected due to COVID-19. We talk about the economy and how we can help our people but this is a different tune altogether again, Mr. Speaker, Sir.

The processes and I thank the honourable Sachida Nand for clarifying that; nothing changes except for the term. Just a few weeks ago, Mr. Speaker, Sir, I renewed my driving licence and I was quite surprised, impressed and thankful as well to LTA because they gave me options and god willing, I have renewed my licence for six years, Mr. Speaker, Sir. I paid \$86 because I do not want to go back every year and renew my driving licence and it is exactly the same thing because for the liquor licence, they have to go through the City Council, Town Council, the Rural Local Authority, NFA, Health and to so many other industries to order to get a licence before it comes to the police or even the Office of the Commissioners.

Being a former Commissioner, particularly in the Central division- when it comes to the Liquor Tribunal, it takes a lot of resources and time for the Ministry of Rural development. We are the Ministry of Rural development and we need to be there doing other things but whenever the Liquor Tribunal sits and this is why I strongly support this motion. It takes away a lot of work that can be dedicated somewhere else.

Let me clarify to honourable Rasova as well that the process remains but we are talking on 1986 about those that were affected during COVID-19. They paid their licence already but they were not ready as a business. So, the Liquor Tribunal does not power on them as they are limited by the Law that is already in existence. That is why, this has to be referred to the Minister.

This is the process, Mr. Speaker, Sir. Unfortunately the honourable member does not understand that! We have talked about the issue of doing business and this assists people, Mr. Speaker, Sir. Those that have liquor outlets have no problem but small hotels that have paid their licences, restaurants, bag packers- but have not been able to operate as such because of COVID-19 restrictions and that is what, this bill is all about.

I strongly support the Bill and I hope that the other side of the House will do so as well.

MR.SPEAKER.- I thank you honourable Minister. I give the floor to the Minister Faiyaz Koya.

HON.F.S.KOYA.- I am actually amazed that the content that are coming out of the Opposition this morning. Just last night, honourable Gavoka actually agreed to this. The first three he said he does not have problem with but he comes here today like a chameleon- and changes his tune again. This reminds me of *Boy George* song that sings *Karma Chameleon*.

Mr. Speaker, Sir, it is actually quite astounding because what comes out as statements they made this morning by honourable Rasova, honourable Qereqeretabua and honourable Gavoka is that

they have no intention of supporting our MSME and businesses at all. They are not PRO Fiji and they have actually forgotten that COVID-19 actually happened. All this Bill is doing is assisting those that have been affected during COVID-19.

Some of these businesses had zero income because of COVID-19. It is our job to ensure that we can assist them as best possible. The amendments are twofold. Firstly, the licensing period have changed from three to five years. Secondly, the exemption of payment of the prescribed fees for businesses that did not operate due to difficulties faced during the COVID-19 restrictions. These amendments are actually imperative at this time to provide the support the Private sector needs – to recover and ensure sustainable business operations. Nightclubs have been shut down for almost two years.

They had to revitalise and reengineer themselves. The Fiji First Government from Day one of COVID-19 pandemic have responded. We have responded with smart policies, with respect to all Fijians and in their best interest. Be it closing our international border or strategic lockdowns or rolling out hugely successful vaccination campaign, it was in the best interest to protect our lives and our livelihood. This again is a measure to protect the livelihoods of these people. Again it is a measure that is going to protect people who are employed in that industry.

Mr. Speaker, Sir, the Government has strategically opened our international borders in December 2021, backed obviously by science, good economic policies and most importantly, we are appreciating the challenges faced by our businesses and ordinary Fijians; a point that they do not realise. The pandemic is an unprecedented event and this has affected every human being on the planet. Unprecedented events like this call for extraordinary policy measures from Government to protect our businesses particularly our MSMEs.

Mr. Speaker, Sir, the restrictions have been tough on bars and taverns. Bars and taverns last year in the second wave of COVID-19 were closed for more than six months, that literally meant zero income, so what they are saying is, “do not help them, just do not help them at all”. The people of Fiji and all business operators should think twice before thinking about SODELPA or anyone else in Opposition. This is the way they think.

Mr. Speaker, Sir, resorts and hotels were closed with zero income. They were either closed or some operated on a part time basis and some maintained their liquor licences as this is an integral part of their business. With the successful reopening of international borders and the easing of restrictions, we must support these businesses that face the full brunt of COVID-19 restriction. It is fair and it is the only right thing to do to support them. This Bill will provide relief to those businesses to recuperate, be able to open their business without burden, to pay for licence renewal or arrears for the period they were not operating and the relief or validity of the licence will be for a period of one year.

These amendments also, Mr. Speaker, Sir, provide broad exemptions for those businesses with the liquor licence that were either operating or operating but were making a loss. The conditions are there, they are quite simple. It also provides a useful bridge particularly for MSMEs to commence operations in line with Government’s policies, operate safely in terms of opening up our economy especially our tourism sector.

This is what we need, Mr. Speaker, Sir. The Government is here to support these businesses in the private sectors. We are leaving no business and no Fijians behind. There is a great deal for business sustainability and survival and for the restoration of livelihoods and those that are employed in the sector and the supply chain. The Bill will empower the responsible Minister to exempt the business from paying the fee for only one year which is enough time to recover losses.



Due to COVID-19, we have classified nightclubs as high risk businesses based on science. Currently, they are not operating, however the vast majority of nightclubs have actually re-invested and re-modelled themselves as bars and taverns and are operating as such. Essentially, since the re-opening of bars and taverns last year, this is an important point, nearly 500 Fijians have been re-engaged in employment.

This Bill also extends the maximum term of the licence from three to five, which is in line with the FijiFirst Government's vision to ease the administrative burden of doing business in Fiji as also alluded to by honourable Seruiratu. This will give businesses a lot more certainty and confidence to continue operations and huge confidence to financial institutions to lend to those businesses with long term licences.

I would also like to add, Mr. Speaker, Sir, that we are responsible Government. Bars and taverns operate in adherence to COVID safe protocol. We have our COVID-19 safe ambassadors also that regularly visit these premises and create awareness about COVID-19 safe measures and where businesses violate, we firstly educate and advocate before we take punitive actions. We are doing everything possible through these policies, the initiatives and the incentives to ensure that the tourism industry also remains competitive in the international market. This is to ensure that Fiji is able to compete in a post-pandemic tourism architecture, something that we had discussed earlier on this week. You have to look at the fact that there are other destinations that are equally hungry, if not more so, to gain market shares.

Mr. Speaker, Sir, with the strategic vision to free our country from the grip of the pandemic and to return to some normalcy, it is crucial that we give a helping hand to the private sector, especially our MSMEs and the tourism sector. Therefore, Mr. Speaker, I fully support the amendment to the Liquor (Amendment) Bill 2022.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, just to clarify some points; I think honourable Members on this side have highlighted the key reasons as to why we are doing this.

Honourable Members on the other side raised issues about, therefore, now there will be some form of unruly situation that people will be selling alcohol left, right and centre. If they look at the amendments made, Sir, it does not alter anything under the Liquor Act. It does not alter the establishment of the Central Liquor Board and its functions, it does not alter the Divisional Liquor Licensing Authority as honourable Seruiratu highlighted where the Commissions are involved and people living in that Division are actually members of the Board. None of that changes. The requirements as to how one can get a licence is not changed at all, Sir. All of that remains. It sets out clearly on what basis licences will be issued.

Mr. Speaker, Sir, we are not talking about here, primarily, new licences. We are speaking here, primarily, in particular if you look at the proviso under section 43 of the amendment about those people who suffered from COVID-19. We have the Opposition talk about, "Well, we must get more Fijians to have resorts, et cetera." They are, in fact, there are a lot of people coming up in the Mamanucas, in the Yasawas where particular landowning units have got together, put together five or six *buves* where a lot of tourists go to, very pristine waters, they also have liquor licences. So, every time when they want to apply for liquor licence, they get a boat which probably costs \$200 to \$300. Someone in Kadavu who wants to maybe open up, another \$200 to \$300 to come across to Suva or to Lautoka or wherever it may be, and then apply on yearly basis.

We had amended law. Honourable Gavoka has got it wrong, he said, "It used to be on a yearly basis." The law as it is says three years. We are amending from three years to five years.

Mr. Speaker, Sir, the focus of this actual amendment as highlighted in section 43 of the Principal Act says, and I quote:

“Notwithstanding to subsection (2), a person may apply for the renewal of the licence after the expiration of the term of the licence if the Authority (Liquor Board) is satisfied that the person did not apply for the renewal of the licence due to COVID-19 restrictions.”

I am running five *bures* in the Yasawas, I had a liquor licence in 2019, I then applied for renewal in 2020 and half way through because the border closed down, I paid for one year or assuming I paid for two years or assuming I paid for three years, I’m shut down. I had a licence for one year and I paid for the one year but I never use it for six months.

In 2021, I did not apply because the borders are still shut down. Come 2022 when I came to the Liquor Board and I want to apply for renewal they would say ‘no’ because the law says, if you have not renewed on a yearly basis, you now have to make a fresh application. You have to go through the entire new application process. You pay an additional fee because the one you paid for one year and use it only for three months. That is not our problem, that is what the law says.

What this amendment seeks to do under section 43(3), Sir, is to give the authority or latitude to say, “You did apply for it and, yes, because of COVID-19 you had a licence and you did not renew, therefore now when you want to come for renewal, we will give you a renewal. That is what section 43(3) does. Section 86A which is Clause 6 which they were harping on about, says and quote:

“The Minister may, by order in the Gazette and subject to any condition the Minister thinks fit, exempt a person from paying the prescribed fee under section 15, 19,25 or 43 if the Minister is satisfied that the person -

- (a) paid the applicable prescribed fee for the licence issued for the term immediately prior to the term of a licence for which payment of the prescribed fee is due and payable;
- (b) did not sell or supply liquor due to COVID-19 restrictions;...”

That is what the gist of it is all about, and again they have not read it.

If you look at Clause 6(2), it says, “notwithstanding that.” When a person, for example, comes and says, “Look, can you please give me the renewal.” The Board will say, “Okay yes.” When it comes to the fee, they say, “Look, can you please exempt me for the fee because I paid last year and I did not use it?”

When the Minister exempts it, that person can only get a licence for an additional year. That is what it says – “for a term not exceeding one year.” They can only get it for one year. In other words, they cannot come and take a free ride and get a licence for five years, it is only for one year, because you got an exemption. Thereafter, you can apply for the five year renewal and pay your fees. They have jumped the gun. This is the level of inconsistency.

Honourable Gavoka, quite clearly pointed by honourable Minister Koya was that yesterday he said that he does not have a problem with the first three Bills, the Liquor (Amendment) Bill and the Tobacco Control (Amendment) Bill.” Now, of course he is going to change his mind. This is the level of indecisiveness. It is a symbolic of the level of indecisiveness. Honourable Qereqeretabua has suddenly become a draftsman saying that the word, “which” should be there, it should not be there. I would urge her if she wants to, like her colleague in front of her got it wrong once too, commenting on drafting, she can talk to Lyanne Vaurasi, Glenys Andrew and Yabaki Vosadrau who

are the drafters of the Bill, and they can teach her how to do drafting, because modern day drafting is not done the way that you are proposing.

Mr. Speaker, Sir, again I would like to highlight to the honourable Members that when a licence is given, even it is for five years, honourable Rasova, for a hotel for five years, even in the way the bus licence is given, a taxi licence is given, there is nothing stopping the licencing authority from doing random checks. There is nothing stopping the authority from getting complaints. We have had complaints. Hotels that were given licences started acting like brothels, they were closed down, and they had the licence for a longer period. But there is nothing stopping the authority from doing that. He misrepresented to Parliament saying, “Oh we must check, it is our sovereign right.” What is all that about? This is theatrics. Really.

Mr. Speaker, Sir, the fact of the matter is, that once a licence is given, there is nothing stopping the authority from doing so. I would also urge the honourable Members to think about all the small businesses. Around Namatakula there a lot of nice beaches there, what if the villagers through a co-operative wants to set up five *bure* and started getting tourists? It makes things easier for them. And think, it is not only about business, it is about the workers, the people who are employed in these hotels.

If you have hotel small operators who cannot get liquor licence because they simply cannot pay the fee and because they have not operated for two years, but the bigger boys and girls can operate, guess where the business will go. This is not a *carte blanche* saying all Fijians will now drink alcohol day and night; predominantly for hotels. That is what we are trying to facilitate. They have come here and brought in ethnicity, land owners et cetera. It got nothing to do with that. Absolutely nothing.

Mr. Speaker, Sir, so I would urge all honourable Members to please, support this particular Bill. I also saw in the *Hansard*, honourable Gavoka, when we brought the amendment for the hotel licences to move from three to five years, he said, “I support it.” He supported it, the *Hansard* is here, and he knows being an hotelier, you cannot run a hotel without a liquor licence. If you are going to say a hotel is going to be fully functional hotel ....

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- ...as we all know, a hotel also has a bar, it has tavern licence and a hotelier as he would have done himself when he ran Mocambo and it was part of Shangri-la Fijian, they would have as management applied for those licences, and it goes under the hotelier’s name. But you cannot have a hotel in this modern day and age without a proper liquor licence. So you cannot agree and say, “let us get a hotel licence for five years, but by the way let us not get them to sell alcohol.” Essentially that is what they are saying. What we are saying, Mr. Speaker, Sir, is to make things easier.

The last point I wanted to make is that, we needed to be consistent in the way that we contribute to these discussions. We cannot pick and choose and what we are doing, Mr. Speaker, Sir, is that in this particular instance, the licence is already for three years. We extend it for five years but as we saw the gist of it, it was the exemption for those people who suffered because of COVID-19. Thank you, Sir.

MR. SPEAKER.- I thank the honourable Acting Prime Minister. Honourable Members, Parliament will now vote by acclamation.

Question put.

Motion agreed to.

[Liquor (Amendment) Bill 2022 (Bill No. 01/ 2022) enacted by the Parliament of the Republic of Fiji. Act No. ....of 2020]

MR. SPEAKER.- Honourable Members, before we take a break morning tea, in the days when Native Fijians could not go to the bars and have a drink, they had to have a permit. Some were able to get a permit but some could not get it at that time.

Now, those of you who been there, I do not think many of you have been, but I have been to the Garrick Hotel, the upstairs bar, there is a long bar there. Now, some relatives of mine used to work it out very well. They have a time moving upstairs. You walk up the stairs and right opposite the stairs, the Indian barman would be there. They will go up and said, “Hey brother, *dua na* beer”. At the other end of the bar, the host, Mr. Costello, will be there reading a newspaper. The barman goes up to him, “Sir, there is a Fijian over there who wants to have a beer.” He will put his paper down, lowers his glasses, looks across and said, “He looks like a Costello, give him a beer.”

Honourable Members, on that note, we will adjourn for morning tea.

The Parliament adjourned at 10.43 a.m.

The Parliament resumed at 11.18 a.m.

### **TOBACCO CONTROL (AMENDMENT) BILL 2020**

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Wednesday, 9<sup>th</sup> February, 2022, I move:

That a Tobacco Control (Amendment) Bill 2022 be debated, voted upon and be passed.

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

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, this Bill, in fact, has similar fundamental components as the previous Bill that we have just approved, the Liquor Licence Act. This is similarly to do with the extension of time, in this particular one, licences were issued up to only one year and now what we are amending, Sir, is to substitute that up to five years. In other words not exceeding five years.

Mr. Speaker, Sir, there is a provision made in respect of if the person faces or has faced any problems or consequences as a result of COVID-19 in respect of payment of fees or indeed the extension of their licence. I will not elaborate any further. I think the Bill is quite straightforward in that respect Sir and the responsible Minister as in the previous one has the ability to grant that exemption in terms of the payment of fees, if there has been an application made because of the effects of COVID-19, this particular business or individual was affected.

HON. A. JALE.- Mr. Speaker, Sir, I will be referring to the Bill and be making an observation about the amendment. Although I am making an observation on the amendment, it does not mean that I am supporting the Bill, I am not. I am referring to amendment five – section 34(3) and I am referring in particular to 3(b). This talks about the power of the Minister to exempt people from paying prescribed fee under the circumstances. This one talks about, did not manufacture, import or distributed a tobacco product or e-cigarette or sell or barter *suki* or cause or permit *suki* to be sold in accordance with the licence granted due to COVID-19 restrictions.

Since we are tasked with making laws and making amendments where they are required, I am questioning the reason why it is restricted to COVID-19 only. Say in six months, we have COVID-21 affecting this group of people. Are we going to be considering amendments again? So, I am suggesting that those circumstances need to be taken on board to cater and give the Minister the power to make that type of decision during times of unforeseen circumstances cropping in and not be specific to COVID-19 alone. This is an amendment to the Act and I do not expect the Government to be coming again after a few months because of something that we do not foresee now. If there is another COVID-something coming again and I am saying COVID-19 in six months, would you be coming back to make a further amendment giving the Minister that power?

The other point I would like to raise, Mr. Speaker, Sir, is the process that this Government has been using; Standing Order 51(4). I think this Government after they finish their term in government, they will be remembered as the Standing Order 51 government. I think that will be something that they will be remembered for; its abuse of Standing Order 51. A Standing Order as an abuse of power by this Government.

I was writing up some of the things that I see about this Government and I say that this Government lacks mature leadership, a leadership that lacks planning, does not have a legislative calendar, one that is reactionary, one that lacks foresight and balanced judgement and one that cannot justify its actions to the people. I am suggesting changes. I have just suggested something that they

need to consider about the amendment and it is so important that the people of this country be given the opportunity to be heard.

I am sure a lot of other amendments, lot of other suggestions will come up if these Bills are taken to them. I remember Bill No. 17 and one of the things that I would like to say, this Government will fall with Standing Order 51 because this is what the people hate that they have been misusing all these years. You are going to fall with your Standing Order 51 and you are doing the campaign yourselves. We are not going to do much campaign because you are already shooting yourself in the foot.

HON. LT. COL. P. TIKODUADUA.- Mr. Speaker, there are a number of amendments being made to this Bill. Now, this has clearly taken some time to work out. This Bill has clearly been with the Government for some time. We, of course, do not know if the big tobacco companies lobbied the Government for these changes but what we do know is that the people were not consulted.

Mr. Speaker, Sir, Fiji is suffering from an epidemic of Non-Communicable Disease (NCDs) - diabetes, heart diseases, hypertension and similar diseases. In some cases, we have the highest rates in the world today. Tobacco is a direct contributor to these diseases and the Government is rushing this Bill through on 12 hours' notice. It is not stopping to consult health professionals and the people in the community who try to improve public health.

This, of course, to us is deliberate. The Government has had the Bill on files for a long time so why the surprise tactics now? What is the Government hiding, why is it so afraid to give this Parliament its laws to read in good time? Why is it so afraid to allow the public to read and comment on its Bills? What does the silent 25 on the other side have to say about this? Nothing! Just yes Sir and no Sir, three bags full!

(Chorus of interjections)

HON. LT. COL. P. TIKODUADUA.- Is this what their voters elected them to do, I ask, Mr. Speaker, Sir? The Fiji Tobacco Industry should not associate itself with these law changers. They are not transparent - they have not been put up for debate. This gives rise to the worst kind of suspicions about the Tobacco Industry that they lobby for these changes quietly and out of the public eye. So much for transparency and accountability. I regret to say that you too are permitting this total abuse of Parliamentary process to continue by the Government.

HON. P.D. KUMAR.- Mr. Speaker, Sir, I rise to support the Bill before us. The intent of this Bill is no different from Bill No.1.

HON. J. USAMATE.- Exactly!

HON. P.D. KUMAR.- There is no major change. It is seeking the amendment to two major areas which is extending the licence granted, waiver of licencing fee because of COVID-19 and also if there is significant loss of revenue for the period of the licence granted. So, I just do not understand why the Opposition is making a mountain out of a molehill.

In regards to what honourable Tikoduadua has said, time and again, we have made it very clear that because some of the members in your Party have not run a Government, so they do not know and you should know better that all these Bills, any amendment to the Bill or new Bill or anything that has to do with the nation, it comes to Cabinet and the Cabinet goes through it and then we do the endorsement. It is not that we do not know, we know what is happening, for your information, but we use our common sense. We do not have to argue on every little thing.

In this particular case, Mr. Speaker, Sir, Standing Order 51, we use our intelligence to bring Bills to this Parliament because the Bills that we are bringing under Standing Order 51 will only do good for the people of this nation. There is no other major impact, it is only going to make their lives better. In such situations, we do not wish to refer it to the other side so that they go and do a consultation. You think the people will say, “Sorry, do not extend it from three to five years”, or do you think they will say, “No, no, no, we still want to pay the money, even though I have not done the business well.” So, what is the idea of taking and wasting our time in consultation as well as wasting a lot of money in consultation when the amendment is very, very simple? Thank you, Mr. Speaker, Sir.

HON. I. KURIDRANI.- Sir, I will reply to what honourable Kumar just said. I think she forgets that it is the people who put her there, they pay for her salary, so it is very important to consult the people who will be affected through these changes.

HON. P.D. KUMAR.- Affected? They are not affected.

HON. I. KURIDRANI.- Have you done any consultation?

(Chorus of interjections)

MR. SPEAKER.- Order!

HON. I. KURIDRANI.- Mr. Speaker, Sir, I will just make a brief contribution to this Bill and I will focus on the part of the Act that gives the power to the honourable Minister to exempt fees.

Mr. Speaker, Sir, I consider this as an operational issue. Exemption of fees, I believe, should be done by the licensing authority. Why engage the honourable Minister?

The day before, honourable Usamate (my OB) mentioned in this House that they are the smart Government, the only involved in policy making and this contradicts to what he just said. They are involved in operational issues. Smart government, engage in operational issue, Sir, they are just exposing themselves.

The honourable Seruiratu said yesterday that if they keep on changing their stance, they are unfit for leadership. Here, they changed their stance so they are just exposing themselves that they are not fit for leadership.

In fact, it is the Permanent Secretary that is responsible for the change of fees and issuing of licence, so why give it to the honourable Minister? Everyone questioned, what is the motive of engaging the honourable Minister to exempt fees? Probably, we are nearing election and this is one way to help their supporters. We will question that because if the licensing authority is doing a good job, then why engage the honourable Minister? He is a political figure.

HON. P.K. BALA.- Those people selling *suki* in the market.

HON. I. KURIDRANI.- Yes, they listen.

MR. SPEAKER.- Order!

HON. I. KURIDRANI.- Why give it to the Minister who is a political person? Political decision will come from him. He will talk on political issues.

HON. P.K. BALA.- It is simple.

HON. I. KURIDRANI.- No, no, it is not simple.

HON. P.K. BALA.- *Hare!*

HON. I. KURIDRANI.- I would have welcomed it if the honourable Minister tabled in this House a Bill to relax the licence of grown *suki*. I would welcome if the licence for growing *suki* to be removed to help the poor farmers recover from this crisis. Here, they keep another burden, shifting the responsibility to the honourable Minister and that will give birth to nepotism, corruption, and that is what we know about them.

Mr. Speaker, Sir, I do not support the Bill. Thank you.

(Laughter)

HON. CDR. S.T. KOROILAVESAU.- Mr. Speaker, Sir, I would like to raise a Point of Order under Standing Order 62 (4), and I quote:

“It is out of order for a member, when speaking, to use —

- (a) offensive words against Parliament or another member;
- (b) treasonable words;
- (c) seditious words; or
- (d) words that are likely to promote or provoke feelings of ill-will or hostility between communities or ethnic groups within Fiji.”

The honourable Tikoduadua stated that Mr. Speaker is also part of the facade made by the FijiFirst Party in making changes to the Standing Order 51. I want him to withdraw that.

MR. SPEAKER.- Honourable Members, I have no problem with the Standing Order 51. Standing Order 51 is in the Standing Orders of the Parliament of Fiji and it can be used by Government to pass legislation. It is used often by Government, and that is the prerogative of Government to do that. I do not see any problem with that at all.

I have been a Speaker in the other House where we have gone through Bills, put out for 21 days. But now those days we never had the mod cons that we have now. We never had internet, all these mod cons you can get instant information on Bills and everything is wired to you. And we are still trying to use systems of the past. What we need to do, we need to get on with things.

Honourable Member, you do not have to withdraw that statement. You have made it and I have taken note of it.

HON. LT. COL. I.B. SERUIRATU.- Mr. Speaker, Sir, I will be very brief but I wish to support the Bill before the House. Again, let me clarify with the honourable Kuridrani, I have just corrected his old boy colleague, the honourable Rasova.

Yes, it is an operational issue when it comes to processes but when it comes to changing according to what the Act says, that is where the Licensing Committee has problems, Mr. Speaker, Sir. This is not about micromanaging. Civil Servants are doing their job and they are doing their job well. We cannot go down and micromanage, as already alluded to by the honourable Member.



However, they are restricted by law and that is why we are seeking this amendment. I am surprised in Naqalimare that is all tobacco growing area. That is from his area.

HON. J. USAMATE.- Are you listening?

HON. LT. COL. I.B. SERUIRATU.- As we speak there are tobacco leaves. I would ask the honourable Member go to Lomolomo Stretch, when you reach the Police Post, look to your left, there is a double storey building with a new wall fence. This is one of the new operators that had paid more than \$260,000 last year but cannot be processed.

The tobacco leaves are already there. He has brought equipment from Italy, Germany and we have technicians that are here now, COVID related, Mr. Speaker, Sir, he would have started but the technicians were supposed to come from China (this is what they do not know). Unfortunately, China does not allow their people to come in because of the differences in our COVID protocols, medicine and whatever that are used.

He has to look for alternative technicians, Mr. Speaker, Sir, and I believe that the sister company from China has arranged for technicians from Pakistan to come and they are already here, Mr. Speaker, Sir, the very same people he is talking about - people affected by the Bill. But how about people who will gain from the Bill? These are your very own people, honourable Member. Naqalimare is known for tobacco and all the areas that go up from there.

HON. I. KURIDRANI.- Point of Order.

HON. LT. COL. I.B. SERUIRATU.- Misleading.

HON. I. KURIDRANI.- I think the honourable Minister has taken me wrong. My issue here was, why give the power to the Minister? He is saying operational matters and benefit to the farmers. What I said was, why give the power to the Minister to exempt fees when it is supposed to be done by the licencing authority?

HON. A. SAYED-KHAIYUM.- No, no, read the law.

HON. I. KURIDRANI.- But my fear is that, because the Minister is a political figure, he is a political man.

HON. A. SAYED-KHAIYUM.- Read the law.

HON. I. KURIDRANI.- The decision will be influenced, especially by the honourable Attorney-General. I think he is misleading.

(Chorus of interjections)

HON. I. KURIDRANI.- Honourable Minister for Health, Sir, can you just go fix the Hospital in Navosa, please?

HON. LT.COL. I.B. SERUIRATU.- Mr. Speaker, Sir, the honourable Member is confused but I am clarifying. Let me again state, tobacco farmers all the way from Ba have already...

Again, let me go back and talk about diversification and broadening the economy base. This is the position changing that I keep referring to, Mr. Speaker, Sir. But then when it comes to this Bill, of course, they are always worried about elections and as I have stated, let us deal with today's

business for the benefit of the people, let elections take care of itself. We, on this side of the House, are not worried about the elections.

Mr. Speaker, Sir, let us do the work for what we are called and elected to do. Again, this facility has been waiting for more than 18 months, and I have tried so many times to facilitate discussions, but we were restricted by law.

Mr. Speaker, Sir, because of my connections to the investor as a former Minister for Agriculture, he used to be the Lift Manager for British American Tobacco, and he has decided to set up another business. I have seen the new brands, it is all happening, Mr. Speaker, Sir, so let us look at the benefits this will bring.

Of course, NCDs is a challenge but people have their choices as well. We will continue to advocate, we have the laws and we have the Chief Health Inspector who is monitoring and ensuring that what we have ratified, particularly, on tobacco laws are observed and adhered to, Mr. Speaker, Sir. But at the same time, we need to look at the benefits this brings, and of course, I again support this Bill.

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, before I add my thoughts on the Bill, I have questions for the Parliament Secretariat. This new Parliament under this Constitution is almost eighth years old, so where are we with the Standing Order 59. Why has the Secretariat not actively sort out details from us as MPs to declare our financial interests as clearly laid out in Standing Orders 56 and 59?

With your permission, I would like to read them out for the benefit of honourable Members and the public, and I quote:

“Member with financial interest may vote only with Speaker’s permission;

- (1) A Member may not vote on a question in relation to which the member has a financial interest. If the member does vote, the vote may be disallowed by a motion moved, without notice, either immediately after the vote is completed or, if the Speaker sees fit, at a later sitting day.”

HON. CDR. S.T. KOROILAVESAU.- The Honourable Member is discussing something totally different. If she wants to talk about something else then she puts up a Point of Order, not in the same context on the subject we are discussing.

HON. PROF. B.C. PRASAD.- It is related.

HON. CDR. S.T. KOROILAVESAU.- It is not related.

MR. SPEAKER.- Honourable Member, take note of that Point of Order but you have the floor.

HON. L.S. QEREQERETABUA.- Thank you, Mr. Speaker, my comments do relate to the point I am making and I understand where the honourable Minister is coming from and we will soon understand that.

In Standing Order 59 and I quote:

“A Member must declare financial interest - A member must before participating in the consideration of any item of business, such as speaking in Parliament or sitting on a committee, declare any financial interest that the member has in that business, if the interest is not already contained in any register of pecuniary or other specified interest of members of Parliament.”

So, Mr. Speaker, my question is, there may be Members of Parliament here in this House who may stand to gain directly or indirectly from Bills or motions that we are debating today but Parliament and taxpayers do not know. We all file our annual declarations to the Elections Office, why are we not telling the people who pay us what our pecuniary interests are? So, that is it, Mr. Speaker.

Whenever the honourable Attorney-General and Minister for Economy says that it is a simple amendment. We know the amendment is anything but. We know by now that everything that the honourable Attorney-General introduces in Parliament by way of Bills under Standing Order 51 has a motive. Just like the Capital Gains Tax exemption being made retrospective last year. Why would any Government, especially one that is struggling for revenue (in the Minister’s own words) and dependent on budget support from Australia and New Zealand backdate legislation? Why cannot other Decrees be legislated as Acts which did not reach the floor of Parliament for ratification but enacted under the 2013 Constitution have been made retrospective just like the Capital Gains Tax exemption?

HON. CDR. S.T. KOROILAVESAU.- Point of Order. We are talking about the Tobacco Bill, Mr. Speaker. Why is she going all over the place? It is a very simple thing. It is just a piece of paper that needs to discuss Tobacco Bill.

MR. SPEAKER.- Honourable Member, you have heard the Point of Order.

HON. L.S. QEREQERETABUA.- Thank you, Mr. Speaker, it is absolutely relevant.

MR. SPEAKER.- Stick to the Bill.

HON. L.S. QEREQERETABUA.- Why bypass the medicinal board to empower the Health Minister to approve COVID Test Kits and other equipment last December?

Mr. Speaker, the truth is, these things are not done for the benefit of the economy or Government’s responsibility towards compassion or care of its citizens, these are acts of deviousness either aimed at electioneering, benefitting politically by filling its political party’s kitty which is FijiFirst or, in other words, helping someone who is sympathetic and an avid supporter of the ruling party. This is the fact with anything and everything that is put before us with a speed of lightening. Not that we are afraid of being ambushed personally, Mr. Speaker, what we do fear and care about is how democracy is being ambushed and throttled in this Chambers, the people’s Parliament.

Mr. Speaker, what I am saying is the reality of the matter. It is the unmistakable truth. Briefly, did the people of Fiji benefit from the amendment to the medicinal products legislation amendment last December? Was the access to procurement of basic medication and COVID rapid testing kits made easier and cheaper? Were all pharmacies in the country allowed to import approved or even sell testing kits distributed by authorised pharmaceutical suppliers? The answer is, no.

The prices double for test kits. Only a limited number of pharmacists were allowed to sell them. One wonders whether they were directly or indirectly linked to a businessman in the West who controls the pharmacy chain that is registered under his wife’s name. One wonders whether that

businessman has had a red notice issued against him by Interpol in connection with hard drugs related investigations. And one wonders how much money this particular businessman donated to the FijiFirst Party in 2018? We know one can personally make a donation of ....

HON. J. USAMATE.- Point of Order.

MR. SPEAKER.- Point of Order.

HON. J. USAMATE.- I think the Honourable Member is really wasting our time.

(Chorus of interjections)

HON. J. USAMATE.- She is wasting our time. We are here to talk about a very specific Bill on a specific issue, a very small issue and she is going on to this dire tribe about this and that, she is like a river meandering around the globe, she will probably end up on the sun. I think she should be directed, "let us talk on this Bill, we have another two Bills, we have motions to debate." Let us stop this meandering. Focus on this particular Bill, this is getting absurd.

(Honourable Members interject)

MR. SPEAKER.- Honourable Member you have heard the Point of Order. I have reminded you, stick to the Bill.

HON. L.S. QEREQERETABUA.- I am, Mr. Speaker, Sir, I am and this is what the people who voted me into this House expect me to talk about and if you do not like me bringing these matters up ....

(Honourable Members interject)

HON. L.S. QEREQERETABUA.- Yes, if you cannot take the heat ....

MR. SPEAKER.- Order!

HON. L.S. QEREQERETABUA.- Sorry, Mr. Speaker, Sir, I should not be talking to them.

And one wonders how much money this particular businessman donated to the FijiFirst Party in 2018. We know one can personally make a donation to a maximum of \$10,000 per annum but in this case, was it \$100,000 or more under different names but on the same dates?

Mr. Speaker, Sir, we ask if there is a similar scenario unfolding with this so-called simple amendment. The devil is in the detail. The granting of licences for five years, exemption of licence if you are affected by COVID-19 and have been unable to operate your business and for *suki* sellers to have a vendors licence before first being eligible for this five year licence. We know *suki* sellers will by far and large fail to get licence payment exemptions. They will be told that municipal markets were open during the pandemic, for that matter we know that vendors in Labasa are being charged in excess of \$80 to sell *haldi* and *masala*. Perhaps, the Local Government Minister can clarify this.

So, what is this Bill about, why the urgency? Did this Government just realise after 12 years that *suki* sellers need a longer licence? Mr. Speaker, Sir, this is more than just electioneering, it is more than likely, extremely similar to the medicinal products and the CGT legislations rushed through this Parliament last year. We know that British American Tobacco as manufacture of cigarettes was operational during the pandemic therefore it will not have any exemptions. Its licence

period will not be increased and remains unchanged. *Suki* sellers, yes they will get longer licences provided they meet other criteria at their local municipality. So, why the rush?

The rush is because there is likely a new tobacco manufacturer or importer who must have paid the maximum amount of \$250,000 but wants a longer licence. So, we ask the honourable Attorney-General, who is wearing the hats of the Registered Officer and General-Secretary of FijiFirst? Is this true? Is there another manufacturer in the West, between Nadi and Lautoka? Is he a naturalised citizen because he is married to a local lady? Was he working for British American Tobacco or its subsidiary before quitting to set up his business? Was his business affected by COVID-19 preventing him from starting operations? Is this the reason behind the urgency of bringing this legislation under Standing Order 51? Why did the Government not alleviate the plight of *suki* sellers before? We need answers, we need clarity. We need transparency and do not use the *suki* sellers as your bargaining chip. I do not support this motion.

HON. F.S. KOYA.- Mr. Speaker, Sir, I do not think in the last five minutes I have heard anything relative to this particular Bill that is before the House. I think NFP has lost its way, lost its thoughts, lost just about everything, that is why they continue to harp on about other stuff.

Mr. Speaker, Sir, right down to the extent where honourable Tikoduadua starts this, I think, as of this week they have started saying the “Silent 25”. I am sorry, no one on this side of the House is silent. We are just actually one party, we all agree with what has to be done and we do it, not like you, we are not a silent 25, we all have a voice in this side of the House, that is why the FijiFirst Party is in Government.

(Chorus of interjections)

HON. F.S. KOYA.- Everyone has a voice on this side of the House and I think the people of Fiji actually know that. So, please do not try and grandstand and tell us and besides, why should anyone on this side of the House support what you are saying? You are asking them to stand up and support you? Forget it! Thank you very much, honourable Tikoduadua.

Mr. Speaker, Sir, I rise to support the Bill to amend the Tobacco Control Act. Again, it is very similar to the liquor one that we have actually just done. The amendments relate to exemption of the prescribed fees where the business did not operate as outlined in the person’s licence due to difficulties faced as a result of COVID-19 restrictions. I think they are just completely forgetting about COVID-19. Fijian borders closed and restrictions were put in place from April 2021 and businesses that actually manufacture or distribute tobacco products and one of the most important things, Mr. Speaker, is our *suki* vendors. They actually suffered significant losses and for us, it is all about the assistance that we can actually give them.

As a matter of fact, they played a major part in making sure that this Bill came to this House. They have a voice and they have spoken to us about it. Our farmers that mostly produce *suki*, who are mostly classified as MSMEs, they have suffered losses and lost markets due to COVID-19 restrictions. This also includes infant businesses that recently invested in tobacco manufacturing as mentioned by honourable Seruiratu.

Mr. Speaker, Sir, as alluded to by the honourable Acting Prime Minister yesterday, the annual tobacco manufacturing licence costs about \$242,000 per annum for a newly established business and this is actually a significant investment. These businesses are taking on board the financial commitment to pay the licence fee, complete set up, support the farmers in growing tobacco leaves and create more jobs. For example, a new business had invested over about \$3 million in machinery,

engaged 30 farmers that have planted tobacco for them in 2020-2021 and which employed approximately 100 farm labourers on these farms.

This is the harsh reality of this, Mr. Speaker. However, it was unfortunate due to the pandemic, they led to international border closure and it became a stumbling block to commence operations as technicians could not enter and complete the set up. Exactly the same person who has been referred to by the honourable Inia Seruiratu.

In this regard, the Bill will assist those businesses that did not fully utilise their licence and manufacture due to COVID-19 restrictions. The Bill will exempt the business from paying the fee for one year, giving them time to rejuvenate and recover, similar to what we just did with the liquor, Sir. We are also extending the term of the licence, same thing, from one calendar year to five years, it will give much-needed security also to earn confidence to the operators particularly to our manufacturers to continue operations and expand. This impacts the supply chain and more farmers will be engaged in producing tobacco leaves and ensuring a sustainable income source.

The Opposition keeps harping on about the ease of doing business, et cetera and the proponent is back in the House I see this morning but the FijiFirst Government actually takes action on these things, Mr. Speaker. We want to take in many reforms and process improvements which I actually highlighted yesterday.

The extension of the licence period from one to five reduces again the administrative burden on operators to renew the licence annually and such exemption comes at a time when we are actually trying to recover and build back. The Government aims to build a consolidated economic recovery platform and in partnership with the private sector. The tobacco industry at large is one of the largest contributors towards tax revenue for the Government also, Mr. Speaker.

The Government continues to support our farmers and various incentives of the Ministry of Agriculture also went through many of our economic programmes which Fijians on the grassroots level benefit from. This is one example of a good economic case and potential benefits it will bring to our country. Challenges and barriers continue to slow the growth of our MSMEs and that is why the Government is here, Mr. Speaker, to mitigate the costs and allow a more enabling environment; that is the whole idea.

This Government strives toward doing business, easier and encouraging the inclusive and sustainable development of businesses. The pandemic, I have said many times, Mr. Speaker, has given us unprecedented challenges. This particular practical solution is necessary to ensure that business resilience is there and it also has to make a positive impact.

Mr. Speaker, Sir, as the Minister responsible for Commerce, I take feedback from the private sectors very seriously. We do not sit back and wait, we assess, find constructive solutions and we do all within our powers to build resilience and confidence in the private sector. That is basically our engine for economic recovery and for prosperity. Therefore, I support the Amendment Bill and thank you for giving me the floor.

HON. S.R. RASOVA.- *Bula vinaka* Mr. Speaker, Sir, thank you again for having me to speak on this Bill. The honourable Member is asking me to apologise to the people of Vanua Levu, especially Macuata this morning. I thought I was the defending mechanism on this side to protect ourselves and not to support that.

Anyway, similarly to Bill No. 1, this Bill extends the maximum term of the licence, under this Act, to five years and the honourable Minister to exempt fees. Did this Bill go to Cabinet? Did

any of the Ministers raise the question of risk management? That is more appropriate for the Permanent Secretary to decide or an officer at Director level, rather than a politician. The question that may arise is, did FijiFirst Party try to get a boost in tax revenue at the expense of the safety of citizens and families of those locals who abuse?

Generally, the Bill is understandable, to facilitate the restoration of the tourism industry, as well as the bars and nightclubs and other providers. However, there is no reason why this Bill had to be sprung at the Opposition at the eleventh hour, ambushed and foul-tricked by the honourable Attorney-General.

There is no explanation in this Bill, there is no good governance, no explanation and is kept a secret. As I have said this morning, secrecy is the keystone to all tyranny, not force but secrecy. When any government for that matter undertakes to say to its subjects, "For this, you are forbidden to know, the end result is tyranny and oppression of the matter are all his motives.

Mr. Speaker, Sir, I would like to say that the abuse of Standing Order 51 as alluded by the honourable Members on this side of the House. Why did it come at 9 o'clock last night and then it is still not 24 hours? It is just 12 hours that we will be passing this Bill. Why we are against this motion here is because we and our voters do not even know anything about this Bill.

The truth is out there, they do not know anything about this Bill. If we do not know about this Bill, then what about the people in the villages, those in the capital of Suva, Lautoka, Nadi, Sigatoka and those farmers, they do not know anything about this. So, give us time. Put it in there so that we can go back. It is just like the Bill No. 17 when it came here, we passed it over here and you sent the Ministry for iTaukei to take the news around, so you were putting the cart before the horse.

Mr. Speaker, Sir, I was sad to note the Capital Gains Tax (CGT). That was suited for some business people. When the Fiji Airways Bill was passed last year, three MAXs arrived that night. It was brought in through Standing Order 51. We passed it on Friday and on Saturday, it was all over the news that they were given approval of ANZ loan, because we do not know, it is a secrecy.

Mr. Speaker, Sir, I think they should not abuse Standing Order 51, that is my motion. I am against the motion before the House and that is.

HON. S. NAND.- Mr. Speaker, Sir, I rise to speak in support of the Bill. I will begin by telling the Members of Parliament, especially the Members of the Opposition side, I have a liquor shop in Nadera and, please, do come down and enjoy the services that we offer.

(Chorus of interjections)

HON. S. NAND.- It is a shop, so nothing is offered free.

(Laughter)

HON. S. NAND.- Mr. Speaker, Sir, regarding this Bill, once again, I am repeating myself. Honourable Opposition Members, please read, think, analyse and speak. You are following the wrong sequence - you speak and then think and then start reading. Read it first, analyse it, think about it and speak.

(Chorus interjections)

HON. S. NAND.- It is only two pages, three pages or four pages, how long does it take you to read? I am sure you have enough people, if you cannot read, someone else can read and explain it to you. Now, please do that.

People are talking that they paid huge fees and they want Liquor licence, five years is not an indefinite period. Five years will come to an end. It is not like 20 years or 30 years or 100 years, it is only five years. If you spend \$2 million or \$3 million you cannot get a full benefit in five years. So what is the big deal? It is Ease of Doing Business.

We are trying to ensure that the business community, whether it is a shop or local vendor or *suki* vendor or market vendor who sells *suki*, it is easy for them to do business. I remember early in January this year, like everyone else, I was queued up at Ministry of Health building to pay for my licence and I had an old lady in front of me. She absolutely could not read and she was given a form to fill. She turned around and said to me in Hindi, “Beta please form *bhar do*” which means, ‘Son, please can you fill up this form’. Now do we want that lady to go and queue there every year asking someone else to help her out? Do you people want that or do you want that lady to fill a form, get a licence for five years do business and feed the family?

HON. J. USAMATE.- Hear, hear!

HON. S. NAND.- What do you expect? It was an Indian lady but it could have been an *i Taukei* lady too. Our services, our actions are geared towards all Fijians. Every market vendor, every poor lady, every man who sell *suki* will benefit from this.

HON. J. USAMATE.- Hear, hear!

HON. S. NAND.- It is not only the big tobacco dealers. I am trying to keep it short, our focus is Fiji first. We want everyone in Fiji to benefit first, equally whether you are a multi-billion dollar business or you are \$10 *suki* vendor, you all benefit from this amendment. So let us put our self-interest, egoistic politics behind, forget about political mileage and think about the people. We do not stand up and speak just because we are Members of the Opposition, we want to speak, we want to get the political mileage and we speak. We do not do that.

Mr. Speaker, Sir, just before I sit down, I am really appalled on the statement made by honourable Tikoduadua, he has challenged the independence of Mr. Speaker.

(Chorus of interjections)

HON. S. NAND.- And to add to the misery, their Party Leader sits here smiling and does not even say anything.

HON. PROF. B.C. PRASAD.- Point of Order, Mr. Speaker, Sir. In fact, the honourable Member is now bringing disrepute to you. You responded to a Point of Order by honourable Koroilavesau. He is bringing the point again. You have made a Ruling, you have accepted that and he is whipping that again.

MR. SPEAKER.- I have already made my comments on the contents of the honourable Tikoduadua’s, and that is so.

HON. S. NAND.- Thank you, Mr. Speaker, Sir, but I urge all honourable Members here to respect the Chair of the Speaker and the Speaker, and we do not undermine the independence of the



Chair and Speaker, and refrain from any shameful and disgraceful act that could hinder the independence of the Chair. I support this Bill.

MR. SPEAKER.- Now, you too, honourable Ministers. Every time I look your way, you look the other way. Now, you both have done that so many times, I do not know why, but I give the floor to the honourable Minister for Health.

HON. DR. I. WAQAINABETE.- Mr. Speaker, Sir, thank you for getting my name right this time around.

Mr. Speaker, Sir, there are about 330 *suki* sellers for the last five to 10 years. I have been told by my staff that, that number has not changed much for more than five years. They come every year to get their licence renewed. These are our Fijians who struggle the most.

Almost every time we have to extend the licence. At the moment, we are going to extend it till March, by three months for them. One of the reasons why this is being done is for the ease of business for them. As my honourable friend had said, they come and they line up in the shop, they line up at the Ministry of Health Headquarters, we want to ensure that they have some surety.

HON. PROF. B.C. PRASAD.- They line up at the hospital too, you worry about that.

HON. DR. I. WAQAINABETE.- Wait, wait!

The next thing I want to say, Mr. Speaker, I want to respond to what honourable Qereqeretabua had said, in saying that the changes that were made in Parliament in that Act in which we ensured that the test to come and the Minister can give the exemptions, has really helped the Ministry of Health.

Many times the Ministry of Health Officials and our health professionals are stuck in the health centres, trying to organise tests, because the only test that could be used was the one that we had. By aligning ourselves to best practice which they are doing all over the world, in Australia, they have opened it up by just ensuring that the tests are the ones accredited by WHO that had been given the Emergency Use Listing (EUL) and also the Therapeutic Guidelines Association of Australia that we have aligned to that then those tests can be readily available. Those tests have come, they have been used now, RB antigen tests and there had been opportunities for growth in the economic sector also. We have opportunities for young people who are laboratory scientists, who may not have the opportunity with us, they can then go and join the lab. Because Reverse Transcription polymerase Chain Reaction (RT-PCR) testing is now available more and RB antigen testing is available more.

Mr. Speaker, Sir, I just want to finish on this note before I sit down. I again was irritated by the lack of disrespect to you Mr. Speaker, Sir by the honourable Member. If any two in this House should respect this, Mr. Speaker, and you Mr. Speaker, it should be the honourable Member and honourable Tuisawau the Whip.

HON. LT.COL. P. TIKODUADUA.- Point of Order. I note what the Honourable Minister is saying.

HON. J. USAMATE.- What is your Point of Order?

HON. LT.COL. P. TIKODUADUA.- I am coming to that. What I am saying is that, you have already made the Ruling, Mr. Speaker, Sir in terms of how you view my intervention. I am not trying

to make justification myself. All I am saying is that the Mr. Speaker has already made the Ruling. It is not a matter of disrespect.

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. LT.COL. P. TIKODUADUA.- I made a point. I respect the Speaker in all degrees, absolutely, but it does not mean that I have to agree all the time. This is about what this House is about.

HON. J. USAMATE.- What is the Point of Order?

HON. LT. COL. P. TIKODUADUA.- I do not have to agree with Mr. Speaker, I disagree with him all the time, he knows.

HON. J. USAMATE.- What is the Point of Order?

HON. LT. COL. P. TIKODUADUA.- The Point of Order is that, for the Order of the House, the Speaker has made a ruling and I ask the honourable Minister and the Members of the other side to abide by the ruling of the Speaker. There is no disrespect earned.

(Chorus of interjections)

HON. LT. COL. P. TIKODUADUA.- There is no disrespect made. I respect Mr. Speaker, I do not have to agree all the time and Mr. Speaker agrees.

(Honourable Member interjects)

HON. LT. COL. P. TIKODUADUA.- Well, Mr. Speaker has already made that ruling. You have to respect that.

MR. SPEAKER.- Order, order!

HON. LT. COL. P. TIKODUADUA.- Well he is already said that there is no discussions about it ....

HON. A. SAYED-KHAIYUM.- Why are you scared?

HON. LT. COL. P. TIKODUADUA.- I am not scared about anything.

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

HON. LT. COL. P. TIKODUADUA.- That is why I am saying it here.

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

HON. LT. COL. P. TIKODUADUA.- I have had things done to me, I am not scared of anything.

(Chorus of interjections)

HON. LT. COL. P. TIKODUADUA.- Seriously, I am telling you. Thank you, Mr. Speaker, allow me to finish.

MR. SPEAKER.- Honourable Members, I almost put a ban on the speaker but I have not.

HON. DR. I WAQAINABETE.- I thank you, Mr. Speaker, for your ruling and as I said, I respect you as a Speaker and I wish and hope that all of us in this august House will respect the independence of the Speaker and his role and the work that he does. He is the oldest person in this House. He has a lot of experience.

MR. SPEAKER.- Honourable Minister, now you have gone too far.

HON. DR. I WAQAINABETE.- Thank you, Mr. Speaker I support the motion before the House.

HON. J. USAMATE.- Mr. Speaker, Sir, I think a lot of the particular issues that I wanted to express have been already expressed, but every time we have a debate on anything, there is always this element the people from that side of the House always seem to, anything that we propose, they try to cull as, underneath there is some sort of conspiracy, that we are hiding secrets. It is constant. I think if we even said the price of ice cream should be reduced by 50 per cent, they will say it is a conspiracy. Everything is a conspiracy. Everything is about secrets. Well, I would like to put that to rest and I will confirm to the other side of the House, yes, we have a conspiracy. The conspiracy is to do the best for all the people in this country. That is precisely what we are doing.

The honourable Jale had said that this Government will go down regarded as the Government of Standing Order 51. I will tell you that this Government will go down in the annals of history to say that when they built Monasavu, the people there had no electricity, when this Government came in, they gave those people electricity.

This Government will go down saying that it is the Government that supported FDB which looks after the small farmers and the micro entrepreneurs of this country when you decided not to do so. This Government will go down and say that we were the ones who supported all those *suki* sellers, the micro entrepreneurs when you decided not to do it. That will be the record of this Government.

MR. SPEAKER.- I thank the Honourable Minister for his contribution.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, just a couple of points as I said in the introduction of the Bill itself, this is no different to the earlier Bill that we had and the focus of this particular Bill, of course, is they are two-pronged – one is the extension from one to five years, the other one, of course, which is predominantly the reason why this has brought about was because of the exemption to grant people firstly the renewal of the licence if they faced hardship and secondly was the exemption in respect of the payment of the licence fees. Again, Mr. Speaker, Sir, if that exemption is sought, the Minister or the licence will be renewed only for one year not for five years, if they seek the exemption.

However, if they do not seek the exemption, then when they do apply, they can apply for five year. It says not exceeding five years which means the person has the choice. They can come and say, “I want it for one year, I want it for two years or three years or four years or five years.” So it is their choice because it depends on how much fees they want to pay. Again there has been this approach, they see the number 5 and they think, “Oh, it is a carte blanche everyone will get five years.” The wording is “not exceeding five years”, so basically it is up to them.

The other point, Mr. Speaker, Sir, I would also like to make was that in respect of as honourable Jale said, “Why cannot the Minister be given the right to exempt people for other reasons?” Well actually if they look at the history of the laws that we have been amending, Sir, we are trying to take away the powers that used to be given to the Ministers previously where they were given *carte blanche* powers and it became very subjective.

Case and point, previously under the Immigration Act, the Minister responsible for Immigration could actually grant citizenship to anyone as the Minister so fit and Honourable Lalabalavu would know this. There are people who came to this country, running away from the law and they in fact were given citizenship within six months or nine months because at that time the Minister had the discretionary powers to do so.

That discretionary power, Mr. Speaker, Sir, was taken away under the Bainimarama Government. You had to meet a particular criteria and fulfil that criteria, and only then you would be given a Fijian citizenship. You will see a number of areas, Mr. Speaker, Sir, where we have amended the laws where the discretionary powers, in fact, the *carte blanche* discretionary powers which are very subjective have been taken away from the Minister. So, honourable Jale this is the reason why and it is specific to COVID-19 only.

Someone should not come along and say “I did not feel like paying it and by the way, you are from Navosa and I am from Navosa and therefore give it to me or I am from Lau, give it to me” that does not happen. This is specific stated reason in the law why and only when that exemption can be given. Honourable Jale and obviously honourable Kuridrani, I think or one of the other backbenchers seem to be in conflict

He is saying why cannot the Minister be given more powers? Honourable Kuridrani said, “Why is the Minister being given the powers to exempt the fees? Why cannot it be licensing authority?” Under the Tobacco Act, the licencing authority is the Permanent Secretary for Health. Fees is a policy decision. Parliament and Government set fees. Most of the laws in Fiji, Mr. Speaker, Sir, there is an enabling provision in the substantive Act that says, “The Minister may make fees” and then it is put in the schedule under the regulations or in the regulations by the Minister. It is a policy decision.

In the same way for example, when the Bainimarama Government was appointed, the fine for not wearing a seat belt was \$80. That was exactly the fees or fine that was paid in Queensland where the LTA Act was brought from. They used to pay AUS\$80, when they brought it to Fiji, they did not change it. We reduced it to \$40, I think, it was - \$40 or \$20 because it did not sync with the income level of people in Fiji.

So, when you have a penalty that is too high, it leads to corruption because the person pulling you over for not wearing your seat belt knows that you probably some person whose is earning only \$120 or \$150 a week and if I am going to sop you \$80 for not wearing a seat belt, there has to be some arrangement and that was what used to happen.

So, the fees and the penalties need to be an alignment with the socio-economic conditions and that is why it is a policy decision and that is why honourable Kuridrani it is actually given to the Minister responsible; that is the rationale. Because the civil servants are not answerable to the public, they are answerable to the law that is given to them, that empowers them to do x,y,z; that is fundamentally the reason. Please try and understand that.

Mr. Speaker, Sir, the other issue that I would like to also make, he said that it leads to nepotism and corruption not it does not, because he is guided by this. If tomorrow the honourable Minister

gives exemption to someone because of some other reason other than COVID-19 actually he can be charged for corruption, that is precisely the reason why it is put in the law.

Mr. Speaker, Sir, the other point that I would also like to make very quickly, honourable Qereqeretabua really I think, she like her leader is watching too many conspiracy theories, movies or whatever it is. She went on about Standing Orders 56 and 59. Standing Order 56 says, and I quote:

“A member may not vote on a question in relation to which the member has a financial interest. If the member does vote, the vote may be disallowed by a motion moved, without notice ....”

Mr. Speaker, Sir, it says “on a question” – you need to read the fine details of the law.

The other one is Standing Order 59, and she had a go at the Secretariat. She said, “What have they been doing?” It is not the Secretariat’s responsibility. The Standing Orders are there for the members to adhere to. It has got nothing to do with the Secretary- General of Parliament. Standing Order 59 states and I quote:

“A member must, before participating in the consideration of any item of business, such as speaking in Parliament or sitting on a committee, declare any financial interest that the member has in that business, if the interest is not already contained in any register of pecuniary or other specified interests of members of Parliament.”

We had honourable Naiwaikula yesterday speaking on FBC when he has a case before the courts in which the courts has actually said that he must pay \$3,000 in cost. He did not declare that. Honourable Qereqeretabua, you are being very subjective and selective also in respect to what you take as an analysis and this whole entire conspiracy theory about some pharmacist et cetera, did he give us money.

I can tell you in the 2014 Elections under honourable Kepa, one of the candidates was actually someone, Cavalevu who was actually funded by him. He worked for him. Let us compare apples with apples. You are sitting there in your little corner with the other two members of yours and coming up with all these conspiracy theories. Everything must be linked!

Honourable Seruiratu, before you spoke, he actually spoke about that former employee of British American Tobacco, but you have a written speech, you see, so you just read it. You did not hear what he said and he actually said that that person is starting up a manufacturing company with the tobacco leaves.

He declared it, he said it but you continued to make it sound as if there is some kind of conspiracy theory. And we are actually glad that a person of that type of caliber of training and exposure worked for British American Tobacco will now provide an alternative manufacturing facility in Fiji because British American Tobacco as well as it has done, we are really grateful to them, there will be some competition now.

There are farmers in Ba, I know specifically and in Nadi who are being offered more for the tobacco leaves. He is sitting there, “hehehe, I have discovered something.” Nothing hehehe about it. This is competition.

Mr. Speaker, Sir, and she went on about how maybe giving money here and there. We are the only political party that has declared all the donations. It even got published on the website. We do not do lamp chop curry night or whatever it is. We do not do that. We do not do *palau* night or

whatever. In the intro-gosfullier, we do it in the interest of transparency and they have made a mockery of it.

(Chorus of interjections)

MR.SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I think essentially it fundamentally boils down to the point that NFP cannot digest that we have such support.

The Honourable Minister for Health has already commented again about the COVID-19 testing kits. What is so conspiratorial about that? Even supermarkets are now making enquiries - Shop & Save and others want to bring in these testing kits to make it more readily available and cheaply available.

The Permanent Secretary for Health, when we announced the easing of the restrictions said, “Once we have far more testing kits and trained people available, the three day requirement will actually be looked at again. We are not necessarily have to do the three days, making it further easier both, for our citizens coming back and tourists coming back to Fiji. Every country in the world that has gained the efficiencies in respect of how they deal with COVID-19 has had private sector participation, Mr. Speaker, Sir.

I can go on, Mr. Speaker, Sir, about various companies that give them money - gave SODELPA money or gave NFP money under the table, we know. But I am not here to talk about that, but that is all they do. That is all they do. That is what they are obsessed with. Not a single Member from the other side has given an alternative, not a single Member, and they are saying we are using *suki* sellers. We receive text messages, emails from them saying, “Please, we need to be exempted.”

Now, the Ministry of Health requires all of these people to have a business registration, a business name at their very least. Generally, if you went up, Sir, to the Companies Office, which is filled literally with hundreds of people, tens of dozens of people just wanting to come and do their registration. That is what honourable Sachida Nand was talking about.

Mr. Speaker, Sir, this is obviously trying to improve the system. There are many processes until today, we have had discussions in Cabinet. We have said to all the Ministers, “Please, look at all your different Ministries. Look at where there is processes, where there are applications and how we can fast-track things. How we can amend the regulations and laws or even internal processes, to be able to make sure that the services are, in fact, delivered properly and in a lot more efficiently?”

Mr. Speaker, Sir, again, honourable Professor Prasad talked about having a jibe at the Honourable Minister for Health, “Oh, the queues are long.” But, again, they do not talk about the fact that Government, in the past number of months since last year, has now began outsourcing GP services to the private sector.

We have had literally hundreds of people, the Minister for Health gets their feedback, other Ministers get that feedback, how people are so grateful now, who could not afford to go and see a private GP, can now go and see a private GP, reduce the lines because not everyone is seriously ill. They may have one particular ailment that a GP can fix up. As we have said, we are going to put out another advertisement because more GPs are interested in participating in this. This is heading towards a national approach.

In the same way, Mr. Speaker, Sir, you will find in Australia, we have Medicare system where if you are ill, you go and see your private GP. You do not go rushing off to the hospital. The hospital will see you for more serious matters. If you have a headache, you have runny nose, you go and see the private GP, your local GP. They will know your family history, they will know what happened to you one month ago, et cetera, a lot more closer relationship between the GP and the patient themselves. This is the building blocks of building a better health system. Of course the Minister for Health himself has admitted that not everything is perfect. So, we have a number of policies in itself, Mr. Speaker, Sir, that addresses those issues.

The last point I want to make, someone mentioned about Bill No. 17. I would like to reiterate that there is no more Bill No. 17, it is Act No. 22. Get on with the programme. If you say Bill No. 17, it has got no merit. If you say Bill No. 17 in a few weeks' time, that will be a bill from this year. It is Act No. 22 of 21.

Again, Mr. Speaker, Sir, all the shenanigans that came out after that because they saw for themselves a political opportunity, in the same way and I have to say this honourable Bulitavu and honourable Nawaikula, before the 2014 General Elections made all these videos or DVDs saying, "If you vote for this Government, this Constitution, your land will go away." Nothing like that happened!

HON. J. USAMATE.- Hear, hear!

HON. A. SAYED-KHAIYUM.- Before the Elections, they said Kadavu was going to be sold. Nothing happened! Bill No. 17, they said your land will go away, et cetera, nothing has happened.

Mr. Speaker, Sir, this is the level of contribution and intellectual input and disingenuity put out by the Opposition. And I would like to urge all Honourable Members to support this Bill. I would like to thank all those people who reached out to us. And it is not just the *suki* sellers, there are people who sell tobacco in their normal shops, the mum and dad shops around the corner in some rural area, in some co-operative, they also have to get a licence.

Honourable Jale talked about a co-operative in the outer islands, they have to get a tobacco licence too. Some of them go out trudging off in their boat, for three-four hundred dollars, get it every year, now they can get it for five years, that is going to help them, Sir.

Now, if they were not able to operate because of COVID-19 and there were shops that were closed down because of the lockdown, of course there were. There were market vendors who could not sell, there were market *suki* sellers who could not come down to Suva because Suva was on lockdown for six weeks so their income was affected. They can apply for an exemption and they will get it for one year. These are the people we are trying to help, Sir, as opposed to some big conspiracy theory propagated by those three people in the corner.

Mr. Speaker, Sir, I would like to thank all honourable Members who have supported this Bill and I would like to wish the passing of this particular Bill into law and we would like to tell all those people who have been affected by this, that we have actually come to their relief, once again, work for ordinary Fijians.

MR. SPEAKER.- Honourable Members, Parliament will now vote by acclamation.

Question put.

Motion agreed to.

[Tobacco Control (Amendment) Bill 2022 (Bill No. 02/2022), moved under Standing Order 51, passed and enacted by the Parliament of the Republic of Fiji. (Act No. ....of 2022)]

MR. SPEAKER.- Honourable Members, on that note, we will break for lunch and we will resume at 2.30 p.m.

The Parliament adjourned at 12.37 p.m.



The Parliament resumed at 2.30 p.m.

### **FIJI NATIONAL UNIVERSITY (AMENDMENT) BILL 2022**

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Wednesday, 9th February, 2022, I move:

That the Fiji National University (Amendment) Bill 2022 be debated, voted upon and be passed.

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

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, by way of brief introduction, the Fiji National University Act 2009 established the Fiji National University. Sir, the needs of those in post-secondary education in Fiji, indeed, it provides to be another alternative university.

As we have discussed the other day it is, in fact, a conglomeration of different existing schools that existed within Fiji, whether it is Agriculture School, the Technical Institute, the Fiji School of Medicine, the Maritime School, et cetera, and of course, it has now it establish its own schools too within it.

Mr. Speaker, Sir, the Act provides for the functions, powers and management of the administration of FNU. More specifically in pertinent to this particular amendment, section 7 of the Act establishes the Council of FNU which is the governing body that exercises the powers conferred on FNU by the Act.

Mr. Speaker, Sir, section 12 of the Act sets out the membership of the Council. The Council consists of official members, appointed members, elected members and co-opted members.

Mr. Speaker, Sir, section 32(d) of the Act specifies that the Permanent Secretary for Education is an ex-official member of the Council, holds office for such time as he or she continues to occupy the position by virtue of which he or she became an official of the Council.

Given the Ministry of Education, Heritage and Arts is the agency responsible for administering the grant of FNU, as an off-budget State entity and to maintain FNU's true independence as an academic institution, the Fiji National University (Amendment) Bill 2022 seeks to amend the Act to remove the PS for Education as an ex-officio member of the Council. Mr. Speaker, Sir, obviously, it does provide that arm's length dealing in respect of the governance issues that may emanate from time to time.

As we said in the introduction of the Bill yesterday that we are doing the similar, sort of, arrangement whether it is provided by law or not provided by law, or there may have been a practice where Permanent Secretaries used to be put on various statutory boards and we are trying to take them out. For example, in Housing Authority, before you would see the Permanent Secretary for Housing sitting in the Housing Authority Board. Sir, Land Transport Authority, for example, the Permanent Secretary so we moved them away because when there are issues to do with those particular agencies, we ensure that there is an arm's length so the Minister, for example, if her or she may feel there needs to be some form of investigation or accountability, then you do not actually have your Permanent Secretary compromise because they are already on the Council or already on the Board. So this is the reason, Mr. Speaker, Sir, you will see the amendment essentially removes the PS for Education from the Council itself.

It does not matter, Sir, however, because the Ministry of Education and, indeed, other Ministries does have policy input in respect of FNU in terms of the general objectives of Government. So it does mean that there is, of course, input by the line Ministry itself. Also, we have seen during Budget time that the respective institutions will come along, the Fiji Higher Education Commission will come along, makes submissions and it is good to get an independent assessment also from the Ministry of Education itself. The Ministry of Education when they make budgetary submissions, we sometimes feel that there is of course different views in respect of how Higher Education should be delivered, where should be priorities given, and in this way we get a lot more independent assessment, thus the amendment, Sir. Thank you very much.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion.

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, I thank the honourable Attorney-General for his explanation. This is an interesting amendment and I am actually quite pleased that the honourable Attorney-General went further and explained the process why Permanent Secretaries should not be sitting in other Boards. But for me, Mr. Speaker, Sir, this amendment and the reference to background 1.6 is an interesting one and the one that I kind of support very much. It says and I quote:

“Given the Ministry of Education, Heritage and Arts is the agency responsible for administering the grants of FNU as an off- budget State entity, and to maintain FNU’s true independence as an academic institution, the Fiji National University (Amendment) Bill, 2022 seeks to amend the Act to remove the Permanent Secretary for Education as an *ex officio* member of the Council.”

I think that is a very important explanation with respect to this Bill, because one of the fundamental premise on which universities are made or function is not only their governing independence, but also tied with the governance independence in general is the academic freedom part of the university.

Mr. Speaker, academic freedom refers to the right of the university to determine its educational mission and basically, free from any kind of governmental intervention. Tied with that provision, Mr. Speaker, academics themselves, especially those who teach in the university are given the freedom to inquire into the subject that evokes their interest, that involves their teaching based on the curriculum. In many universities, their curriculum is defined within a particular perimeter, but within that perimeter academics are free to introduce subjects and ideas for the students. It is essentially done to ensure that the freedom for creating innovation and creating new ideas is never restricted or prohibited in any way by any kind of outside interference.

It also means, Mr. Speaker, Sir, in many universities around the world, academic freedom also means that academics ought to be free to question their own administrators, their governing bodies as well. I think it is very important. In Australia and New Zealand as well, governments, State governments, governors appoint members of university’s councils, but, they are left to govern in an independent manner. It is not about just who sits in the council.

This amendment is fine, if there is a direct link, I know at USP in the USP Council, for years we have had Permanent Secretaries, Ministers, but that is a different architecture, it is a regional institution. University of Fiji is also a private university but Government also provides funding. But, whatever the architecture or the ownership of the university in any country, Mr. Speaker, the fundamental principle of the idea of academic freedom and independence is absolutely important. If this amendment is going to add to that independence, promotion of that kind academic freedom, Mr. Speaker, then this is a very good amendment.

Let me just also add to it that it is not always the people who are on the Council. In the case of FNU, I know people who were there, some very, very good people, internationally recognised in their own field. I cannot say about all of them but obviously in my view overall it is a very good Council with some very good people.

So, from that point of view, Mr. Speaker, it is very important but I think we also need to ensure that the practice by Governments in terms of giving grants and supporting the University does not in any way influence the governance of the University because what we seem to have here in this University or in this country right now and I have to say this, I think the Government should accept that, that there is an element of fear because when I was in the University, Mr. Speaker, when the *coup* happened in 2006, and I was there when the coup happened in 1987 I remember the then Vice Chancellor who was an English man. The military entered the campus and basically he asked the military to move out because he felt that he upheld the academic freedom of the University.

In 2000, the same thing happened. I was the President of the Staff Association at that time. The then Vice Chancellor was pressured by the military to stop the student journalism paper and the coordinator of journalism was the member of the Staff Association and we, Mr, Speaker, put up a very strong opposition to that kind of censorship, interference to the operation of the University.

Academics, Mr. Speaker, all over the world wherever we have dictatorial regimes, wherever we have military coups, some of those people on the other side understand this well, are always under pressure, under threat because in the conduct of the activities they do say things which is not going to be necessarily collectable to those in power at that time or those who may seek to restrict the academic freedom.

Mr. Speaker, we in this country have seen that whether it is the 1987, 2000 or 2006 coup, and all governments. Interim governments born out of the military *coup* did that to a certain extent. I was personal threatened in 1987, 2000 and in 2006 as well for raising our voice against the military coup. There were many people, Mr. Speaker, who understood the importance of the independence of the University.

Honourable Minister is chuckling there but she should know what academic freedom means. She went through that as well. So, it is not something to chuckle or laugh about because...

HON. P.D. KUMAR.- Come to the point.

HON. PROF. B.C. PRASAD.- I am making the point, it is about the Bill. I am sorry, that is coming from the Minister for Education. She does not know that I am actually supporting the Bill. I am saying, "This is a good amendment."

Anyway, Mr. Speaker, Sir, as I said we have seen people banned from Fiji, Professor Brij Lal for stating his views about the political environment in this country. The man is dead now and the Government refused to allow us to bring a motion to allow his wife and children to bring his ashes to Fiji, I mean that is just an example.

I was talking to Professor Wadan Narsey. He is actually afraid of coming back to Fiji. Before he went he was actually taken to the police station and questioned about something that he wrote which may not necessarily be what the Government wanted to hear. So, Mr. Speaker, Sir, I actually support this idea, that whatever happens...

(Honourable Member interjects)

MR. SPEAKER.- Order!

HON. PROF. B.C. PRASAD.- I will let the Acting Prime Minister and the Leader of the Opposition have their conversation and then I will....

(Honourable Members interject)

MR. SPEAKER.- Order!

HON. PROF. B.C. PRASAD.- Mr. Speaker, the point I want to make is it is absolutely important for anyone in government because if we want our young people to innovate, if we want academics to come to the universities in this country, if we want them to innovate, create new ideas, we must allow that freedom and most academics, Mr. Speaker, Sir, know their responsibility. You would have one or two odd ones every one, you may go beyond the subject area but what we see in this country today is that academics are afraid of talking about issues.

How many people from the Universities are writing about government policies in education, government policies on health? If tomorrow a professor at the Fiji School of Medicine says that under the Minister for Health, this is not working, that person will be in trouble.

HON. CDR S.T. KOROILAVESAU.- Why?

HON. PROF. B.C. PRASAD.- That is the fear that people have, Mr. Speaker, Sir, I am telling you.

HON. A. SAYED-KHAIYUM.- Come on!

HON. PROF. B.C. PRASAD.- I am telling you, it is genuine. Even people or expatriates who are academics around the universities, they are fearful. When I ask them, "Why are you not writing about the education curriculum in this country? Why is it not someone writing a paper about the reforms on education in this country over the last several years?" They are actually scared and that is not good for this country, that is not good for creating new ideas and innovation in this country.

Whatever they might say, they must go back and reflect on what is happening in the country because we do not want to leave a legacy, a nation of sheep because what is taught at the university permeates right up to the ground level to the society, the teachers who do their teaching qualifications in the universities, if they are exposed to an environment where they do not have the freedom, they do not inquire, that is what they will bring to the students.

We need to look at it right through from primary school. I remember when were students Mr. Speaker, Sir, in high school, there was so much democracy around schools. I know honourable Koroilavesau, Mr. Speaker, Sir, has been making a lot of noise and he moved the motion and I want to thank you Mr. Speaker, Sir, for actually telling him and the others that what honourable Pio Tikoduadua said with respect to the process was no disrespect to you.

In fact Mr. Speaker, Sir, this is a government, the way they are bringing the Bills in this House, they are the ones showing disrespect to you and they are the ones who are creating that disrespect for you outside of this House because of the shenanigans that they go through it.

MR. SPEAKER.- Honourable Member, just stick to this Bill.

HON. PROF. B.C. PRASAD.- I just wanted to thank you, Mr. Speaker.

HON. CDR. S.T. KOROILAVESAU.- Stick to the Bill.

HON. PROF. B.C. PRASAD.- Well, Mr. Speaker, I am actually being distracted. I know we debated a liquor bill, maybe he is under the influence of liquor you know.

HON. CDR. S.T. KOROILAVESAU.- Stick to the Bill.

HON. PROF. B.C. PRASAD.- I know my friend honourable Semi Koroilavesau ...

HON. F.S. KOYA.- A Point of Order, Sir.

HON. PROF. B.C. PRASAD.- ...goes to Nawaicoba Hills to enjoy that. Maybe he should go there and yell. Sorry, I did not see honourable Koya.

MR. SPEAKER.- There is a Point of Order.

HON. CDR. S.T. KOROILAVESAU.- Yes, because you are talking too much, making nonsense of yourself.

HON. F.S. KOYA.- I think that comment is absolutely uncalled for. Why are you accusing him of being drunk? You should not do that because that is what you did. That is absolutely unparliamentary behaviour on your part. We tolerate a lot of things in this House, Sir, but calling him what he just did is out of order, Sir.

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, that was a light joke. In fact, instead of raising a Point of Order, he should actually go and read Shamima Ali's response to what he said in Parliament and he will understand where he should be concentrating on instead of talking about this. Thank you, Mr. Speaker.

HON. CDR. S.T. KOROILAVESAU.- Sit down!

MR. SPEAKER.- Order!

HON. PROF. B.C. PRASAD.- Mr. Speaker, the former minister and their colleague, Ashneel Sudhakar once in a meeting publically in Ba stated that some of people were instructed to disrupt me when I stood up to talk, so maybe that is what they are doing. Well, that is what he said publically in a meeting. That is what your colleague said, so do not disrupt me when I am making a point.

Mr. Speaker, when we talk about Bills of this nature, I get this impression, they behave as if we are only here to oppose. They call us politicians but they cannot call themselves politicians. What are they? They are politicians too. Our job in the Opposition is not to come here and say how good you people are, how nice you people are.

Our job, Mr. Speaker, is to come to this Parliament and ask some hard questions. Even if the questions are conspiratorial, they have to answer. They need to hear whatever we say because the people are asking us, the people are coming to us, just like they are going to them.

In fact, Mr. Speaker, even some of these people in the backbench, I think they hear things for the first time from the Ministers because there is no communication between them, no communication whatsoever. Maybe in Cabinet, yes, but what about the backbenchers?

Our job as Opposition, Mr. Speaker, when we talk about a particular Bill, when we put out a

particular statement, it gives the Ministers an opportunity to respond to it but the way they respond to it, they get very personal. When the truth comes out, when it is unpalatable, they become very sensitive and become very personal. Let us not do that.

(Honourable Member interjects)

HON. PROF. B.C. PRASAD.- You are disrespecting the Speaker. Only the Speaker will tell me to sit down.

MR. SPEAKER.- Order, order!

HON. PROF. B.C. PRASAD.- Keep quiet! Do not tell me to sit down. Only the Speaker will tell me when to sit down. Thank you, Mr. Speaker. I will sit down myself.

MR. SPEAKER.- I thank the honourable Member for his contribution. Honourable Member, you said you support the Bill but then you jumped around from here to there to there. I have come across that tactic before, so those of you who are going to take the floor, just stick to the Bill.

HON. RO T.V. KEPA.- Thank you, Mr. Speaker, Sir. On Bill No. 3 of 2022 on Fiji National University (FNU), it was formally constituted by the Fiji National University, amalgamating six Government Higher Education Colleges. Those were the:

- Fiji School of Medicine which was established in 1885;
- Fiji School of Nursing established in 1893;
- Fiji College of Advanced Education in 1947;
- Fiji College of Agriculture in 1954;
- Fiji Institute of Technology in 1963; and the youngest was the Lautoka Teachers College which was established in 1978.

Mr. Speaker, Sir, FNU is part of Fiji's history. FNU is a public university and allocated grants from public funds through annual budgets.

From 2016, 2017, 2021–2022, FNU was operating on capital grants amounting to \$367.2 million. Therefore, it is only proper and right that the Permanent Secretary (PS) for Education is a member of the FNU Council, as we see in the Explanatory Note to the Bill and this is part of the background, I will quote:

“1.5 Section 13(2)(d) of the Act specifies that the Permanent Secretary responsible for tertiary education (‘PS for Education’) is an *ex officio* official member of the Council who holds office for such time as he or she continues to occupy the position by virtue of which he or she became an official member of the Council.

1.6 Given that the Ministry of Education, Heritage and Arts is the agency responsible for administering the grant for FNU as an off-budget State entity... “

And it goes on to say other things in that particular section.

This Government, though, is fond of withholding funds and not paying full amount as we saw in the FNU Annual Budget Report which was debated earlier in the week. We see here from what they have been telling us, this is from the FNU Annual Report 2019, on the non-release of operating and capital grants. For example, the final quarter payment of operating grant - \$20.7 million and capital grant - \$7.8 million for fiscal year 2018 – 2019 was not paid on time.

The second point that they brought to that report is that whilst the University's baseline operating grant for fiscal year 2019–2020 was unchanged at \$53.1 million, however the capital grant was reduced to \$15 million in the 2019 June Budget. This loan payment forced difficulties and hardship on FNU. For the removal of PS for Education from that University Council, it means that the Fiji Government does not have a high level representative to have a direct input into FNU policies.

The Fiji Government does not have direct information on Government's interest which has given its annual budget to FNU - Government interest in FNU on the staff, students and infrastructure, so they would not have that direct information at this time when the PS is sitting there. So, FNU will be in a difficult position as the Fiji Government will be giving them the run-around to collect the overdue grant. At least, if the PS is sitting in the Council, they have direct access to the PS as a member of the FNU Council.

Mr. Speaker, Sir, in this particular amendment to this Bill, I was trying to figure out what is really the intent. The Honourable Attorney-General told us that it is a very simple amendment. I was trying to figure out the two - intent, the real reason and motive behind the amendment to the FNU Act. Is the FijiFirst Government really up to something? In their own words, they used 'conspiracy' so maybe there is a conspiracy there, Mr. Speaker.

I think this is dry run before they go after USP, where members of the USP Council are the Minister and PS. So this amendment is very timely and relevant as it is giving enough warning to USP to be aware, to be prepared as they must be up to something.

In conclusion, Mr. Speaker, Sir, in the past two years, the FijiFirst Government has given USP a difficult time. However, USP has gotten the better of them each time. So the FijiFirst Government is not yet at peace with USP, as we all know. The FNU amendment is a dry run before they go after USP. Once again, they will be up for the match, Mr. Speaker, Sir. *Vakaloloma dina na FijiFirst Government going after these tertiary institutions.* Mr. Speaker, I do not support the Bill

HON. M.R. LEAWERE.- Mr. Speaker, Sir, please, allow me to contribute very briefly to Bill No. 3 that is before the House this afternoon.

Mr. Speaker, Sir, there is no conceivable reason for this Bill to be hidden from the public and to be taken by surprise, simply to remove the Permanent Secretary for Education from the FNU Council. On that note, Mr. Speaker, Sir, we are deeply concerned with the manner in which these Bills are being tabled in the House.

Mr. Speaker, Sir, the Bills tabled need a carefully review and it should not escalate under the guise of Standing Order 51. This Bill, Mr. Speaker, Sir, will affect the fundamental rights and it is an abuse of Parliamentary democracy.

Mr. Speaker, Sir, the public can have an interest in participating actively and why is it an urgency to pass this Bill and not consult those who are going to be affected? We strongly urge the Government, Mr. Speaker, Sir, to defer this Bill for wider consultation. As the proposed changes will challenge the commitment to the principle of democracy and good governance.

Although these are the new amendment Bill, 2002 will streamline its operation, the Government is urged to give time to those who are going to be responsible, especially the stakeholders like the Fiji Teachers Confederation and FNU Management and to hear their views on this proposal.

Mr. Speaker, Sir, how realistic is it to expect anyone to understand this new law without proper consultation? Law making by Standing Order 51 remember the Americans have the stealth

bomber so probably this Bill is coming as a under Standing Order 51.

The public is unaware of the content and the implications of the new laws. People outside Parliament, Mr. Speaker, Sir, do not realise how biased the Parliamentary process is against the Opposition and it is sad and it appears at this day for Parliamentary traditions and it would be interesting to know how many Bills were enacted through Standing Order 51. Therefore, on that note, Mr. Speaker, Sir, I do not support this Bill.

HON. P.D. KUMAR.- I rise to speak in support of Bill No. 3/2020 which proposes to amend the FNU Act 2009. The amendment is very simple, it relates to the membership of the Council and that is in relation to the Permanent Secretary who sits in the Council.

Mr. Speaker, Sir the Fiji National University is an independent one with a governing Council as its governance body. As a higher education institution, FNU falls under the care of the Ministry of Education, Heritage and Arts. Therefore, it is the Ministry's duty to ensure that FNU Council carries out its function with respect to the responsibilities and powers bestowed on the Council through Fiji National University Act.

The Ministry is also responsible for administering the grants of FNU on behalf of the Government. The amendment, Mr. Speaker, Sir, allows the FNU Council to be independent in its decision making. Currently, the Permanent Secretary as Government representative on the Council becomes part of all decisions made by the Council, therefore, it is construed that Ministry or Government has agreed to all the actions and decisions of the Council.

Mr. Speaker, Sir, when it comes to the assessment of performance of FNU, in relation to the grant given, it does not make sense to be the judge of your own work when PS is part of the decision making. A truly independent Council will be able to make decision and be accountable for its performance.

Mr. Speaker, Sir, also, matters of the University from students and public come to the Ministry. Again to be able to attend to such matters, the Ministry's independence of the University is imperative. With the PS on the Council, this independence is not possible. As the Administrator of the Government grants to FNU, the Ministry ideally should not be part of the Council. The Ministry's role is to ensure the grants provided is prudently used by the University to pursue its mandate. The Ministry's role, therefore, is to make FNU accountable for its work and not be part of its governance.

Mr. Speaker, Sir, Bill No. 3 will ensure that FNU operates free of any interference from the Ministry and that the governance of the University is solely the responsibility of the FNU Council, working within Government's overall tertiary education mandate.

Mr. Speaker, Sir, honourable Kepa has stated that removing the PS from the FNU Council would simply mean that the Government's voice will not be heard at Council level or Government's mandate will not be translated. There are other mechanisms through which that is possible. One is through Fiji Higher Education Commission which comes under the Ministry of Education. We will make sure that the quality assurance in terms of courses offered by the National University is of national interest. The other one is through the strategic plan and other policies of FNU will be able to convey Government's interest. At the end of the day, we also have to get value for money, and being a National University, Government's interest needs to be considered for that reason.

Mr. Speaker, Sir, honourable Kepa's style of governance, I would say, is outdated. We need to look at the new governance style and that is why the FNU Council was changed so that we have



many skill sets on the table, and now we have very distinguished Council members at FNU. Honourable Professor Prasad as usual, 20 minutes was all about himself, what he went through and he talked about academic freedom. I think all of us sitting here have read articles coming out in the *Fiji Times* by Dr. Neelesh Gounder. He expresses his views freely.

HON. PROF. B.C. PRASAD.- Only few ones.

HON. P.D. KUMAR.- Now he is saying only few ones. But what is stopping them not to write? Is there any legislation that the Government has made which is stopping universities not to express their views freely? But we can see in the papers that the academics are expressing their views freely. I think honourable Professor Prasad just wanted to create the self-pity, but that is not buying in because we have read those articles from the University lecturers.

Mr. Speaker, Sir, the other concern that I have is in relation to our lectures, just like we expect our teachers or civil servants to be apolitical, in the same breath we expect our lecturers to be apolitical but is that really happening? So, Mr. Speaker, Sir, finally I would say that FNU is Fiji's own national university and the Government's priority is to make it a premier dual sector university.

The Council with its members, this is the Council members, it is their responsibility to achieve Governments mandate and without the Permanent Secretary on the Council, I am confident that the FNU Council will be able to deliver.

Mr. Speaker, Sir, I support the amendment proposed through Bill No. 3 of 2022.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I would like to thank the honourable Minister for Education for her statement. A number of things were said by the other side, in particular, I will start with a more sort of coherent ones. Honourable Ro Teimumu Kepa talked about a particular Government style and the honourable Minister of Education is correct that, there is an old way of governance. You do not actually have to have someone inside to be able to know what is happening in that particular organisation. The Act itself speaks for itself. And as we said that there is a particular role, it is the line Ministry so it is better not to have the conflict.

We have enough confidence in the Councils that we do appoint and the individual competencies that exist in the Council and indeed, of course, with the Vice Chancellor. Whoever is the Vice Chancellor will do the right thing and of course there are mechanisms to have that sorted out should they not to adhere to the various values, principles, enunciated and objectives of the organisation itself. Honourable Leawere, I cannot remember exactly what he said but you objected to the Bill. Honourable Gavoka, unfortunately his not here but it will be good a time if he was here because you could see the departure between SODELPA and NFP.

Honourable Professor Prasad, of course, agreed with the Bill. He as usual went on a little trot of his, the word "I" was banned so many times but, of course, Mr. Speaker, Sir, he did choose to bring in many other subject areas. I think it is really a trend if you observe, honourable Professor Prasad when he feels like in a previous session he may not have done well, he will feels like he has to make come back and try and gain some kind of loss ground.

Before lunch I think he felt that and that is why he talked about it. Unfortunately as usual he tried to in a way cloud over 1987. I also knew academics, Mr. Speaker, Sir, I know people like Som Prakash who was plummeted and beaten up and there is actually an account for Som Prakash.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- Yes, there are many thing that many of us did but we do not go around and fancying about it, telling stories if. It is not about self-aggrandisement. But I wanted to highlight, he did not obviously talk about that because his new found mate of course is the one who did the 1987 *coup*.

Dr. Anirudh Singh, of course, as we know and we have talked about ....

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- Sir, he forgot to mention Dr. Anirudh Singh, one of the most famous case.

Mr. Speaker, Sir, the word “I” I think is being mentioned again. It is rather unfortunate that the deceased, Dr. Brij Lal is being used as a political tool for NFP and by NFP in particular.

We have refrained from making comments and notwithstanding the explanation, Sir, that you gave on Monday regarding that particular motion, honourable Professor Prasad again feeling like his lost ground raised it again.

I could respond to that, Sir, but I will restrain myself because I do not want to stoop down to that low. This side does not want to stoop down to that level and engage and use a dead person for political gain.

HON. J. USAMATE.- Very poor!

HON. A. SAYED-KHAIYUM.- He has done and he continues to do that, Sir.

HON. DR. I. WAQAINABETE.- Shame!

HON. A. SAYED-KHAIYUM.- And, of course, he is now using Shamima Ali and Ashneel Sudhakar. If he is using Ashneel Sudhakar as some kind of moral benchmark, I shudder to think what kind of personalities they are going to roll-out in the next few months.

There is one issue that I wanted to address, Mr. Speaker, Sir, a number of matters have been talked about. Honourable Leawere mentioned abuse of Parliamentary democracy, there is no abuse of Parliamentary democracy. This is a Parliament that is being elected democratically. We are governed by the rules, we are governed by the laws. There is again the separation of powers which you had explained quite clearly, Sir, on Monday regarding that particular motion they wanted to bring about.

They talk about the rule of law, they talk about democracy only when it suits them and for them it is actually become a cliché term rather than a term that actually has a substantive meaning or substantive application. They are more about the form rather than the actual substance; that is the point of difference, Sir.

They talk about media freedom, academic freedom. For them academic freedom means that anyone that criticises the government that means they have academic freedom. Academic freedom means that an academic can comment on anything whether they support out of Government rolls out 20 policies. If they agree with 10, disagree with 10 that is great. In fact we have publically lamented that fact that in Fiji not only academics but professional like accountants and lawyers.

We do not have that culture where they can come out and say, “Look this budget has come out, we agree with 13,579 but we do not agree with these ones because of these reasons.” What we do find, Mr. Speaker, Sir, the culture, in particular the academics coming out of USP so far is that the leader hook line and sinker support it or hook line and sinker disagree with it.

As opposed to specifically analysing each policy, specifically analysing each suggestion or idea that has been put forward. That is what true independence and academic freedom means. That is what true professional analysis means Mr. Speaker, Sir. At the moment the culture is there. So, for them when they talk about media freedom, if someone supports what Government has done, they will say, “oh that media organisation is not free.” When someone is against the government, “oh, there is freedom.” It does not work that way.

This is such a slipshod analysis and understanding of it and this is why Mr. Speaker, Sir, I think that they are actually undermining these values and principles that are enunciated in these terms because they are using it only for their own political agenda.

Mr. Speaker, I do not really want to go on about it but I think standing here and saying Wadan Narsey is scared, this is hearsay. Mr. Speaker, Sir, the reality of the matter is that this particular Bill has been brought about for the reasons as has been stated and it will bring about much better governance and oversight.

NFP obviously agrees with this particular amendment and we also would like to wish the FNU Council all the best and look forward to them producing and getting international accreditation for our national university in creating it a much better academic environment too.

MR. SPEAKER.- The Parliament will now vote by acclamation.

Question put

Motion agreed to.

[A Bill for Enact to Amend the Fiji National University Act 2009 Bill No. 3 of 2022 enacted by the Parliament of the Republic of Fiji (Act No. .... of 2022)]

### **COMMISSIONS OF INQUIRY (AMENDMENT) BILL 2022**

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, pursuant to the resolution of the Parliament, Wednesday, 9<sup>th</sup> February, 2022:

I move that the Commissions of Inquiry (Amendment) Bill 2022 be debated, voted upon and be passed.

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

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the Commissions of Inquiry Act 1946 provides for the holding of commissions of inquiry into matters of a public nature.

Under section 2 of the Act, His Excellency the President appoints and authorises a Commissioner or Commissioners to inquire into any matter, which in the opinion of the President, would be for the public welfare.

Accordingly, every Commission of Inquiry appointed must specify the subject, nature and

Accordingly, every Commission of Inquiry appointed must specify the subject, nature and extent of inquiry, given the seriousness of the matter that any Commission is tasked to conduct an inquiry into.

The last Commission appointed was in 2007 by the then His Excellency *Ratu Josefa Iloilovatu Uluivuda*, to inquire into and report on the appointment, conduct and performance of Magistrates, the operation and performance of the Magistrates Courts, including registries and to make recommendations, amongst other things, on the elimination and prevention of any corrupt, improper or inefficient practices within the Magistrates Courts in Fiji.

As a result of Commission inquiry, one particular Magistrate was terminated because of blatant corruption that he practised. At that point in time, the particular, when the corruption got very high in Suva then he was moved to Labasa, when it got very high it was moved to Ba, when it got very high then moved to Nadi.

As I mentioned the other day, he had an agent in Nadi Market, where his agent would collect monies on his behalf and there would be various leniencies that will be afforded or, indeed, bails in various other things.

Mr. Speaker, Sir, the Act, however, has been amended on three occasions. Some 40-60 years ago in 1961, 1970 and 1982 which, amongst other things, dealt with provisions relating to the appointment of fresh Commissioners and Oaths of Commissioners.

The offence provision, however, have either never been amended or were last amended in 1961 amendments made to the Act. These provisions currently prescribe penalties that do not achieve the aim of deterring the commission of offences under the Act. As such, it is imperative for these provisions to be reviewed accordingly.

The Bill, therefore, seeks amend the Act to increase the penalties under Section 12, 13, 14 and 16 of the Act which relate to offences or threats made to witnesses of the Commission, false interpretation, refusal to give evidence and insulting a Commissioner or Secretary of a Commission. Sir, it should be noted that the Bill does not, in any way, introduce any new offences, it simply changes the tariff or the penalties available.

The Bill, Mr. Speaker, Sir, of course, if honourable Members see the Bill, from Clause 2 of the Bill itself is just substitutes \$200, or to imprisonment of 6 months, substituting it with \$1,000 or imprisonment for not exceeding 2 years, and similarly we will see the changes in the other provisions as I have highlighted.

It is critically important, Sir, when you have commissions of inquiry that is appointed by His Excellency the President, the Head of State of our country, that those commissions of inquiry are not taken lightly but seriously, and given the fact that these commissions of inquiry are not done willy-nilly and very far and in between those ones that are issued that we should have the appropriate deterrence in place. Thank you, Sir.

MR. SPEAKER.- I thank the Acting Prime Minister. Honourable Members, the floor is now open for debate on the motion. I give the floor to the Leader of the Opposition.

HON. RATU. N.T. LALABALAVU.- The honourable acting Prime Minister, honourable Members of Cabinet, honourable Assistant Ministers and those in the Government Backbenchers, not forgetting the honourable Members of the Opposition; I wish to also make a brief contribution on the motion that is before us, especially on Bill No. 4 of 2022.

Taking a snapshot, the Bill seeks to amend the Commissions of Inquiry Act, as alluded to by the honourable Acting Prime Minister, that is to increase the penalties under sections 12, 13, 14 and 16 of the principal Act which relate to offences or threats made to witnesses of the Commission, false interpretation, refusal to give evidence and insulting a commissioner or secretary of the Commission.

Sir, the penalties are increased five-fold to a fine not exceeding \$1,000 that is from \$200, and our jail terms are up to two years, Sir. The Bill increases the penalties for threats and insults made and injuries given to witnesses who give evidence to the commissioners, Sir.

In going down further, Sir, Clause 3 of the Bill, amends section 13 of the principal Act by increasing the penalties for interpreters, who wilfully give false interpretation of evidence or who make the untrue translation of documents.

Clause 4 of the Bill amends section 14 of the principal Act by increasing the penalties for those who fail, without reasonable cause, to attend as a witness or to produce a document or other thing after being summoned to do so, or for those who refuse without reasonable cause to answer or to answer fully and satisfactorily to the best of their knowledge and belief any questions put to them.

Clause 5 of the Bill is amending section 16 of the principal Act, to increase the penalties for using threatening or insulting language to the Commission or to a commissioner or to its secretary, Sir. These changes have come out of nowhere. There is no obvious reason or justification for them. There is no evidence or credible explanation why are they necessary.

The proposed increase in penalties in the Bill is totally consistent with the Government's approach to law enforcement, Sir. It is punitive and not educative. The Government trace the people of this country as subject to be oppressed, threatened and subjugated. It does not believe that the approach of educating people to be civil and respectful of the law is good. Instead it insists in believing that always using a big stick against our people is commendable. Sir, the justification for the Bill in the explanatory notes is spurious. We, therefore cannot support the passage of this Bill, Sir. Thank you, Sir.

HON. N. NAWAIKULA.- Thank you, Mr. Speaker for letting me contribute to the debate. But before I do, can you please allow me to respond to some of the comments that were made previously, some of which insinuate me personally.

The honourable Attorney-General in my contribution yesterday, on FBC had stated that I had to declare my interest. That is totally wrong, Mr. Speaker. That actually insults my professionalism because I know where to declare my interest.

What I was debating then was in relation to, in my view, the unlawful use by FBC of Government grants as their income.

The action or the current court case that there is between me and FBC is in relation to defamation. They took out an action against me for defamation and they lost that in the High Court. They have appealed that to the Fiji Court of Appeal and I had asked for that adjournment and had to pay that cost, so totally different things, so I did not see the need to declare my interest.

Also, Mr. Speaker, I note that in some of the contributions from the other side on Bills that are similar to this, the contention appeared to be that because the amendments are so small, some of those in relation to liquor licensing and tobacco we do not need to have consultation. The gist of our concern is consultation and that is a democratic process. We are required to be inclusive in the law-

making process and we are ignoring that, so we cannot call ourselves a democracy if we do not consult.

Let me just give an example of where this can be totally useful. I am sure that other honourable Members on that side of the House who are Ministers, do not occupy themselves with the many consultations that we attend to in this side of the House. And you will be surprised of how small things are and the information and assistance that you get from the public in relation to that. Let me just give one example, Mr. Speaker.

In relation to the tobacco licensing and the contention here in this amendment is to extend the licence from one or three to five years, they appear to be totally happy in relation to that. If they had allowed for consultation (and I can tell you) in many villages, they will know that it is not like before, where you used to have co-operatives. Today, you will see one person will be selling biscuits, another person will be selling kerosene only, another person will be selling tobacco or *suki*, there are many of them selling in the villages for their livelihood and they are all required by current laws to be paying licences.

It is totally unfair and if they had taken the opportunity to consult, they would have heard the request from them that they should remove the licencing completely. That would be a fair thing to do, but they had shut themselves out from hearing what the other side or the voice of the public is.

MR. SPEAKER.- Honourable Member, we have already debated that and we have passed the Bill on that.

(Chorus of interjections)

HON. N. NAWAIKULA.- Yes, I am illustrating on that.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, Point of order.

MR. SPEAKER.- You made the point earlier about the side saying this and that, it was clear but now you are starting to go back to what we have already passed.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, Point of order. The honourable Member is misleading Parliament. You no longer (he should know, he was in Parliament last year) require a business licence to sell biscuits or anything except, if it is specifically applied by the law like tobacco. For the tobacco, because of the health risks, that is why you need a tobacco licence. You do not need a licence now to sell any other thing, other than alcohol or tobacco.

It is misleading for him, Sir, to say that because now we are exempting just for one year for someone to pay for tobacco licence, therefore, everyone else is getting disenfranchised. It is completely untrue because they do not pay a business licence fee in the first place, nor do they require one.

HON. N. NAWAIKULA.- It is totally wrong. I was illustrated an example of the need for consultation on why it is important to hear alternative views.

Mr. Speaker, Sir, there was also a comment that was made that implicated me which was in relation to Bill No. 17. The honourable Attorney-General said that we had announced the concern that they will lose their land, but from that time until now, no land has been lost. That is not the point.

HON. A. SAYED-KHAIYUM.- Sir, I said that honourable Nawaikula and honourable Bulitavu in 2014, put out DVDs to say that iTaukei people lose their land with the support of the FijiFirst Party and because the Constitution now deprives them of their land rights. I did not say in relation to Bill No. 17, I said generally SODELPA has spread misinformation about Bill No. 17. Get your facts right!

HON. N. NAWAIKULA.- Totally wrong again.

HON. A. SAYED-KHAIYUM.- He said that what we stated led to telling them the fear for their land and that now no land has been lost.

HON. CDR. S.T. KOROILAVESAU.- Go to the Bill.

HON. N. NAWAIKULA.- The point is the concern in relation to the rights removed which are discriminatory and which I am surprised none of the native members have realised up until now. There are sitting there with a Minister supposedly a Minister for Indigenous Affairs, who have called for the removal of their cultural autonomy. We have passed about 23 cases that are discriminatory.

(Chorus of interjections)

HON. N. NAWAIKULA.- And they still do not realise it. Now, let me get to the Bill. I am sure you are waiting for too long.

MR. SPEAKER.- Yes, stick to the Bill.

HON. N. NAWAIKULA.- Yes, I will stick to the Bill now. This Bill is asking for an amendment in relation to the penalties. I think it is a good thing to learn a bit of the background in relation to the proposed amendment.

Mr. Speaker, Sir, now there is a Commission recently established who were appointed by the President for the inquiry into the works of the Office of the Auditor-General. As told by the other side, the last Commission of Inquiry was made in 2007 against the Magistrates. We have now a Commission recently established to look into the Office of the Auditor-General. I am very, very sad to know this. The reason for this, Mr. Speaker, Sir, in my view is simply because they want to intimidate because they cannot get through to stop the Auditor-General from revealing the neglect and even the likely corrupt practices of the Government.

Mr. Speaker, if you had listened to them, they were attacking every single report of the Office of the Auditor-General. I am on record too saying that this is the only remaining office that is truly independent now. That side of the House now has control and we hear that. We hear, we are told, they are now in control of the Police Department, of the Army and every other independent arm of the State. The only one that was left was the Office of the Auditor-General. Very good because it allows us to come here and hold them to account because the Auditor-General was assisting us, revealing every single instances over and over again.

But not so anymore and you will remember, Mr. Speaker, Sir, when they raised the issue in relation to FBC, Government had written to the Office of the Auditor-General to remove his statement. I also had a *Facebook* post and you all know that your office to wrote me to remove that and I did remove it. But the point is, the concern and actions by the Government to intimidate. We have to ask ourselves, what kind of Government are we dealing with? I am sure, Mr. Speaker, Sir, it is because they are a dictatorship, they are not a democratic government, they cannot say that because they want to control every arm of the State and this is one example.

The appointment now of the Commission of Inquiry into the Office of the Auditor-General is an example of the Government intimidating, interfering and supposedly an independent arm so that it can control the whole institutions even the democratic institutions of Government including this one. We can say we can adapt to that, they are supposedly a dictatorship masquerading as a democracy. That should be told, we should say that out loudly and we should say that out also to our traditional friends who are supporting this Government by giving out hand-outs, aids and donations. We should say out to them that this is not a democratic Government, this is a fake Government. The reality of it is that it is not a democracy, it is a dictatorship. They should know that.

Mr. Speaker, Sir, when you have a fake Government, we have a fake Opposition.

(Chorus of interjections)

HON. N. NAWAIKULA.- Well, I will tell you the reason. It is because that side of the House were borne out of treason, they were borne out of removing a democratic government, their only security is to be in power time and time again, even to the extent of rigging elections so that they are not held to account by the people. The people want to take them into account for the treason and for the removal of a democratic government. The only security for them is to be in power all the time. Well, you can answer to that.

Mr. Speaker, Sir, I come now to the legislation. This one is asking for an increase in penalty. The point I wish to make is that, this amendment illustrates the fact that this Government does not have any holistic plan. It operates in an *ad hoc* manner. It is reactive. This becomes necessary only after the establishment of the Commission of Inquiry.

If you look at the other legislations that came this morning, you ask the question, there was an amendment here in relation to the Hotel Licencing Act. The reason was, for ease of doing business. So why did not these come with that? That too is a point that I am saying that it is an *ad hoc*; they do not have any plan, they do not even have an economic plan, they do not have a planning office, they just think up things overnight and this is one example in relation to that.

(Honourable Members interject)

HON. N. NAWAIKULA.- The honourable Minister is asking me, where is my plan? I think he should answer for his plan.

(Honourable Members interject)

HON. N. NAWAIKULA.- You should go to all the hospitals around Fiji. Go to Levuka Hospital and they will ask you, where is your plan? Basic hygiene, Levuka and Savusavu Hospitals, just go to the toilets, those are not hospital toilets. The honourable Minister Usmate is rightfully called the honourable Minister for Potholes. He should go to Levuka and check out the road there.

He is on record yesterday saying, "I am not responsible for those people who do the roads. Go and ask them, I am only the Minister." Well you are the Minister accountable, you are our representative to those who are building the roads. We hold you accountable for every single pothole here and I do not think he has ever been to Levuka. This person who calls himself the Minister for Roads has never seen the roads in Levuka.

(Honourable Members interject)

HON. N. NAWAIKULA.- I was there two weeks ago and the state of the road is sinful.



(Honourable Member interjects)

HON. N. NAWAIKULA.- That is not a lie. That is a fact; Minister for Potholes. He wanted to ask, he said, what would be our legacy? He said our legacy is that we lit the electricity in Monasavu but let me tell the honourable Minister what we will remember his Government by. .

Mr. Speaker, they will be remembered as the Government that:

- killed FSC;
- killed the sugar industry;
- lied about the economy calling itself “doom” when instead it was a boom;
- accumulated the latest debt in this country;
- did not grow the economy;
- gave us the worst roads in the history of this country;
- gave us the worst health situation in this country; and
- resulted in the worst education system.

Mr. Speaker, Sir, free education, but if you look at their own books and annual accounts, these are the worst results ever in this country even though they are standing up and singing free education. These are the worst results ever in this country even though they are standing and singing free education but we want results and quality education. We want increase in passes and this is just the total the opposite.

MR. SPEAKER.- I thank the Honourable Member, I now give the floor to the honourable Professor Biman Prasad.

HON. PROF B.C. PRASAD.- Mr. Speaker, this amendment really is a bit of a joke and it goes to show what I have said in this Parliament before (in the last Parliament and in this Parliament as well) is that the process as much as the law itself is very important; the process of law making.

Someone from the other side said, “We do not need to consult.” That is the last thing that a Government Minister should say. The perception of process of law making itself is very important for developing a democratic framework.

It looks like and it is possible that this is the fastest created Bill in history by the way it came. It looks like the honourable Attorney-General actually thought it up on Tuesday after I criticised the Commission of Inquiry into the Office of the Auditor-General. In fact, he will not be saying “watch out” and I told him not to threaten me and his response to debate questioning the credentials of the Chairman.

(Honourable Member interjects)

HON. PROF B.C. PRASAD.- That’s what I heard.

HON. A. SAYED-KHAIYUM.- *Areh!* You hear so many things.

HON. PROF B.C. PRASAD.- Well in my response to debate questioning the credentials of the Chairman of the Commission of Inquiry into the Office of the Auditor-General, the honourable Attorney-General actually read out Section 16 of the Commission of Inquiry and said that penalties for breaching it was very low and needed amending. When I saw this Bill, I was a bit surprised. If he had brought it in the next session of Parliament, I probably would have thought, “Okay, there has been some thinking about this Bill.”

Mr. Speaker, I mean sometimes I think the use of the Standing Order and the way these Bills are brought is actually of what the Attorney-General probably used to do when we were seeing all these overnight Decrees coming out during the Government that was there from 2006 to 2014.

Mr. Speaker, Sir, as I have always said that laws, there are always unintended consequences. You may put out a law with a particular objective but once it comes into force, how it is applied, what are the consequences can be different even though this is just considered to be a simple amendment to raise the fines and the jail term.

So, Mr. Speaker, it is very interesting, if anything, this Bill, this idea that okay the fine is low, the jail term is low because someone is going to criticise the Commission of Inquiry and you do that reflects the kind of mentality that this Government has. I kind of agree with a lot of the things that honourable Nawaikula said about this Government's dictatorial behaviour. I know this idea of threats, intimidation when people raise the issues. This may be a small example of that kind of situation where you tell the people, "look, we do not like what you are saying, we are going to bring a law."

We have seen in many instances since 2013 Constitution came into being. I could list many examples where the laws, amendments came as a result of a particular event which did not make the Government look very good. The Bill after honourable Nawaikula's case, for example. I know the Electoral laws were changed before 2014 Elections. So, I do not know what kind of thinking is going within the Government, Mr. Speaker, to bring this kind of laws and in such short notice. I notice that the fine is to increase from \$200 to \$1,000 and the honourable Leader of the Opposition was giving the percentage.

We have to look at fines and jail terms in the overall context of our society as well. When you suddenly raise fines and jail terms, it is not necessarily about stopping people from saying things that you do not want them to say, but it could also mean other things as well. When you raise fines and penalties, people are complaining about, for example, the LTA fines.

A lot of people are saying whether those kind of fines are commensurate with the kind of income, the kind of society that people are living in. So, that is why it is very, very important, and raising the jail term, I mean, why do you want to send people who might say something which probably borders on criticising the Commission of Inquiry.

HON. A. SAYED-KHAIYUM.- The court of law will ....

HON. PROF. B.C. PRASAD.- The honourable Attorney-General always say this but let me tell you, when people get charged, they go through a court process, it is a very, very painful experience for many people. As a lawyer, the honourable Attorney-General should know that. So, when you make laws, the laws ought to be reasonable as well.

HON. A. SAYED-KHAIYUM.- We are making laws ...

HON. PROF. B.C. PRASAD.- Yes. Mr. Speaker, if you look at section 16 of the Act which states, and I quote:

"Any person who uses threatening or insulting language to the Commission or to a Commissioner or to the secretary at any sitting of the Commission, or to a Commissioner or to the secretary at any other time or place in relation to or on account of his proceedings in the capacity of Commissioner or of secretary is guilty of an offence and upon conviction shall be liable to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding six months."

Mr. Speaker, Sir, the emphasis here is using threatening and insulting language on the Commission on a count of proceedings in the capacity of the Commissioner or Secretary. So, there was nothing insulting or threatening in my intervention on Tuesday.

(Hon. A. Sayed-Khaiyum interjects)

HON. PROF. B.C. PRASAD.- I know this was not about me but it was not anything threatening or insulting. If people say about the Commission. This is part and parcel of the debate in Parliament, especially in Parliament, but at the end of the day, Mr. Speaker, when we raise issues, even if it is about the credibility of a Chairman of a Commission of Inquiry in this Parliament, it is about looking at national interest, it is about looking at the bigger governance issues, so it is not that we bring these issues without any reason. And we must create a national portrait in Parliament that we are to bring any issues in this Parliament which people think is of national importance.

So, Mr. Speaker, Sir, I know a lot has been said with respect to the way the Bills have been brought. I know someone told me that in the West, right from Sigatoka to Rakiraki, people who moved into the evacuation centres for more than four days had no support in terms of food rations. The NGOs are telling me, the communities are telling me and here is a Government which during the debate in Parliament instead of talking about working out the way in which they can help the people. We are spending time bringing a Bill simply to increase the fine and jail term, so where is the priority? People are asking about food rations, Mr. Speaker, in those evacuation centres.

In the middle of all these crises, where we could debate a little bit more on how we can help our people, you know we had reports. In fact, I was looking forward to the Ministerial Statement on child protection - a very important subject and I know the honourable Minister is doing a good job in her own Ministry like her predecessor. It was going to be a very important discussion because we would have looked at the whole issue of poverty, child poverty. That is the kind of debate that we should be engaging in, not increasing fines and jail terms just because you know you feel that someone is going to criticise the chairman of the Commission of Inquiry or the secretary once the Commission sits. That is the point we are making and that is why it was not necessary.

It was unnecessary to rush this amendment into this Parliament. I am sure because of the time that we are spending on all these Bills, we have not had any Ministerial Statement. We did not have a Ministerial Statement from the honourable Minister for Health. We were looking forward to Ministerial Statements and they have not brought any, Mr. Speaker. So, that is why we cannot support this Bill. I think they should withdraw this Bill, leave the fines and jail terms as it is, let us see what happens in the Commission of Inquiry.

One more thing, Mr. Speaker, the motive behind this Commission of Inquiry is very important and that is why we oppose this Bill because what will come out of the Commission of Inquiry, I can predict, will be a law - amendment to the Audit Act to basically make the Auditor-General, like the Public Accounts Committee, irrelevant in many ways because we have had the Government side talk about what the Auditor-General should not do or should be doing. For example, they said, "The Auditor-General was auditing while the project was going on." That is a very good way to ensure that there is no wastage.

In many countries, in fact, in England, Mr. Speaker, when they have big projects, the Auditor-General's Office monitors and audits as the project goes on because by doing that, they ensure that there is no wastage, that there is no mismanagement or corruption. I mean, the Auditor-General's Office in many countries do that, especially on large projects and if we had done, t we would have ensured that some of the projects which failed and have not been completed, Mr. Speaker, would

have been completed because the Auditor-General would have had a tab on that, so they were doing the right thing.

We do not want the next amendment to the Audit Act because the Government can make written laws as per the Constitution to determine the scope of the work of the Auditor-General. It is a very important office. Even if there are instances where the Government feels that the Auditor-General probably did not do the right thing, the Government has an opportunity to go to the Public Accounts Committee and correct its submission or whatever, but to touch the Auditor-General's Office unless, of course, Mr. Speaker, there is evidence of corruption or mismanagement, but to get the Auditor-General out of the job already.

HON. A. SAYED-KHAIYUM.- His contract expired.

HON. PROF. B.C. PRASAD.- And I hope Mr. Speaker, in the Commission of Inquiry that the former Auditor-General is actually invited. He is allowed to go and make his presentation and submission and answer the questions from the Commission of Inquiry, but we will hold our breath on that, Mr. Speaker. Thank you.

HON. A. SAYED-KHAIYUM.- Please, hold on.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Mr. Speaker, Sir. I fully support the Bill and I fully understand the intentions behind this Bill. To them it is about strengthening the institutions of Government and, of course, strengthening governance as well. It shows the different interpretations and the lenders that we were, but let me just go again to the point raised by the honourable Professor Prasad about food rations.

I urge the honourable Member if he has problems with some communities, can he call me directly? He did it last year during *TC Yasa* and *TC Ana*. We responded to the queries that he raised with us, but this is election year and he is taking a different direction altogether, Mr. Speaker, Sir.

This is what is happening. The last flooding that we had in Ba, I was on my way down to Ba (that was on Tuesday) and I saw in a *viber* group - Foundation for Rural Integrated Enterprises & Development (FRIEND) (their proxy NGO) has already delivered rations to eight evacuation centres in Ba. I knew what was next, I was anticipating it.

Just a few minutes later, I had a call from *Fiji Village*. First, there was an email from one Iva Danford and then the Director came.

(Honourable Member interjects)

HON. LT. COL. I.B. SERUIRATU.- No, no!

“Can you please respond to the statement by the honourable Professor Prasad because FRIEND has already delivered the ration?”

Let me say this to this august Parliament, let us not politicise humanitarian work. The National Disaster Management Office (NDMO) is NDMO, it is not a philanthropic organisation, it is not the Ministry of Social Welfare, nor the World Food Programme. NDMO is NDMO. We are bounded by the Disaster Act 1998 and the Disaster Management Plan 1995.

Mr. Speaker, Sir, let me clarify to the honourable Member, it is good that he brought it up now so that every Fijian will know this. The Act clearly specifies that the element of self-reliance does not, in any way, be left out when evacuees come to an evacuation centre. They are expected to,

at least, sustain themselves for the first 48 hours. There is nothing in law but the Act says ‘initially for 48 hours’ because the initial damage assessment that will be provided by the District Officer will come after 48 hours. So that is usually the guideline.

Mr. Speaker, Sir, those that patronise the evacuation centres know this well. They bring everything to the evacuation centre - their food, blanket, cooking stove, et cetera. But there are smart people there as well. They will wait in the evacuation centres until they know that it is already 48 hours and NDMO is about to bring the food.

HON. PROF. B.C. PRASAD.- Hey, don't blame the people *yaar!*

HON. LT. COL. I.B. SERUIRATU.- This is reality, Mr. Speaker, Sir. We have smart people in the communities too and what makes things worse is when the politicians come in, lead the people to very high level of expectations. Let me talk more about this FRIEND food distribution, Mr. Speaker, Sir.

They came to Ba, told the DO that they will look after eight evacuation centres. The PA Ba told them; “Okay, these eight evacuation centres.” But after the eight, they were also seen in Chinatown distributing rations. That is a targeted handout, Mr. Speaker, Sir. I witnessed this in Nawejikuma and Tramline in Nadi.

I came on the Wednesday, they have already been sent back to the communities after they have received their rations from Government. FRIEND helped in Ba (thank you FRIEND), but there was another set up as we walked past Nawejikuma in one of the houses there, Mr. Speaker, Sir.

I asked the PA Ba, “Please, just go and find out who that is”, and we continued. The PA Ba came back and said; “That is FRIEND, Sir.” Again, another targeted handout to the communities and what makes it worse, Mr. Speaker, Sir, there were some people standing there and they said, “no, we do not qualify because only the NFP supporters get the food from FRIENDS.”

HON. GOVERNMENT MEMBERS.- Oh, shame!

HON. PROF. B.C. PRASAD.- Point of Order. I think the honourable Minister is totally telling a lie. We have no links to FRIENDS in terms of distribution and his assertion that, that may have been NFP giving rations is totally false. I would urge the honourable Minister to refrain from making that kind of assertion. We do help people like you guys, individually, people call us well. Do not blame the people. There are always people out there but do not say that people come there to the evacuation centre because they think Government will bring rations. It is actually demeaning to the people who may need that. This is a time when a lot of people who are struggling to make ends meet, I would urge the honourable Minister not to make that kind of assertion.

HON. LT. COL. I.B. SERUIRATU.- Mr. Speaker, Sir, we have worked with FRIENDS, we Sashi Kiran very well. After being briefed in Ba, I asked the Commissioner Western, “Commissioner, please go and talk to Sashi” because the Act says in section 29....

HON. PROF. B.C. PRASAD.- Conspiracy. ...

HON. LT. COL. I.B. SERUIRATU.- This is not conspiracy.

“Go and talk to Sashi, please because if she wants to do humanitarian work then everything according to section 29 of the Act must come through the DO's Office. Do not

come to the DO's Office only for some and then go to China Town and other places doing other distributions."

She should stop it.

HON. RATU S. MATANITOBUA.- Why?

HON. LT. COL. I.B. SERUIRATU.- Because we want to continue, they are important stakeholders, Mr. Speaker, Sir. As I have said, NDMO is not a philanthropic organisation and that is why we need FRIENDS, that is why we need World Kitchen, that is why we need all our friends in humanitarian work because if it takes time for Government to come to the communities, some of them, because it is allowed through their Constitution or whatever to keep food. We do not keep food.

Mr. Speaker, Sir, again let me say that NDMO does not keep any food, whatever NDMO provides will depend on the assessment. As I have said we are governed by the Act, we are governed by the Disaster Plan and we are governed by Government's Procurement Procedures in the Finance Instructions, Mr. Speaker, Sir. That is reality. Good that he brought it up so that right now as we speak NDMO is distributing in Nalele, Malomalo. Sir, NDMO is distributing in Nadi for the residents of Nawajikuma who usually come to Saint Andrews and Nadi College. We know the communities well because we deal with them, Mr. Speaker, Sir.

I would ask the honourable Member, if there is a community that is contacting him for rations, pass it over to me and I will deal with it, with the staff. Again, let me say this, last year he did that when he was in Vanua Levu for *TC Yasa* and *TC Ana*. But this year he decided to take a different direction.

Mr. Speaker, Sir, I support the Bill. Again, to all honourable Members of the House, I am not a lawyer. There is a difference between amendment and a review of an Act. A review is a comprehensive process, I see the honourable Waqanika smiling because when you do reviews there will be certain portions of an Act that will be repealed totally but when we do amendments it is mainly some problematic areas that probably just needs to be fixed so that work continues, services continues, et cetera. This is an amendment, it is not a review. The consultation, Mr. Speaker, Sir, of course, we also understand that there has to be consultation, but there is a big difference in law making about a simple amendment and a review of an Act.

Please, let us put this into proper perspective and let us go ahead with the business before the House. I just wish to again say that it is not for punitive actions but, of course, as I have stated, we need to strengthen and protect the institutions of Government as well and most importantly, penalties and sentencing, it is meant to be a form of deterrents as well. That is why we need to increase this, so that it brings that element of deterrents to probably those who will offend in the future and those who are thinking along that line. That is my contribution and I support the amendment to the Bill.

MR. SPEAKER.- I now give the floor to the honourable Acting Prime Minister to speak in reply.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the honourable Members speaking from the other side only focussed on insulting the Commissioner or the Secretary, which honourable Professor Prasad seems to be focussed on who is bad maybe, that is what he intends to do. The penalty provision is also for penalty for threats to witnesses. If someone wants to come and give evidence and someone may know, his claiming honourable Professor Prasad that government threatened, so if someone wants to give evidence against government to the Commission of Inquiry,

if someone from the Government threatens them, then there is an offence by that Government member.

Then we have penalty for false interpretation, Mr. Speaker, Sir. A person or interpreter wilfully gives a false interpretation. Then you have a penalty for refusing to give evidence, that is another offence. Then, of course, Mr. Speaker, Sir, you have insulting a Commissioner or the Secretary. These penalties as Honourable Lalabalavu said, "Oh, it is a huge increase." I am sure honourable Lalabalavu is old enough to know that in 1960 \$200 was actually a lot of money and he would agree with that, please shake your head in agreement because that was the deterrents. For 60 years, that penalty has not changed.

I did a little bit of calculation. Even if you apply \$20 a year, \$20 multiply by 60 years gives you \$1,200, and we only now saying \$1,000. You have to contextualise it. Do not look at the \$200 penalty in today's context, look at the \$200 in the 1960 context. That is the level of importance that the law makers at that time gave this particular offence and that was a huge deterrents at that point in time. This is why no one actually did anything untoward under the Commission of Inquiry.

Before the magistracy was a Commission of Inquiry into the Vatukoula Gold Mine an issue and there was one before that. I think G.P. Lala or someone was on that Commission. You must have seen, there was a Commission of Inquiry to the Vatukoula Gold Mining issue, there was a one before that. I think G.P Lala or someone was on that Commission. Mr. Speaker, Sir, they need to look at the context.

Honourable Nawaikula obviously has done his little song and dance. Sometimes he is entertaining but he is bit more than that, now he is bit of a tragedy, because he is actually quite a massive joke in respect of this Parliament. Only institution in Fiji that is independent is the Office of the Auditor-General. Honourable Professor Prasad joins him and says, "I know this is what is going to happen, I know that the Act will now be changed." How does he know? Is he God?

HON. PROF. B.C. PRASAD.- I said predict.

HON. A. SAYED-KHAIYUM.- He predicted, same thing. He predicts. When I predict something it means I know it is going to happen.

HON. PROF. B.C. PRASAD.- That is what you have done in the past.

HON. A. SAYED-KHAIYUM.- That is what his done. This is the level of contribution by someone who insists on being called honourable Professor Biman Prasad.

Mr. Speaker, Sir, the other point that I would like to make is that this is all about threat and intimidation. How is that a threat and intimidation? None of the offences are changed. No new laws have been amended. No words have been introduced. The only aspect of this particular Act which goes back to 1960, in fact, the Act, Mr. Speaker, Sir, goes back to 1946.

Even if you take 1960 when the penalty was changed, Mr. Speaker, Sir, it goes back that far. The only thing that has been changed is just the penalties sum and the imprisonment term.

Mr. Speaker, Sir, I like to also read out, honourable Lalabalavu in the Business Committee made this extra ordinary claim, he said, "I want to talk about the Auditor-General, God knows what they have done, we do not know we are in the dark, it is gazetted." You need to have your Opposition people in your office to read your gazettes.

I will read it out to you, Sir. It is in the gazette. I should not read it out to you but I will do you a favour.

“The Commissioners are the chairs, Winston Thompson, the other two Commissioners are Fay Yee and Lala Sowane and in particular to inquire into and report on:

1. The conduct, operations and performance of the Office of the Auditor-General;
2. The capacity of the Office of the Auditor-General to carry out its functions and duties effectively and efficiently under the Constitution of the Republic of Fiji, the Audit Act 1969 and any other written law.
3. Whether the Office of the Auditor-General is carrying out its functions and duties and exercising its powers in accordance with the Constitution of the Republic of Fiji, the Audit Act 1969 and any other written law enacting within the scope of its Constitutional and legislative powers, duties and functions.
4. Whether the Office of the Auditor-General is carrying out its functions and duties in accordance with internationally accepted audit procedures and requirements
5. Any associate matters which the Commission may consider to be relevant to the general objectives of the inquiry;
6. To make recommendations to eliminate and prevent any unlawful, improper, ineffective or inefficient practices in the Office of the Auditor-General;
7. To make recommendations for the effective and efficient delivery of the functions and duties of the Office of Auditor-General under the Constitution of the Republic of Fiji, the Audit Act 1969 and any other written law;
8. To make recommendations for the adoption by the Office of the Auditor-General of internationally accepted audit procedures and requirements and any other standard and transparent operating procedures.”

That, Mr. Speaker, Sir, is the scope and the Terms of Reference as some people call it of this Commission of Inquiry.

Mr. Speaker, Sir, it goes on further to say, and I quote:

“And I further direct that the Commission by His Excellency the President shall submit its findings and recommendations to the President of the Republic of Fiji within three months of the date of appointment or upon the Commission’s request such longer period as the President of the Republic of Fiji may direct.

The Commission has a liberty to report its proceedings and findings from time to time to the President of the Republic of Fiji.

Without prejudice to the powers grant to the Commission under the Commissioner of Inquiry Act 1946, the Commission may conduct such parts of inquiry that may deem appropriate in camera.

That the Commission may exercise all such powers that may be necessary for the purpose of inquiry and may lawfully be exercised by the said Commission.”

Mr. Speaker, Sir, it is all guided by the law and he went on, “I will hold my breath until the former Auditor-General’s invited.” Of course, no Commission of Inquiry will be worth its weight if they did not talk to all parties past and present and he is indirectly character assassinating these Commissioners. That is what he is doing in this Parliament.



Mr. Speaker, Sir, the honourable Nawaikula, I just want to go back to him and what he said. This is the man who after the events of 19<sup>th</sup> May, 2000 was very busy in his office doing a Deed of Sovereignty. He was part and parcel of that.

HON. N. NAWAIKULA.- Point of Order. Please withdraw it, it is a total lie. Do not come here and make statements that are unsubstantiated.

HON. A. SAYED-KHAIYUM.- It was you.

HON. N. NAWAIKULA.- I knew nothing of that document and I am not sure where he got his information from....

HON. DR. I. WAQAINABETE.- That is your story....

HON. N. NAWAIKULA.- So, please withdraw that.

HON. A. SAYED-KHAIYUM.- Sir, I have certain documents when I was doing my research....

HON. N. NAWAIKULA.- Bring it here,

HON. A. SAYED-KHAIYUM.- Not to Parliament, which I have evidence of.

Mr. Speaker, Sir, furthermore he talks about killing the sugar industry. He was instrumental with Qalikau going around Vanua Levu, telling landowners not to renew their leases. He was instrumental in that and he has the audacity...

(Hon. N. Nawaikula interjects)

HON. A. SAYED-KHAIYUM.- Now, there you go! See, you cannot do anything.

(Hon. N. Nawaikula interjects)

HON. A. SAYED-KHAIYUM.- He had the audacity to say that we have killed the sugar industry.

As I highlighted, Mr. Speaker, Sir, in Parliament today, 43 per cent of cane farmers cut less than 100 tonnes, 75 per cent cut less than 300 tonnes. We have suffered and honourable Prasad will never acknowledge that because now he is on the other side. He has gone on to the dark side, Mr. Speaker, Sir.

Mr. Speaker, Sir, the other point that I also wanted to make was that, he was saying, oh! Here we go I was just been handed a friend's post saying "we work as a team, NFP" A friend's post here. Mr. Speaker, Sir, he...

(Laughter)

MR. SPEAKER.- Order!

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, this is what bothers us is that honourable

Nawaikula is saying, “Let us go and tell all our development partners, let us tell the development banks, the bipartisan donors who are giving us grants, budget support, loans, not to give it to Fiji.”

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, if indeed we were what he claims we are, none of them would have given us money because they believe in our financial management service. They believe in our financial management, they are not stupid unlike some people in this Parliament. They are not silly. They have seen our track record, they have seen our objectives, they have seen our financial management. They know what our goals is, what our vision is, what are the long-term plans for the economy, and that is why they are supporting us.

And Mr. Speaker, Sir, one thing also, they know that this is the only Party and the only Government that can give stability to Fiji. No other Party can, and it is the fact and when I stood up in this House and I have said about budget support, et cetera.

Mr. Speaker, Sir, they have debunked it. But the fact of the matter, is Australia and New Zealand, for example, have never given direct budget support. That is a fact. The fact is that we never receive loans from JICA at 0.001 per cent, that is a fact.

Mr. Speaker, Sir, China gave us expensive loans. Now, you are saying because of China factor. Australia and New Zealand did not give us budget support because China factor, which other Pacific island country have they given direct budget support too? You do not know that.

Mr. Speaker, Sir, this is the reality and they come here and they stand and they talk about these things without knowing the hard core realities of it. So, Mr. Speaker, Sir, of course, this particular Amendment....

The other point I want to finish with that, what honourable Nawaikula wants, what he is saying by that, to tell this people not to give us any money, he wants the Government to collapse but more importantly that is how he sees up to his nose. But he, Mr. Speaker, Sir, in the process, wants the ordinary Fijians people to suffer because all the policies that we have implemented has assisted the Fijian people in particular in the past two years, Mr. Speaker, Sir.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- See this is the problem, I want you out especially you, it is not about me.

HON. N. NAWAIKULA.- It is about you.

HON. A. SAYED-KHAIYUM.- There you go! See, this is the level of mentality, honourable Gavoka, that you have people in your Parliament.

Honourable Lalabalavu, that is the level of mentality that we have and we expect this mob here to be the alternative government.

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- He does not inspire confidence in ordinary Fijians. We have been told so many times and I am sure the honourable Minister for Health has been told - yes, there may be queues in hospitals, yes maybe the toilet is not as clean as it should be, but they all have said,

Mr. Speaker, Sir, that thank God that this Government was in control when COVID-19 came. If these are the people in control, it would have collapsed.

Mr. Speaker, Sir, this amendment to the Commission of Inquiry Act is supported. It gives credibility to the Commission and we need to ensure that the integrity of this Commission is protected so that they can deliver as per their terms of reference which have been put together by His Excellency the President. Thank you, Sir.

MR. SPEAKER.- Honourable Members, Parliament will now vote for acclamation.

Question put.

Motion agreed to.

[Commissions of Inquiry (Amendment) Bill 2022 (Bill No. 04/2022), moved under Standing Order 51, passed and enacted by the Parliament of the Republic of Fiji. (Act No. ... of 2022)]

MR. SPEAKER.- Honourable members, time moves on. For the purposes of complying with Standing Orders with respect to sitting times, I now call upon the Leader of the Government in Parliament to move a suspension motion. You have the floor, Sir.

### **SUSPENSION OF STANDING ORDERS**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, I move under Standing Order 6:

That so much of Standing Order 23(1) is suspended so as to allow the House to seat beyond 4.30 p.m. today to complete the remaining items listed on today's Order paper.

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, under the current Schedule, we have one Bill and, of course, Schedule 2 is the normal eight Oral Questions and two Written Questions, as well as the motions under Schedule 1.

MR. SPEAKER.- The floor is now open for debate on the motion.

As no one wishes to take the floor, Parliament will now vote.

Question put.

Motion agreed to.

### **INVESTMENT FIJI BILL 2022**

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, pursuant to Standing Order 51, I move:

That the –

- (a) Investment Fiji Bill 2022 (Bill No. 05/2022), be considered by Parliament without delay;
- (b) Bill must pass through one stage at a single sitting of Parliament;

- (c) Bill must be immediately referred to the Standing Committee on Justice, Law and Human Rights;
- (d) Standing Committee must report on the Bill at the March sitting of Parliament and upon presentation of the Report on the Bill by the Standing Committee, the Bill must be debated and voted upon by Parliament at the March sitting of Parliament; and
- (e) one hour be given to debate the Bill, with the right of reply given to me as the Member moving this motion.

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

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I will be extremely brief. This Bill is related to the Investment Act that has already been passed last year by Parliament and this has essentially to do with the currently what we call Investment Fiji, the organisation and its functions and we are referring this to the Committee, Sir, so the Committee can get back to us regarding this particular organisation for the March sitting. Thank you, Sir.

MR. SPEAKER.- Thank you. Honourable Members, the floor is now open for debate on the motion. At the end of the debate, we will have the right of reply from the mover. Is there anyone wishing to take the floor? I call on the Acting Prime Minister, the Attorney-General if there is anything further you would like to add.

HON. A. SAYED-KHAIYUM.- I have no further comments, Sir. Thank you very much.

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

Question put.

Motion agree to.

MR. SPEAKER.- Honourable Members, on that note we will take a break for afternoon tea.

The Parliament adjourned at 4.32 p.m.

The Parliament resumed at 5.04 p.m.

**CONSOLIDATED REVIEW REPORT –  
MINISTRY OF FOREIGN AFFAIRS ANNUAL REPORTS 2017-2019**

HON. A.D. O'CONNOR.- Mr. Speaker, Sir, I move:

That Parliament debates the Consolidated Review Report of the Ministry of Foreign Affairs Annual Reports 2017 – 2018 and 2018 – 2019 which was tabled on 21<sup>st</sup> September, 2021.

HON. DR. S.R. GOVIND.- Mr. Speaker, Sir, I beg to second the motion.

HON. A.D. O'CONNOR.- Mr. Speaker, Sir, honourable Acting Prime Minister and Attorney General, honourable Leader of Opposition and honourable Members of Parliament, I take this opportunity to speak on the given motion that is before the House.

For the stated reporting periods, the Annual Reports captured Fiji's global leadership at various multilateral platforms including Fiji's successful leadership on Oceans and Climate Change. This was reflected through its co-presidency with Sweden on the 1<sup>st</sup> UN Oceans Conference and also at the 23<sup>rd</sup> UN Framework Convention on Climate Change and Conference of the Parties which Fiji created history in becoming the first Small Islands Developing State to preside over these two important forums.

Mr. Speaker, Sir, I take this opportunity to commend the Ministry of Foreign Affairs for continuously managing international relations and diplomacy through the implementation of Fiji's foreign policy, maintaining and strengthening Fiji's diplomatic relationship and building co-operation with development partners.

In conclusion, Mr. Speaker, Sir, I would like to quote what the UN Secretary-General stated:

“Fiji citizens are citizens of the world and Fiji today is an influential country in world affairs which I would say an impact that is out of proportion with the dimension of the country or the number of citizens of its population.”

This is to show that Fiji continues to punch above its weight, and work towards getting into more horizons and places for foreign policy work, and Ministry of Foreign Affairs continues to work towards the dream.

Mr. Speaker, Sir, I support the motion.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion.

HON. V.R. GAVOKA.- Mr. Speaker, Sir, if I may, I would like to comment from what is outlined on page 31 of the 2017–2018 Report which says that the Ministry admits the major challenge is to manage and ensure prudence financial management at the foreign missions and the linkage between the Ministry and the 17 missions is critical. It goes on to say in the way forward, better coordination between headquarters and each of the 17 diplomatic missions abroad is critical for the effective management of the Ministry's financial resources.

Mr. Speaker, Sir, it is public knowledge that there have been some financial mismanagements in the Embassies and we believe this is where the Commission of Inquiry should be set up to look

into the way we operate our 17 Missions overseas. Setting up a Commission of Inquiry into the Office of the Auditor-General, but we believe this one is more deserving than the Attorney-General. We would hope that the time comes that we could setup something like that because it does not look good for Fiji when our people appear in the local courts for mismanaging funds from the foreign embassies. It is highlighted in the Report and we would like to see that happens, Mr. Speaker, Sir, to streamline and strengthen the financial management overseas.

Mr. Speaker, Sir, SODELPA notes there is very little information of the 17 operational missions in 2017-2018. By 2019, two were closed, Addis Ababa in Ethiopia and Brasilia in Brazil. As we know, Mr. Speaker, Sir, it was first South Africa, then we closed South Africa and moved to Ethiopia. Of course, we had closed Washington DC also, one of the oldest embassies for the country. Mr. Speaker, Sir, SODELPA asks the question, what are the reasons that we set up in Brasilia? Why did we go to South Africa? Why go to Ethiopia? In terms of direct linkages to Fiji, we are at a loss to understand the justification to set up embassies in those areas.

One that we keep avoiding is Israel. Israel has a lot more in common with Fiji, our link through the religions in Fiji, Christianity in particular and of course, the advancements that people have seen in the State of Israel which could benefit Fiji in a big way. As we have stated before and I repeat here today, that SODELPA will open an Embassy in Israel and it shall be in Jerusalem. As soon as we come to power, Mr. Speaker, Sir, that will happen. Mr. Speaker, Sir, we cannot be moving from Brasilia to South Africa to Ethiopia, when the place we should be present is right there in Jerusalem.

We also ask the questions about our trade relationships. We still do not believe that we are doing enough to secure tuna from the MSG to keep our processing plants in Fiji operating.

HON. CDR. S.T. KOROILAVESAU.- We don't need it now.

HON. V.R. GAVOKA.- We have facilities in Fiji that can process about 75,000 metric tonnes of tuna, but we cannot supply all that because we cannot secure the supply from our MSG partners. We believe, Mr. Speaker, Sir, with better management of our relationship, we can convince our MSG partners, we call them "WanTok" to supply some of the tuna. In turn, we give something in return. But it is just the way that FijiFirst manages foreign relations that is limiting our opportunities. Of course, we know about the USP saga, that does not help.

We know about the appointment of the General Secretary to the PIF, that does not help. At one time, we were denying Solomon Airlines some of the possibilities of serving Fiji, that does not help. Even in tourism, there were days we used to have this Bula Fiji Tourism Exchange bringing in the islanders from the Pacific to come to Fiji and showcase their products, FijiFirst put a stop to that. All these things, Mr. Speaker, are important in creating that firm sense of relationship that can help us secure from them what they have in plentiful supply - tuna.

Mr. Speaker, I still cannot believe that the honourable Minister for Fisheries is saying the vessels that used to come to Suva have all gone back to their own ports because it is easier for them to go there than to come here. Mr. Speaker, I would like to ask the honourable Minister for Fisheries, does he know the names of all the companies that used to come to Suva? Has he met them? Has he gone to meet them in their offices in Taiwan, Korea, China or whatever? Does he know who they are? The people who can deal with try to find out, why are you going back to your own country when it is easy to come to Suva? I would challenge him to provide a figure from that information.

The honourable Minister for Fisheries was a tourism person. He operates some top quality vessels and he knew who will fill up that boat because he had supply chains in Europe, USA, UK,

Australia and New Zealand. He knew the names of those people. So, I am asking him, does he know the names of the people and companies who used to come to Suva or not?

Mr. Speaker, I do not think he has done enough. Suva needs to bring back all those vessels. As I have said, SODELPA will apply itself to bring back those ships and vessels.

So, Mr. Speaker, there is much to be said about our foreign affairs. We see that it can be handled better. What we see here is a lack of planning, very impulsive in where you want to go, opening embassies. Very little thought process goes into the planning about our foreign relations. This report indicates all that. We would ask the Government to be more careful in the way it manages our relationship with other countries.

HON. LT. COL. P. TIKODUADUA.- My apology, Mr. Speaker. I want to make a short contribution to this motion.

Mr. Speaker, as you know I am one of the Members of the Committee from the Opposition. I take this occasion also to wish Adi Litia a speedy recovery at this time.

Mr. Speaker, I am going to pick from the report and I want to make two general observations:

1. Observation on the issue of finance

When this was brought to the Committee you will be familiar with this situation. At the end of any financial year it is always difficult to reconcile variances on accounts that are maintained by different Missions versus what is available here in Fiji from the Ministry. So that has been highlighted by the Auditor-General and I am pleased to say that even though there are these variances, that it is purely systems related and there is no loss of Government funds involved through this issue. But, it is something that the Ministry has been working on for a long time and that is what the Permanent Secretary said.

As I have noted in my other intervention, I would hope that this is something they would continue to do because it does not look good when these variances do pop up in the Auditor-General's Report because it is kind of a mess in how they are recording the funds from the General Ledger and also the Accumulated Bank Reconciliation Balances for the Ministry with regards to Foreign Missions. That is the point that I would like to raise.

The first one, I will just draw your attention, Mr. Speaker, Sir, to page 18 of the Committee Report which talks about challenges of the Ministry and in particular, the geo-political shifts that the Committee had noted on what the Ministry had raised. I know that we are all anticipating the arrival of the Secretary of State from the United States in the next few days as this being the first time ever the Secretary of State will be visiting our shores.

Obviously, there is recognition of why Fiji in its current position is important to the United States and also the geo-politics and the security of the region. So, he is here even though on a very short visit but it is a visit nevertheless for someone that is important in the US and we should take advantage of that because I think there is a whole lot of discussion and debate going on at the moment happening here in Fiji by people who are interested in the subject of geo-political issues on the matter of China, United States, Australia and how it affects us.

So, I think we are looking at how the world is shifting and we are part of the global community so the Ministry of Foreign Affairs does play a significant role in this. We hope that they use the best of their diplomacy to do what is best for Fiji and its people in terms of dealing particularly with the

major powers of the world which is in the United States and, of course, Australia in the region. That is the extent of my contribution, Mr. Speaker, and I thank you for this time.

HON. RO F. TUISAWAU.- Mr. Speaker, Sir, I rise to contribute to the motion on the Ministry of Foreign Affairs Annual Report. I would like to add to the few issues raised particularly in the Annual Reports here, tabled five years later. This is the 2017 Report and this is a continuing concern I suppose and it was not tabled under 2021 while the 2018-2019 was again tabled in 2021, both Reports tabled three years later after they were due as specified under the Financial Management Act.

Again, we raise our concerns regarding the auditing of the 2018 COP23 Trust Fund in terms of that Report. The role of the Civil Society Organisations (CSOs) is also important, when we look at the Report the development partners in terms of our Diplomatic Missions and their engagement not only with the Ministry of Foreign Affairs but also with the our Civil Society Organisations. I note in particular their role in international development and their funding of our CSOs and it is important that our Government engages constructively and in a meaningful way with our CSOs, instead of engaging in criticism about them as we have heard today.

Yesterday, we heard honourable Koya saying that no one in Fiji is suffering like the Opposition is making it out to be and the CSOs, who are one of our critical actors in terms of not only disaster relief but also poverty alleviation, et cetera, have taken exception to this, one of them who has been criticised today and continuously this week, Shamima Ali of the Fiji Women's Crisis Centre. Let me just quote how they have noted their concern about what the Minister said. They stated that he is unaware of the fact that there are Fijian families that have only one meal and in some cases, parents go without food while he is stating that and during the COVID-19 pandemic ...

MR. SPEAKER.- Honourable Member, stick to the ...

HON. RO F. TUISAWAU.- And in a statement which they have stated, Sir, it is insensitive.

MR. SPEAKER.- Stick to the agenda item.

HON. RO F. TUISAWAU.- So, that is what I wanted to raise, Sir, regarding that and that is related to the activity of the CSOs.

MR. SPEAKER.- Forget about what happened yesterday and about the other day.

HON. RO F. TUISAWAU.- Thank you. On the Report itself, Pacific Islands Forum (PIF), we recall as mentioned by the honourable Gavoka, the debacle about the issue of the selection of the PIF Secretary-General. Fiji is the PIF Chair and there is concern about their role as chair on that issue which has also resulted in the Micronesian members of PIF deciding to leave the Forum and that is a really negative legacy regarding our chairmanship of the Forum. Not only there, it has also been mentioned in terms of regional relations, one of our members of the Council of Regional Organisations in the Pacific – USP, the continuous victimisation of USP by this Government, not only the vice chancellor but also the withholding of funds and that is again a continuing issue which continues to undermine the youth.

The Pacific Islands Development Forum (PIDF) had raised this in the past regarding the continued funding of this particular body because this had been formed after the coup of 2006, following Fiji's expulsion from PIF to rival the Forum but there is no basis for us to continuing to fund this PIDF and there is a need to relook at that, assess so that it is amalgamated or incorporated into the existing regional organisations, such as Pacific Community and the PIDF.



I also note there in the Report the Melanesian Spearhead Group (MSG). This again is another important sub-regional organisation, in particular the United Liberation Movement for West Papua is mentioned there. Sir, we have raised this quite a few times, the plight of the people of West Papua under the rule of Indonesia and Fiji needs to take a more proactive action on this as the PIF Chair and I understand that there is a PIF decision on a mission to Indonesia to inquire into the reported alleged human rights abuses and this continues to be blocked by Indonesia. So Fiji needs to pursue this in order to address the human rights abuses in West Papua. Those are some of the issues, Sir, I thought I raise regarding the Report before us and I commend the Report and also thank the Members of the Committee. Thank you.

HON. CDR. S.T. KOROILAVESAU.- Mr. Speaker, Sir, I just want to correct honourable Gavoka in the reference that he was making with regards to tuna and fisheries. I had explained to him in detail yesterday that during the last three years, the vessels that fished in our waters have found it much cheaper, after loading up their catch because they are almost at the equator for them to return to Taiwan, Korea or China, unload their catch and then slip the vessel, retrofit, refuel, change of crew and then return to the Pacific to continue carrying out the fishing exercise that they normally do. He asked about if I know the fishing companies, they are part of the Ministry of Fisheries partnership in trying to create the atmosphere so that we can secure raw materials.

The second part is that he is saying that we should get our partnership with the Melanesian Spearhead Group (MSG) because we can secure raw materials from those countries. Little does he know that FCF Co. Ltd of Taiwan bought Bumble Bee last year. When FCF Co. Ltd bought Bumble Bee, it is one of the three biggest traders in tuna. So basically the big refrigeration shed that was recently built is totally loaded to capacity. There will be a mother ship in Levuka directed by FCF, now running Bumble Bee that comes to Levuka and unload all the catch. So there is no need for extra raw materials for PAFCO. Honourable Vosanibola can vouch for that that at the moment the workers in Levuka worked continuously seven days a week with the majority as women. I encourage honourable Gavoka not to come here and just pull information from thin air and try to say things that are not true.

HON. LT. COL. I.B. SERUIRATU.- Thank you Mr. Speaker, Sir, for the opportunity. I wish to commend the Committee for the Report before the House and for us as a small country, we really need to manage our relations well, particularly with our friends and partners. I think, Mr. Speaker, Sir, what we are seeing happening now in Fiji is definitely a manifestation of the strong cordial relationships that we have with our friends and partners. We are friends to all and enemies to none and we want to maintain that because of our size, capacity and of course for very obvious reasons.

I thank the honourable Tikoduadua for his comments. Definitely that is something we really need to be always alert of and it requires very good diplomacy skills. Again as a small nation, we do not have much to influence, let alone the region nor globally. But I think it is the question of our relevance and looking at the report, we have heard it a lot in this august House, this is where Fiji is punching above its own weight. Although we are small but through our participation in the global environment, Mr. Speaker, Sir, that brings a lot of relevance and attracts friends and of course, it is good for us in terms of donors and partners particularly in our development aspirations.

We firmly believe in multilateralism. That is important for us as a small country. We know, Mr. Speaker, Sir, that a few years ago there was a lot of discussions in the academic world and of course in the global forum that multilateralism is under threat. Of course we are indeed thankful now with the changes in leadership particularly with the United States, Mr. Speaker, Sir, and of course we are looking forward to the Secretary of State's visit this weekend. You would recall, Mr. Speaker, Sir, the visit by the Senators a few years back, they assured us and the region that they are here to stay. Of course, that is good news for all us but it is about managing this relations that we have with

all our friends and partners, particularly for us, our belief in multilateralism and that relevance has been shown through our participation in peacekeeping.

I am indeed proud and thankful that we have sorted out some of the disciplinary and outstanding issues that we had with the UN Headquarters in New York. Now, we are open to continue to pledge for more participation and of course for the UN to open up avenues for us so that we can send more of our people and to participate in peacekeeping missions that is good for us. Our participation as leaders and drivers in the global issues, climate change, small country, Presidency of COP23 and that is the relevance that I am talking about. We are a small country and of course together in 2017, the World Ocean Summit that was also held in New York. Again that is a big issue globally and given that relationship between climate and oceans and of course how it relates to our economies particularly in the region as well. This is why our leadership and contribution in such global issues is so important for us.

In the nutshell, again, for us we value our relationship with our friends and partners. Again let me just finish on the issues about MSG Trade particular on tuna. I remember very well the trip that we took to Papua New Guinea a few years back. There were discussions about trade but the Minister for Papua New Guinea was forthright and honest in his contribution and he stated, “of course we would want to help, but look at the problems that we have in Papua New Guinea.”

If you go to Lae now, Mr. Speaker, Sir, they have set up because instead of providing the raw materials for other countries, they go and benefit it out of employment and the economic benefits, they wanted to create jobs in PNG itself. That was the statement that was given to us, it is happening and it is good see that our Melanesian brothers and sisters are very much into this, and they are creating employment for their own people and of course benefiting particularly out of the exports of tuna products. So it is not only about commodities but it is about the products out of the commodities.

Also along that line as well, may I also say, Mr. Speaker, Sir, that I know in the discussions that we had, there are a lot of discussions about MSG Trade but it is the logistics that is a big nightmare well. Because foreign vessels, already have their routes. For the MSG Trade to be successful, one of the major factors that is a hindrance is the logistics because we do not decide how the ship goes from Suva to the other ports, Mr. Speaker, Sir, we want it to go to Port Villa, we want it to go to Honiara, we want it to go to Lae or we want to go to Moresby, but it goes the other way. For MSG trade to be successful, I think the honourable Minister for Trade will vouch for this, we have to sort out our own logistics so that it can work, Mr. Speaker, Sir. Perhaps, that would clarify some of the issues that are raised and of course, that is my contribution to the motion as well.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, just a few comments. The honourable Minister for Defence has made some very pertinent points in respect of the Report that is before us in the dynamics that both internationally and in the region and of course, globally speaking. Sorry, Sir, I was just looking for a quote which I have just lost. This is a statement made by the UN Secretary General when he was here in 2019 and he said and I quote:

“Fiji citizens are citizens of the world and Fiji is today an influential country in world affairs, which I would say an impact that is out of proportion with the dimension of the country or the number of citizens of its population.”

Mr. Speaker, Sir, I think that quite aptly captures how Fiji is performing globally and internationally, on the international fora. As much as the Opposition would like to debunk it. I think it was precipitated if you look at the Report 2017-2018, we were the first Pacific Island country to become President of the COP process in Germany in 2017- 2018. We then, of course, were provided the platform for the Pacific Island and Small Development States (PSIDS) leadership.

Mr. Speaker, Sir, as COP 23 Chair, as we included the NDC regional hub in Suva. A number of initiatives, of course, have come out of it to ensure resilience, et cetera. We had the first Climate Action Pacific Partnership (CAPP) in Suva in 2017; under our presidency the historic agreement on agriculture was launched aimed at helping nations like Fiji, which is now actually built in to UNFCCC process which is called the Koronivia Joint Work on Agriculture.

Oceans pathway, again, Mr. Speaker, Sir, was developed through Fiji's presidency. We saw the fruition of it in Glasgow, where now we actually is being mainstreamed in the UNFCCC process and indeed the understanding between the health of the ocean, the nexus between oceans and climate change.

As a result of all of that, Mr. Speaker, Sir, we launched our sovereign green bonds in the London stock exchange and as highlighted earlier on, I think honourable Tikoduadua mentioned this, Secretary Antony Blinken will be here later this week on Saturday for a few hours on his way back from Australia. The last time I think there was a foreign Secretary here was in early 80s, I think he was called Secretary Schultz who was here then.

Again, Mr. Speaker, Sir, this of course shows not only the importance of Fiji but may be a reflection of some of the dynamics at play. We have, of course, had the pleasure of the UN Secretary General who addressed this Parliament and we also secured the presidency of the Human Rights Council where Fiji was the first Pacific Island country to do so. As a result of our presidency, we established the position of a new UN Special Rapporteur on Human Rights and the Environment.

The environment, Mr. Speaker, Sir, is critically important for us. We have a Constitution provision in that respect. Fiji, of course, has chaired the World Bank's Small States Forum at the IMF Annual Meetings for the past two or three years. We also had the chairmanship at the World Bank Meetings too, Mr. Speaker, Sir.

As a result of that, Mr. Speaker, Sir, World Bank has established a permanent establishment in the Pacific, in Suva, where through their office, \$1billion has been channelled to other Pacific Island countries using the Suva office. We now have IMF, we have World Bank, we have ADB all headquartered in Suva, Fiji to serve the rest of the Pacific Island countries, and these are no mean feat.

Mr. Speaker, Sir, of course as the Report highlights a number of dignitaries visited Fiji in that period. In respect of the operational matters, but before that, we have a very good Counsellor in Israel, Honourable Gavoka, who represent us the Fijian Mission in London as accredited to Israel. Of course, our High Commissioner in Canberra works very closely with the Israeli High Commission in Canberra and our Prime Minister himself, of course, has a very close working relationship with the Israeli Government.

We, of course, are in Golan Heights also and that a much deeper relationship and lot more practical relationship where Fiji actually does provide a particular form of assistance that perhaps, could not be done between the countries themselves. They need little countries like Fiji with that level of experience and expertise in peacekeeping that has, of course, further enhanced our reputation not just within the region but outside the region too.

Mr. Speaker, Sir, the closure of Diplomatic Missions was highlighted. Again, a number of countries, Mr. Speaker, Sir, for example in USA if you go to New York as you would know a number of the Ambassadors in the UN system are accredited to Washington itself. Indeed, we have PRUN who is actually will be here tomorrow where we will be meeting with the United States Secretary Antony Blinken.

Sir, the Ministry of Foreign Affairs, of course, has aligned its priorities of Government in respect of the National Development Plan and the rationalisation of costs. We have a number of our Missions, Mr. Speaker, Sir, that were bought some time back in terms of the asset base itself. We, of course, had to ensure because of years of neglect in the maintenance, a lot of the properties are deteriorating, so a lot of funding needs to be allocated.

I am talking from a finance/economic perspective. For example, our London Mission is in a very prime real estate. The last time the valuation was done, it was worth about FJ\$30 million itself, it is just that one property. But it does need a lot of repairs now because it is a very old building but it is in a very prime part of London near Kensington Gardens. The idea is to work a lot more efficiently and effectively with far less expenditure.

Similarly, Mr. Speaker, Sir, if you look at a lot of the Missions overseas now in other countries, they do not necessarily bring every single staff member from the capital. That is the old way of doing things. In particular a country like Fiji is not going to get involved in building a secret submarine or have nuclear arms or weapons that every single person who works in the embassy has to be from the capital. So, you may have one or two people that may be on the top tier from Fiji (1, 2 or 3) but the others should also be locally engaged because our main focus apart from the aspects such as climate change, Sir, is ensuring that we develop good trade relationships and trade relationships by having a lot more people engaged locally does give us benefit in particular in areas that you want to further your trade relationships.

Sir, the cross accreditation is equally very important to us. Yes, those two Missions were closed, Honourable Gavoka. That has happened and we, of course, need to learn from it.

Mr. Speaker, Sir, the Ministry is going through a number of changes, getting the right people and the restructure has been taking place.

Mr. Speaker, Sir, the other point that I would like to make, I think someone mentioned, I cannot remember who it was, that we have a case in the Court about alleged misappropriation of funds. That is actually demonstrative of the fact that the Ministry of Foreign Affairs is not backing down from ensuring there is transparency. In fact, that particular set of facts or allegations were discovered by the internal audit group of the Ministry of Economy. They do carry out this internal audit work and that was picked up. Previously a lot of things such as that were swept under the carpet but, of course, it was not picked up. The internal audit team picked it up and, of course, the matter is now before the Court.

Mr. Speaker, Sir, the issue about West Papua was raised. Of course, we are working very closely with MSG, Pacific Islands Forum and the UN, to ensure that we take this matter forward in a way that respects international law. That is what we need to do because we believe in the rule of law and we believe that it should be maintained internationally as we have our position similarly in the South China Sea, that the international law must apply.

Mr. Speaker, Sir, regarding the Pacific Islands Forum issue, that is not Fiji's doing. The Micronesian countries have not pulled out and you will soon be glad to see as to what happens in that space. A lot of work has been done behind the scenes under the leadership of our Chairman who is our Prime Minister.

So, Mr. Speaker, Sir, all in all, I would like to thank those in the Ministry of Foreign Affairs, who have been carrying out the various reforms that have been taking place within the Ministry itself. The re-engineering as to how we view our foreign relations, how we actually work a lot more better and smarter, as we have seen now that a lot of meetings have been attended to virtually and, indeed,

that could be one of the ways forward too as opposed to, for example, in running very expensive budgets for things that we can actually rationalise too. I would like to thank the Committee for their observation, Mr. Speaker, Sir.

MR. SPEAKER.- I give the floor to the Chairperson of the Standing Committee on Foreign Affairs and Defence to speak in reply.

HON. A.D. O'CONNOR.- Mr. Speaker, Sir, I have no further comment.

MR. SPEAKER.- The Parliament will now vote to note the content of the Report.

Question put.

Motion is agreed to.

**REVIEW REPORT - MINISTRY OF AGRICULTURE  
BI-ANNUAL REPORT FOR 1ST JANUARY TO 31ST JULY 2016**

HON. S.S. KIRPAL.- Mr. Speaker, Sir, I move:

That Parliament debates the Review of the Ministry of Agriculture Bi-Annual Report for the Period 1st January to 31st July 2016 which was tabled on 22<sup>nd</sup> September, 2021.

HON.V.R. GAVOKA.- Mr. Speaker, Sir, I second the motion.

HON. S.S. KIRPAL.- Mr. Speaker, Sir, the honourable Acting Prime Minister, the honourable Leader of the Opposition and honourable Members of Parliament; I, as the Chairperson of the Standing Committee on Natural Resources and moved the motion, take this opportunity to speak on the motion in regards to the Natural Resources Committee Review Report of the Ministry of Agriculture Bi-Annual Report for the period 1<sup>st</sup> January to 31<sup>st</sup> July, 2016 which was tabled on 22<sup>nd</sup> September, 2021.

Mr. Speaker, Sir, I, on behalf of the Committee, commend the Ministry of Agriculture's satisfactory performance shown during the review period.

Mr. Speaker, Sir, the Committee would like to shed some light into the operations of the Ministry of Agriculture for the period under review.

At the outset, the Ministry of Agriculture is mandated to ensure accelerated growth of Fiji's Agriculture Sector, product diversification and identify competitive advantage and opportunities, facilitate public/private sector engagement, promote food security and ensure sustainable livelihood for all Fijians.

Mr. Speaker, Sir, the functions of the Ministry during the review period, included:

1. To accelerate agricultural product diversification into crops and livestock products where competitive advantages have been identified;
2. Facilitate private sector development;
3. Promote food security; and
4. Ensure sustainable development in the non-sugar sector.

Mr. Speaker, Sir, the Annual Report demonstrated effective public performance, reporting, transparency and accountability to the people of Fiji, especially farmers, donors and agribusiness.

Mr. Speaker, Sir, the Ministry has placed specific emphasis on rehabilitation work that will improve the sector and economy as a whole. This will be the right direction towards achieving food security and nutrition. This Annual Report is aimed at informing all Fijians and stakeholders about the achievements of the Ministry.

The Committee acknowledges the commitment of the former staff of the Ministry, the leadership provided during the years and their contribution towards the accomplishment of the Ministry's achievement on the targeted output areas.

Mr. Speaker, Sir, the Committee considers necessary that the Ministry of Agriculture in Suva is implementing a few recommendations put forth by the Committee for implementation.

To conclude, I commend the effort of the Standing Committee on Natural Resources members in the compilation of the Review Report of the Ministry of Agriculture 1<sup>st</sup> January to 31<sup>st</sup> July, 2016 Bi-Annual Report. My appreciation to the Ministry's Executives for their timely contribution on the compilation of the bipartisan Committee Report.

Mr. Speaker, Sir, with those few comments, as the Member moving the motion on the Standing Committee on Natural Resources Report, I thank you for this opportunity.

MR. SPEAKER.- The floor is now open for debate on the motion.

HON. M. BULANAUCA.- Mr. Speaker, Sir, just before I move into the this Report, I am just inquisitive here, where is the honourable Prime Minister ?. Is there an official information about him to this House and to the public? It is important that we know and understand. Everyone is praying for him, and we need the information from the Government itself as to the status of our Prime Minister. Is he in New Zealand, or Australia or elsewhere?

HON. A. SAYED-KHAIYUM.- Sir, a Point of Order. I do not know why the honourable Member has suddenly woken up. We have probably made on more than three occasions public statements regarding the honourable Prime Minister. He is asking whether he is in Australia or New Zealand, I do not know where he is living. We have made three public statements to say that he has gone under a medical procedure, it is in Australia and he is recuperating. Leave him alone! Let him get better.

HON. M. BULANAUCA.- But there was no statement in this House, Mr. Speaker, Sir.

HON. A. SAYED-KHAIYUM.- The point is, many statements outside this House you bring to this Parliament. Get real!

MR. SPEAKER.- Honourable Member, the statements regarding the Prime Minister have been made by the Acting Prime Minister. Where he is, that he is recuperating, that is common knowledge. So I am not sure about what your point is.

HON. M. BULANAUCA.- The point is, if he could make the same statement here in the Parliament, so much the better.

Anyway, my comment on the Report, I thank the Ministry of Agriculture for completing the Report but I have some questions and comments on the Report for improvement in the future,

particularly on the organic legislation. I think they are formulating that, but the sooner the better. It is for everyone here in Fiji because we need organic food and products here in Fiji to boost our immune system and protect against any pandemic disease that we come across in future, rather than relying on some untested experimental vaccine. It is important to practice organic living and we need to have the organic legislation in place, Mr. Speaker, Sir.

Also, there are about 23 archaic regulations still pending. There are many Bills introduced here and have gone back for redrafting. Those are from various Ministries during the last four or eight years, but have not been concluded. It is important that the Solicitor-General or whoever is delaying the process to fasten it and get those Bills approved in this Parliament.

Also, under Recommendation no. 3, we need more agriculture land for grazing to open up areas but they need financial, professional, technical and any kind of support from the Government itself, particularly in the Budget to encourage more farmers to go into grazing and produce more supply of meat here in Fiji and reduce the millions of dollars of imports coming from overseas. Are there any farmers here doing feedlot farming? I am not too sure. Mr. Speaker, maybe that can be explained later. But it is important to motivate people to do farming and to go into commercial farming as well.

On mechanisation, it is important that we have incentives and monitoring on recommendation four, in growing and in technology. I think there are some efforts going on there but it needs to be supported more, Mr. Speaker, Sir. Cold storage and transportation as well in the agriculture sector. It is important that they are assisted technically in technology in order to produce more and to export more, foreign exchange more and reduce the imports from overseas. So, it is also important to increase our market outlets and whether we can ask our embassies or trade missions overseas to help us in that.

Also, on Kavanagasau, Mr. Speaker, Sir, there is a need for the farmers there for a cold storage facility but as has been explained by the honourable Minister for Agriculture, there are already cold storage facilities in Sigatoka and elsewhere. If that is the case, Kavanagasau will need to improve their roads and bridges there because they are normally under water when there is rain or flooding in that area, Mr. Speaker, Sir. It is important to improve. If they do not have the cold storage facility there, they will need to improve their roads to transport their goods and products easily to the cold storage facilities in Sigatoka and most of the time the roads are bad or bridges are under water.

It is important, if there is no cold storage there, this is on the east side of Sigatoka, we are not talking about the west side of Sigatoka where there is already tarsealed road. We are talking about the right side of Sigatoka or the East side of the Sigatoka Valley because Sigatoka Valley is the salad bowl of Fiji so you need to get proper roads and bridges out there to help the products out into the cold storages for marketing and selling. So, it is important to develop cold storage facilities in the various districts which needs power and water as well to uplift the subsistence farming level to commercial level.

It is important to encourage our people here in Fiji to go from subsistence to commercial and produce a lot more because I think there are only 40 per cent commercial farmers in Fiji and 60 per cent are subsistence. So it is important to encourage more of those 60 percent subsistence farmers to do commercial farming and to produce more for the betterment of Fiji.

On economic performance, Mr. Speaker, Sir, I would prefer that the Ministry of Agriculture in their annual report always very properly record their economic performances on just one page. But I would like to give some statistics here which does not make ends meet. From 2014, 2015 and 2016 of which we are currently going through and I also have the figures here 2016-2017 and 2017-

2018 or future years, we have got the reports here but we have not gone through them. It is important to note these figures here, Mr. Speaker, Sir and if they are wrong then probably the Ministry or the Minister to go and correct it before we go through the reports for 2016-2017 and 2017-2018.

Now, the production in 2014 – 294,877 metric tonnes, 2015 – 295,537 metric tonnes and 2016 because only seven months – 100,162 metric tonnes. 2016-2017 – which we have not gone through is 255,435 metric tonnes and 2017-2018, the reports we have here also records 255,435 metric tonnes. How come the same for 2016-2017 and 2017-2018? Maybe we can correct that when we do it but I am just highlighting it here.

On the contribution to GDP, 2014 - \$500 million, 2015 - \$542 million, 2016 (seven months) - \$542 million as well. Perhaps, if you can check that figure. It is too much for seven months, I may be wrong but if it can be checked, good. The year next is 2016 – 2017 which is \$500.8 million so it is less than the seven months prior.

In 2017 – 2018 - \$500.8 million same again; how can they be the same? Same for production, same for contribution to GDP again for future years. Also for export, \$180 million in 2014, \$198 million in 2015 and \$224 million in 2016 for seven months is more than the full years of 2014 and 2015. The future years, 2016 and 2017 came back down to \$194 million and same figure of \$194 million is reflected in 2017 – 2018; how can they be the same again?

Export is \$556 million in 2014, \$514 million in 2015 and \$717 million in 2016 for seven months, a lot more than the whole years of 2014 and 2015. In 2016 and 2017, \$645 million again, 2017 and 2018; same again \$645 million, how can that be? I may be wrong but it needs to be checked.

Balance of trade therefore was \$376 in 2014, \$316 in 2015 and \$430 in 2016, (but the figure needs to be checked) and \$451 in 2017-2018. We have not gone through but it needs to be checked and corrected before we go into it later.

Budget increased from \$67 million in 2014, \$64.9 million in 2015, \$48.3 million in 2016, \$74.4 million in 2017 and \$99.3 million in 2017-2018. Expenditure increased from \$57.1 million to \$52.6 million then because of six months it reduced to \$26.6 million and increase for the full year to \$56.1 million and \$87.3 million in 2017-2018.

It is important to check those figures, if they are correct then good. These figures are from the Annual Reports. The findings here are drop in production by 20,000 metric tonnes and why is it the same for the years 2017–2018 and 2018–2019? It is important to find out, the same figures and contribution to GDP and export increase, import increase and all those.

The failures is the increase of export only for \$14 million despite the increase of budget by \$37 million and expenditure of \$30.4 million and increase in imports of \$99 million or \$26 million if you go back to 2011, much larger increase to exports. Increase in balanced trade from \$328 million in 2011 to \$451 million in 2016-2017 and 2017-2018.

I appreciate what the Ministry of Agriculture has done, the increase of exports, but we need to do more. It is not enough support for the Ministry and it needs a lot of support financially, legally and improving of their services, processes, systems and working conditions to revolutionise production and increase exports, foreign exchange and also reduce our imports as well.

It is important that we must fully support the Ministry of Agriculture in order to increase our production in the foreign exchange and reduce our import subsidies.



HON. J. SAUKURU.- Mr. Speaker, Sir, for giving me the opportunity to make a few comments, brief contributions in support of the motion. I thank my colleague, honourable Bulanauca for his contribution today. I hope that the Ministry will take heed of the findings and recommendations, I am sure that the recommendations will assist the Ministry in its service delivery.

Sir, the Ministry of Agriculture 2016 Annual Report for the period 1<sup>st</sup> January to 31<sup>st</sup> July was referred to the Standing Committee on Natural Resources on Thursday, 27<sup>th</sup> May, 2021 during the sitting of Parliament and referred to the Standing Committee on Natural Resources for scrutiny.

Mr. Speaker, Sir, the Ministry of Agriculture is mandated to ensure accelerated growth of Fiji's agriculture sector, product diversification and identify competitive advantage and opportunities, facilitate public private sector arrangement, promote food security and ensure sustainable livelihood for all Fijians. From the outset, Sir, the dated annual report is for six months only and there was not information provided on gender in the annual report.

Mr. Speaker, Sir, in my contribution, I wish to take us down to memory lane to 20th February, 2016, striking Fiji at Category 5 intensity, *TC Winston* inflicted extensive damage on many islands and killed 44 people, a total of 40,000 homes were damaged or destroyed and approximately 350,000 people, roughly 40 per cent of Fiji's population was significantly impacted by the storm. The total damage from *TC Winston* amounted to about \$2.98 billion, Government declared a State of Emergency on 20th February, 2016 which remained in place for 60 day.

Mr. Speaker, Sir, as highlighted above, Fiji is highly exposed to natural hazard with cyclones and floods being annual events that damage property and cause long term accumulative economic harm. During *TC Winston* the agriculture sector suffered a damage of about \$208.5 million which is 6.9 per cent of the total and 44,879 farmers were affected.

The Northern Division sustained to the tune of \$93.8 million, about 46 per cent, Western Division had a loss of \$52.8 million which is about 25 percent, Central Division was \$40.5 million which is 19 per cent and \$21.2 million which is 10 percent in the Eastern Division. *Yaqona* suffered damages of \$116 million which is 55 percent of the total agriculture sector loss. For the *yaqona* commodity the loss was equivalent to about to 23 per cent of the standing crop.

Mr. Speaker, Sir, Fiji's Agriculture and Fisheries Industries and Micro, Small and Medium-Sized Enterprise (MSMEs) are particularly vulnerable to damage caused by natural hazards and a critical source of livelihoods for a large proportion of the population. My point is that it is the role of Government and in this case the Ministry of Agriculture to ensure that the support structures for the vulnerable sectors of our economy are well established and accessible.

Mr. Speaker, Sir, this brings me back to my question to the honourable Minister for Agriculture on Monday this week on cold storage facility for Sigatoka Valley. For those of us who know Sigatoka Valley, it is on both sides of the banks; the West Bank and the East Bank of Sigatoka and he knew that. The Minister preferred not to answer my question. When you fail to answer my question honourable Minister you have deliberately ignored the plight of our farmers, from the salad bowl of our nation who are consistently feeding us with fresh vegetables. Unlike the West Bank, the East Bank of Sigatoka Valley needs the support of Government by improving the road infrastructure and bridges along Kanavagasau Road and establishing a cold storage facility along the East Bank of Sigatoka Valley.

Mr. Speaker, Sir, the honourable Minister was correct when he told the farmers from the same area in Nabitu on the 5th October, 2020 and I quote: "Agriculture has become the hope of Fijians since COVID-19 closed down the tourism sector."

Mr. Speaker, Sir, the honourable Minister further acknowledged the hard work put in by farmers, producers and exporters following the 15 per cent increase in volume of agriculture exports of fresh and chilled produce, a quota that was sent to New Zealand, Australia and United States of America in the first six months of that year compared to the same period in 2019. I now hope that the honourable Minister will take the request from the farmers in the area more seriously and that request was conveyed to the Committee during site visits.

Mr. Speaker, Sir, the second limb of my response is the archaic legislation that needs to be reviewed. There are currently 23 pieces of legislation under review, as follows:

1. Agricultural Landlord and Tenants Act 1966.
2. Ginger Council of Fiji Act 1996.
3. Agricultural Marketing Authority Act 2004.
4. Goats (Ear-Marks) Act.
5. Banana Export and Marketing Act 1960.
6. Land Conservation and Improvement Act 1953.
7. Birds and Game Protection Act 1923.
8. Land Development Act 1961.
9. Brands Act 1928.
10. Meat Industry Act 1969.
11. Coconut Industry Development Act 2010.
12. Pesticides Act 1971.
13. Co-operative Dairy Companies Act 1974.
14. Pound Act 1877.
15. Copra Industry Loans Act 1976.
16. Protection of Animals Act 1954.
17. Dairies Act 1965.
18. Stock Improvement Act 1932.
19. Dogs Act 1968.
20. Trespass of Animals Act 1955.
21. Fencing Act 1955.
22. Veterinary Surgeons Act 1956.
23. Food Export and Marketing Act 1906.

The review was assigned to Mr. Julian Moti, who had achieved reasonable amount of progress, however, with his untimely passing away in December 2020, the work had stalled.

A review of the legal framework would greatly enhance and improve the Ministry of Agriculture's service delivery. I, therefore, call upon the honourable Minister, my colleague, Dr. Reddy, to follow up with the review of these laws.

Mr. Speaker, Sir, I support the motion before the House.

HON. J. USAMATE.- Mr. Speaker, Sir, I would like to just speak very briefly on this motion. I would like to thank the Committee that did the work for year 2016 Annual Report for the Ministry of Agriculture, a very important sector, and as we all know it was the time of *TC Winston*. I was almost falling off to sleep just listening to the honourable Member just reading from what we have already read. I thought that he might contribute something original to the debate but anyway, what I am going to say is that agriculture is absolutely essential. It is essential not only for food security, but also for the economy.

Let me speak very briefly in terms of the Recommendation 2, which encourages more people to move towards farming and maintain agricultural land for agriculture. I would like to say from the point of view of the Ministry of Lands, which has only about 4 percent of the land in Fiji that as a policy from the Ministry of Lands, we try to strongly support agriculture. If there is an agricultural land already available, we try to make it absolutely sure that that land is reserved for agriculture because we believe that it is very important.

There is a lot of pressure now on agriculture land, but if you want to grow it for the reasons of food security and for the economy, we need to make sure that we preserve it as much as possible. Within the Ministry of Lands, that has become a policy over a number of years. I, as the incumbent Minister, have moved along and made sure that we stuck to that particular policy.

We also very strongly advertise agricultural land. As everyone said, there is a challenge of getting people to come and become commercial farmers, so it is one of the things that we are looking at now.

Earlier on, I was very interested to hear the comments made from the other side because early this week, we talked about the guarantee for FDB. All honourable Members on that side did not support that. So when you do not support that guarantee, you are basically saying, “We do not want the small farmers to be able to get the money they need from FDB.” That is one of the things that people need in order to grow the agricultural sector. They need to have access to funding.

One of the things that we also looking in terms of agricultural land within the Crown land is to try to make sure that we can give longer term leases. This is something that I need to discuss with the staff. Longer term leases so it becomes easier for them to use that as collateral and security to get the kind of money that they need so that they can drive the agricultural sector.

So, those are some of the things that we hope to do from the Ministry of Lands to try to assist, as we move towards with the target of continuing to grow agriculture. Agriculture has never really dropped. It just continue to increase over the years but, of course, the service sector has overtaken it over this past few decades or so.

HON. PROF. B.C. PRASAD.- Mr. Speaker, I will try and be as brief as possible. I just want to thank the Committee and would want to pick on the Department’s major highlights and achievements mentioned there and how it is linked to Pillar 8 - reducing poverty.

Mr. Speaker, increase in productivity and production in agriculture is a very important way to raise farmers’ incomes. It also helps to reduce prices. It has a very good multiplier link to employment both, in the urban and rural areas.

I think, Mr. Speaker, just to contextualise why I am labelling this point about the role of agriculture, at least, after the pandemic and how it is going to be absolutely critical in not only shaping the future direction of the economy but also helping us to get out of this economic decline and perhaps, remove people out of poverty.

I am pleased to say that the direction that the Ministry of Agriculture is taking is, indeed, a positive one and I would encourage the honourable Minister to pursue that.

The last poverty report, Mr. Speaker, put poverty at about 30 percent. It was also saying that 15 percent to 20 percent are near poverty and after COVID-19 you can imagine, Mr. Speaker, in my assessment would be looking at a figure about 50 percent and that could mean more than 400,000 individuals.

The adult equivalent expenditure per week in that report was \$41.91 cents per adult equivalent. So, Mr. Speaker, if you have two adults and two children in a family, you would be looking at \$83.82 adult equivalent family or household income.

If you raise the expenditure by 15 percent to 20 percent, you are looking at little over \$100 a week for an average family size of four with two equivalent adults, you are really stretching the family's ability to look after themselves and to make ends meet.

So, Mr. Speaker, looking at the report from NGOs and other organisations, I think the poverty situation could be quite serious. We must not take this lightly. While we focus on other sectors, I think the immediate priority would be for us to rejuvenate, putting more resources directly from Government into the agriculture sector because the other factor which is very important, Mr. Speaker, is about 62 percent of those living in poverty actually live in the rural areas. I think the best way to focus on poverty reduction in the rural areas would be to enhance agriculture.

I know Government has defended itself in the past in saying that we are giving social welfare, we have subsidising, they call it social wage but Mr. Speaker, the most effective way to raise incomes of people in the rural areas and link it to employment both, in the rural and urban areas, is to ensure that we go big on agriculture. Even if it means subsidies for increase in production, we must do that in certain areas because as I have said right now, the poverty situation is very serious, Mr. Speaker, Sir. From our own personal experiences of people trying to make ends meet both in rural and urban areas, it is quite dire and we must not underestimate that this is not politics, this is about people struggling to put food on the table.

I was looking at child deprivation and I was really keen to hear the Minister for Social Welfare. I mean, if you look at the Report, child deprivation items, 92 per cent of the people surveyed said that children need three meals a day. That was the biggest priority in the report that came out recently.

It is absolutely vital for Government to re-prioritise, relook at its expenditure and I hope that they will do that in the next Budget. I know the Acting Prime Minister was talking about inflation and he talked about how the 20 cents tax per litre was put in because the prices were coming down. In fact, it was a wrong policy.

What he should have done was not to put a tax. Let the fuel prices come down because fuel inflation, when you raise prices of the fuel in fact it is like blood in the system. It raises the cost of everything else. What happens obviously is, those who import the items, I know there are global supply chain, shipping cost have gone up, putting all that into consideration, we should not have put that 20 cents litre tax on fuel because what is happening is when we are moving goods and services, people who eventually consume the product, guys who go into the supermarket, the families will go into the supermarket and pick a packet of dairy product or whatever, they are the people who pay all the costs - VAT, transportation cost, port charges, everything.

It is very important for us domestically to ensure that we do not add to the already exorbitant cost that comes from the global supply. So it is not always a good idea to just say, "Oh, because it is a worldwide phenomenon, inflation is going up, we cannot do anything here." First, we have to build income and see where it is possible to reduce the cost and keep the increase in prices to a level where people can afford it.

The final point, Mr. Speaker, Sir, I want to thank the Committee for the Report and I also want to say that they focus on Pillar 8 - Reducing Poverty. It is a very important one for the Ministry of Agriculture.

As I have said, I think the Ministry is going in the right direction. There are things that been announced by the Ministry of Agriculture which I think is positive and which is going to add to the increase, not only in production but we also need to improve productivity and ensure that it is sustainable, so that it is linked to the export market and also linked to the domestic supply chain which can help to reduce the food prices in urban areas where people are struggling to buy even a local farm product when the supply is constrained. Thank you.

HON. A.A. MAHARAJ.- Thank you, Mr. Speaker, Sir. I will try to keep it short.

First of all, I would like to thank the Committee for the review of the Annual Report. The agriculture sector remains the backbone of Fiji's economy since Independence and its impact cuts across all sectors and individuals in our developing nation.

The continuous increase in our total population and other factors, such as climate change and rural urban migration, puts more pressure on farmers and key stakeholders to perform it in a sustainable manner than ever before.

Mr. Speaker, Sir, furthermore, I support the agriculture development that will continue to accelerate the process of transforming smallholder farmers to commercial level. A total of 70,991 farming households was recorded during the 2020 Fiji Agriculture Census, compared to 65,000 recorded in 2009. This increase indicates that more people are resorting to agriculture as their source of livelihood hence the Ministry is committed to review and refine its approaches to meet this upsurge.

In addition, the Ministry has embarked in an endeavour to ensure equal participation for women in agriculture. Through the years, it has supported more than 6,000 women across Fiji with planting materials, infrastructure development, capacity building and provisions of farm equipment. Mr. Speaker, through ongoing targeted intervention with individuals who need this level of support, we will see an increased rural vitality through a win-win co-operation between these return farmers, the economy and the rural communities.

Mr. Speaker, the Committee in its deliberation took note that during the review period, *TC Winston* had severely destroyed key crop commodities, livestock and infrastructure in Fiji. The Ministry of Agriculture recorded losses, however, it had to recognise its plans and activities to ensure that the Ministry's overall strategic goal to increase exports and reduce import and to ensure food security for all Fijians is maintained and achieved.

Mr. Speaker, Sir, to conclude I would like to assure Members of this august House that we need to support the Ministry of Agriculture on its contribution towards the overall GDP and its programmes implemented, ensuring that no one is left behind.

HON. DR. M. REDDY.- Mr. Speaker, Sir, I want to thank the Committee for deliberating on the annual report from 1<sup>st</sup> January to 31<sup>st</sup> July, 2016. I wanted to let the Members of the House know that the other annual reports up until 2020 is with the Standing Committee so a lot of Members were quite eager to see those annual reports, it is now with them, so we are pretty much up-to-date with the annual reports for the Ministry. The 2020-2021 is at the moment with the auditors.

Mr. Speaker, Sir, if you look at the recommendations from the Committee. There is the recommendation about getting the legislations reviewed as mentioned by honourable Saukuru. We had a lawyer who was reviewing it but unfortunately he passed away and United Nations Food and Agriculture Organisation (UNFAO) has come on board with a proposal to undertake the review of the 23 legislations, so I want to thank the UNFAO for that.

Mr. Speaker, Sir, the other recommendation is about raising awareness and supporting various agriculture projects. We are using multiple forums to raise awareness about agriculture participation, agricultural support and importance of agriculture, we are undertaking numerous trainings on a regular basis for young farmers, continuing farmers to new farmers.

This is an ongoing and I want to assure the House that this is happening at a larger scale. We are also utilising the technology that we now have, our young generation and also everyone now pretty much uses online net forums, so that is now widely used and you probably would have noted the new programmes out of the 2020-2021 budget that we announced (nine programmes), all of them was for the first time ever, applications were sought only online forum. This was to ensure:

1. The timely submission of the applications. As people entered the data, the real-time data was collected, the applications were received.
2. There used to be complaints that we gave the application to the Nadi office or the Labasa office or Rakiraki office, and where the application is, is it lost or we did not receive feedback. et cetera.

So now, with the online system, we get data real-time, there is no issue about losing the data or losing the application or losing the proposal. Recently the honourable Acting Prime Minister announced and then on the 4<sup>th</sup> February, about two weeks ago, he made the payment, the transfer of funds for farmers. All those applications, 43,000 applications, Mr. Speaker, Sir, was received online.

Of course, there were farmers who did not have the technology or the know-how so they were asked to visit the nearest agriculture station where they will sit across the table, give out data, read out data and our staff will fill the online software with the data and set the data and runs with the data. All those 43,000 were online. If someone says that it is not possible, we are still lagging behind, no and with the rollout of *Walesi* platform, data access should not be an issue no matter where you are. That was the second time we tested online platform.

The payment system was seamless. We sat on the 4<sup>th</sup> February, the Acting Prime Minister announced it and we made the payment on time. Processing 43,000 applications is not an easy job and we did it. I want to thank our Ministry of Agriculture staff, we deployed extra staff from Suva and Northern Division to Western Division, so that they get on to the field and verify each and every application.

Mr. Speaker, Sir, the third, fourth and fifth recommendations basically talk about commercialising agriculture, export, agriculture and support to agriculture.

Mr. Speaker, Sir, at the moment the latest Gross Domestic Product (GDP) figure, the total nominal term, total value of agricultural output in 2019 is \$1.3 billion. From 2015-2019, we had on an average 18 per cent annual growth of agriculture in nominal terms. If I use the 18 per cent annual average growth rate, then today the agricultural value or total production for the agriculture sector is about \$1.5 billion. That is not a small figure for a small country like Fiji, the \$1.5 billion worth of production that take place in Fiji.

Out of these Mr. Speaker, Sir, we are exporting close to \$106 million. That is only fresh and chilled. If I add value added products that we are exporting, it comes to \$250 million on an annual basis. If anyone here says that agriculture sector is not growing, I just do not know where they are getting their data from.

Mr. Speaker, Sir, there are couple of things in the growth process that we need to be mindful of. The Agriculture Sectors Group, I noted honourable Professor Biman Pasad mentioned it. It

should be sustainable. The question that arises is, what should we do to ensure that the agriculture growth is sustainable?

Sustainable meaning, continue to have growth but over some certain period of time, the growth rate will decrease. Look at the developed countries growth rates, economy growth rates is about 1 per cent; they are very happy because they have gone to the plateau. For our developing country, it is at an increasing rate, so the growth rate should be about 3 per cent, 4 per cent, 6 per cent and 7 per cent so that is why we are having agriculture growth rate on an annual basis of about 18 per cent.

Mr. Speaker, Sir, the question is, we need to sustain that growth rate because we still have a lot of unutilised resources particularly in the case of agriculture; land. To make agriculture sustainable, we in the Ministry of Agriculture are very mindful that we do not want to create any unsustainable sector which will become a problem later on for any government in any economy. We do not want agriculture sector or agriculture growth should be based or pushed by basically pushing subsidies and grants. It will become unsustainable, so we are very mindful of that.

We are telling farmers that you must treat agriculture as a business. What we are doing is that, we are working with the exporters, Agricultural Marketing Authority (AMA), middlemen and the other market players to send market signals to the farmers saying that market is here. Yesterday, I gave a short interview to the media saying that the amount of work done by Fiji Rice Limited is enormous in terms of saying the farmers, “we are here to buy all your produce.” That is what any farmer wants to hear. No farmer would want to see that their hard earned work over 12- month period, at the end when the day comes to realise to liquidate that particular produce, he/she cannot sell it out. So whenever you have a guaranteed market, Mr. Speaker, Sir, so we are trying our best to ensure that market is there. We have clearly identified which are the export crops.

The other thing, Mr. Speaker, Sir, I think people forgot about it, is that when you want an agriculture sector to grow, we are saying that the only way to address poverty is to ensure that everyone participates in the growth process. If the labour participates - high wage rates, farmer participates - high profit, landowner participates – rent for the unutilised land, financial sector participates - get interest rates. So, we want to ensure that we have a agriculture sector that grows together with everyone. That is the way to address poverty and it is a sector which is very inclusive, it is a sector which infiltrates throughout the country. That is the uniqueness about the agriculture sector, Mr. Speaker, Sir that it takes everyone in the growth process as long as everyone wants to participate.

Mr. Speaker, Sir, there is talk about aging farmers, it is a reality. We are dealing with that, we are supporting Tutu Institution which is training our young able-bodied farmers, we are supporting, we are funding Tutu, we are funding Navuso Agriculture College of course we are funding entire FNU. It is a Government university, it is very important and critical.

Mr. Speaker, Sir, this week everyone is talking about FNU, no one mentioned a very important aspect of FNU. In mid 1980s I came out of high school and I had to choose where I am going to go. So someone said to me “FIT” - FIT at that time was opening only up to Diploma. So I said “it does not offer Degree?” So the person said, a lecturer at FIT whom I was trying to get advice, said, “do not worry, we will offer Degree, will be a university very soon.”

Mr. Speaker, Sir, from 1980s, anytime when a student graduates from FIT with a Diploma, the lecturer will say, “Don’t worry, we will offer Degree, we will be university very soon.” No government had the guts to transform FIT, Advanced College, Agriculture College, LTC – put all

these national training institutes together and established a university. No government had the guts neither did they have the intellect to do it.

Mr. Speaker, Sir, I was the Foundation Dean in the Business College of FNU and when we started the Degree Programme in 2019 you will not believe this, there was only one Lecture Theatre at the Derrick Campus (MB Hall). It was over pouring because all the students from so many years with Diplomas were looking forward to come to FNU because USP were not giving them cross-credits, they were not treating them well. They came to FNU to get their Degrees. They forgot about that.

Mr. Speaker, Sir, back to agriculture. The other aspect is that we did to mechanise, very critical and there are a number of issues with regard to non-mechanisation, one is productivity. A sustainable agriculture sector you must raise productivity, that is a critical issue with the sugar industry and I do not want to talk about that now. Mr. Speaker, Sir, we are doing everything to ensure to raise productivity and efficiency and in that way will ensure that the margins are high in the agriculture sector.

I want to assure this House, Mr. Speaker, Sir, we have got the agriculture sector in the right direction and with the support of the Minister for Economy in critical areas, for the first time ever despite such financial crunch, we have got a separate allocation to give out equity. So we take the farmers to FDB and say, “here you take loan for your major capital and investment, and we will give you 20 per cent as grant.” Why, because that will contribute towards mechanisation and hard-core investment in the agriculture sector. Mr. Speaker Sir, we have got the agriculture sector in the right direction to be sustainable, productive and apart from food security, we will feed the entire country and continue to export at an increasing rate.

HON. A. SAYED-KHAIYUM.- Sir, I do not really have much to say, the honourable Minister for Agriculture and the others have summarised that well. The only point I want to pick up on is that the recommendation by the Committee, both in this one and the subsequent recommendation for Forestry is that, they are saying for the Ministry to employ a legal officer, who in consultation with the desk officer and the Office of the Solicitor-General, will be responsible for reviewing and fast-tracking.

Normally, for this kind of laws, you do not employ a legal officer, legal officers’ minimum skills sets. What they normally do is they bring in a consultant who is an expert, for example, in that specific area of law, for example, agriculture, forestry.

There used to be some years back, Mr. Speaker, Sir, the different Ministries had legal officers, but the problem was, a lot of them were junior officers. Some of their opinions they would give, in fact, were not correct necessarily, or they will send it back to the Office of the Solicitor-General. So, now it is all in the Office of the Solicitor-General, and they have lawyers who are responsible to each of the Ministries. In that way, they are able to also liaise with the seniors above them to give the best advice.

However, specifically, as we have done in some of the other Ministries, Sir, the Ministries will hire consultants, following consultations with the Solicitor-General, and hire the best person with all the skill sets to do a project regarding the review of the legislation, as opposed to employing a legal officer.

MR. SPEAKER.- I now give the floor to the Chairperson of the Standing Committee on Natural Resources to speak in Reply.



HON. S.S. KIRPAL.- Mr. Speaker, Sir, I would like to thank the honourable Members for their contributions and I have no further comments.

MR. SPEAKER.- The Parliament will now vote to note the content of the Report.

Question put.

Motion agreed to.

### **REVIEW REPORT - PERFORMANCE AUDIT ON THE MANAGEMENT OF ENVIRONMENT IMPACT ASSESSMENT**

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, I move:

That Parliament debates the Review of the Performance Audit on the Management of Environment Impact Assessment which was tabled on 21<sup>st</sup> September, 2021.

HON. J.N. NAND.- Mr. Speaker, Sir, I beg to second the motion.

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, land use planning and development are important for meeting the changing needs of the growing population in Fiji. The impacts of development on the environment are critical considerations in planning and development.

The 2013 Constitution of the Republic of Fiji establishes provisions for environmental rights for every ordinary citizens in Fiji. The preamble to the Constitution also states Fiji's commitment to social and economic wellbeing, safeguarding the nation's environment. Furthermore, one of the values of the Republic of Fiji is to commit to a prudent, efficient and sustainable relationship with nature and the Constitution confers the authority to make laws to the Parliament of Fiji.

The Environment Management Act 2005 is an Act for the protection of natural resources, the control and management of development, waste management, pollution and control, the establishment of a national environment council, and other related matters.

Mr. Speaker, Sir, the Standing Committee on Public Accounts reviewed the Auditor-General's methodology by assessing the Department of Environment's records and advice provided, interviews with the relevant EIA officers and issued questionnaires and projects undertaken by developers that required EIA decisions for the period 2006 to 2020.

The Committee scrutinised the three main key focused areas of the audit and these includes:

1. Legal Framework, Policies and Planning.
2. Screening, Processing and Review Decisions.
3. Post-EIA Approval and Monitoring of EIA Conditions.

Mr. Speaker, Sir, the Department of Environment is governed by the Environment Management Act 2005. The Act stipulates provisions in Part 4 that are related to the EIA process. The audit noted that the assessment of legislation revealed that key substantive provisions have been implemented through enactment of the Environment Management (EIA Process) Regulations 2007.

The Committee noted that the Department of Environment did not fully implement some key provisions for EIA as per the Environment Management Act 2005.

Environment Impact Assessment (EIA) in Fiji is governed by Part 4 of the Environment Management Act. However, the audit noted that more work is needed to be done in terms of implementing the requirements of section 27(4)(b) of the Act, which require the approving authorities to make the decision on whether or not an EIA will be needed for those developments that qualify under Schedule 2 and Part 2 of the Act, such as a proposal:

- that requires processing only because it could endanger or degrade public health or sanitation;
- that requires processing only because it could harm or destroy important cultural resources including but not limited to, archaeological sites, cemeteries, historic sites and landmarks;
- for a residential subdivision if not more than 10 lots;
- for civic or community development;
- for general commercial development; and
- for general industrial development.

Mr. Speaker, Sir, the Committee noted that the EIA Unit within the Department of Environment has not developed a risk management policy that clearly define the roles of management and any internal audit function.

Mr. Speaker, Sir, the Committee was informed that the Department is in the process of finalising the Risk Management Policy (RMP) for administration of risks. This document will be finalised by mid-June 2021.

The Ministry advised that the Risk Associate with EIA processing and Management Action Plan is being finalised. The Ministry advised that the SOPs are regularly reviewed for any potential gaps both, in the interest of the process integrity and customer service excellence.

Mr. Speaker, the proper management of delegations of responsibilities to assist in ensuring that decision to invoke regulatory powers are lawful and exercised in accordance with the requirements determined by the delegated authority.

The audit revealed that while the job description defined key responsibilities of each officer, review of the EIA Unit's Individual Work Plan noted that the performance measures of the EIA Unit and Department of Environment is not clearly defined to ensure that individual targets are accurately identified and measured against.

The Committee was informed that all EIA officers have an Individual Work Plan in place. The Ministry also reports on the progress made to the Ministry of Economy on a quarterly basis.

Mr. Speaker, the Department of Environment is an EIA regulator and issues approvals to project developers to commence with development. The audit noted that there was no policy or framework to prevent and detect actual, potential and perceived conflict of interest. EIA officers are also exposed to the risk of bribery from developers, who may find the EIA process a hindrance to their projects.

Mr. Speaker, Sir, the Committee was informed that the Department and EIA Unit has a Conflict of Interest Declaration Form and the Regulatory Risk Policy which will be included under the Ministry's Risk Management Policy.

Mr. Speaker, Sir, the Department of Environment highlighted that the checklists were created to help the developers to ensure that they submit the required supporting documents with the EIA screening applications. The audit highlighted that the reason some of the files did not have the EIA

screening checklist was because those were enforced in the year 2018, therefore, the older files do not have the checklists.

The Committee was advised that the Department continues to undertake counter check on all applications using the counter vetting checklists. Most EIA reports reviewed during audit were prepared by accredited EIA consultants. However, there were instances of development proposals whereby the EIA reports were prepared by non-accredited EIA consultants.

This findings indicate that the internal work process of Environment Officers needs to be strengthened to ensure that accountability of the work carried out by EIA consultants is maintained. Strict monitoring of consultants will result in better service delivery, which adds credibility to the whole EIA process.

The review committee for project development proposals is responsible for independently reviewing the reports prepared by EIA consultants. Members of the committee include professionals from specialized fields of study, depending on the type of developments being proposed.

The Director of Environment appoints members of the review committee. The Committee was informed that the Department has developed a review report template and it is being used by the EIA Officers. All review reports are kept-in-file and are entered into EIA register.

The Committee was informed that within the past four years, Environment Officers who were trained in the area of investigation, environment management planning, prosecution and investigations, EIA processing and environmental safeguards. Staff trained are directly involved in the EIA process and holding entry, medium and senior level positions in the EIA Unit within the Department of Environment.

Mr. Speaker, Sir, it is important to note that programmes on monitoring can be further strengthened for planning and implementing of post EIA approval conditions. A comprehensive system needs to be in place to monitor approval conditions, as the Department only monitors those developments where complaints are received from the general public.

The audit highlighted that it indicates inconsistency in monitoring of approval conditions by the Department of Environment. Although some monitoring is done by the Department, strategies needed to be in place to guide compliance monitoring, inspection and reporting of EIA approved developments.

However, Mr. Speaker, Sir, the Committee was informed that the Department is constantly carrying out monitoring works and through these monitoring work, it was revealed that a number of companies were non-compliant. The Ministry is currently working with other line Ministries and the Fiji Police Force to strengthen the Ministry's compliance and monitoring work.

Mr. Speaker Sir, the Committee notes that the Department of Environment collaborates efforts within the Department of Town and Country Planning as one of the approving authority in enforcing legislative requirements. However, this collaboration should be extended to other approving authorities, such as Town and City Councils, Department of Lands & Mineral Resources, Department of Forests and i-Taukei Land Trust Board in order to gain effective service delivery.

The Department has focused on the improvement of its internal processes through the introduction of operating procedures on the EIA process. It is important to note that it also requires mechanisms to ensure that the administration of the EIA Unit supports sound governance arrangements to fulfil its responsibilities and be accountable for its decisions and actions.

In addition, legislative and organisational requirements ensure that the EIA Unit provides evidence-based information and advice to the Director of Environment on projects that are subject to EIA. In view of this, the Department needs to strengthen its internal EIA processes to avoid inconsistencies in managing evidence-based information and oversee the implementation of approval conditions for projects by monitoring, documenting and provide reports on the current level of compliance with conditions for approval of development projects.

Mr. Speaker, Sir, I as the Member moving the motion, I thank you for this time.

MR. SPEAKER.- Honourable Members the floor is now open for debate.

HON. A.M. RADRODRO.- Mr. Speaker, Sir, I rise as a Member of the Public Accounts Committee to speak in support of the motion debated before the House, but before I speak on the contents of the Report, I seek your leave to take this time to convey our best wishes to the Drua Team in their first trial game against the Rebels in Melbourne this evening at 7.00 p.m. All the best to the Drua Rugby Team.

Mr. Speaker, Sir, I also convey our best wishes to the meeting of the *Qase Levu* and the *Tuirara Levu* currently convening at the Centenary Church in Suva today.

Mr. Speaker, Sir, I would like to raise my concern on the way the Auditor-General of Fiji, Mr. Ajay Nand, has ended his tenure in Office on 14<sup>th</sup> January, 2022 as reported in the news. What I would like to say regarding Mr. Ajay Nand is that, he has displayed his professionalism and character by withdrawing his re-application because his actions will be done by any right thinking person whose work has been continually questioned by the Government in the public space. In other words, what would you expect a professional person like that to do? I also intend to request Government to at least advise us and update this House who is currently acting in the position of the Auditor-General.

It has become Government's agenda to constantly question the Auditor-General who constantly carries out his role in a professional and independent manner. With the kind of resistance being displayed by Government, we will run the risk of having to put up with puppets and yes man who will assume positions of authority to simply sink to their tune of their masters; a bit of lack of impartiality will arise out of there.

We will no longer have people of character and those with a moral compass to lead and be honest with their work even if it means they lose their livelihoods in a COVID-19 pandemic environment like we have in Fiji and around the world. Mr. Speaker, Sir, the Government and leaders must learn not to shoot the messenger but to do what is right by correcting the anomalies when they are identified.

I also take this time to thank the Auditor-General for the Report that had been undertaken regarding the impact of environmental assessment. We have noted that the purpose of the Audit was due to the growing concerns on the usage of natural resources in Fiji and the need for development to be carried out with due consideration for the environment.

I think the recommendations of the Committee encompasses all the issues that have been highlighted in the Report. I would like to speak on a few of the recommendations. On recommendation one which highlights that the Ministry says that their risk management policy with other environmental officers in other Ministries and other relevant stakeholders. It is imperative that this side of the House has often pointed out in the august House, the right hand must know the left hand is doing and also vice versa. It has become that that whilst we champion environmental change,

mitigation and adaptation globally given the risk factors associated with climate changes for Government departments – they remain working in isolation from other government departments.

The sharing of risk management policies must be driven and imparted by Government as this will form the basis of harnessing environmental action plans. Developments have been hampered because line ministries have different policies as highlighted in this Report which can result in investors being confused and targeted for breaches when in fact, it is evident that Government policies are outdated and not conclusive to allow departments as pointed out by OAG's Report to have an coordinated effort to carry out Environmental Impact Assessments.

Currently we have cases in Courts against foreign investors for breaches of the Environmental Act when carrying out developments. We would not have known of these developments, destructions had the overseas media not highlighted this.

So we commend the work of our Auditor-General for highlighting these issues as the Ministry of Waterways, Environment have become a separate line Ministry and therefore, it is only proper that they have the right resources and right people to lead this very crucial work. This is such a technical area and no doubt and it is advisable that Government puts in place people who are qualified and have the necessary experience and work background and have the necessary experience and work background to be part of this very important work.

Mr. Speaker, Sir, the developments in Fiji remains under the spotlight because proper Environmental Impact Assessments were not conducted and the OAG had suggested that conflict of interest (which is also addressed in one of the recommendations) by decision-makers in the EIA Unit can result in the negligent overlook for this crucial phase of development. The Public Accounts Committee has encouraged that policies must be set up by Government to drive a common policy implementation plan rather than various isolated actions by respective shareholders.

The Report also highlighted that the managing of conflict of interest and fraud in the EIA Unit whereby the EIA officers are usually unaccompanied when conducting inspections and this can raise the risk of corruption and bribery by investors and developers who wish to bypass the EIA processes because of its stringent requirements, Mr. Speaker, Sir. The same can be said of line ministries who conduct developments by determining the due diligence processes themselves without prior consultations with the relevant EIA Unit of the Ministry of the Waterways and Environment.

Mr. Speaker, Sir, definitely there is a need to have a standard reporting template as being alluded to by the honourable Chair and some line of checks and balances to ensure separation of powers when processing EIA requests, so as long as the process does not become another lengthy hog that investors and developers have to go through and the trick here, Mr. Speaker, Sir, is efficiency and accountability.

So, in summary the Department of Environment needs to properly resource and equip its operations whilst at the same time explore the process of decentralisation. Decentralising its offices throughout the four divisions and this will ensure ease of accessibility and service delivery, not to mention allow crucial monitoring of development projects.

It is accepted that currently because of the nature of work, line ministries, town councils and other stakeholders carry out their own EIA assessments through their EIA units. What is highly recommended is that these works in sync with the Department of Environment so that there are no overlaps and gaps in implementation of crucial processes for development purposes?

Mr. Speaker, Sir, we cannot be ignoring our responsibilities at home whilst we champion the global targets for the reduction of climate impacts and environmental degradation when our own policies at home need better coordination for the benefit of sustainable development of Fiji.

And we also request the OAG to give an update and conduct another audit of the Ministry to see how the Ministry has progressed against the recommendations that they have and what the Committee have put out in our Report.

HON. L.S. QEREQERETABUA.- Mr. Speaker, I once again would like to take this time to pay tribute to Mr. Ajay Nand, the former Auditor-General, who I see from media reports completed his term on 14<sup>th</sup> January and whose report we are examining now which is the review of the performance audit on the management of EIA.

This, Mr. Speaker, now means that there are two key constitutional offices vacant. This one as well as the chair of the Electoral Commission which is oddly still vacant two months into an election year. This performance audit of the EIA as carried out by the OAG is quite a comprehensive and systematic piece of work and my commendation to the team at the Office of the Auditor General who did this for Parliament noting also that they tabled it to us two years ago. But it is alarming when one realises that having Auditor-General's Office not done this report, the laxities, inefficiencies and possible conflict of interest under the Minister, his Permanent Secretary and the Director of Environment own eyes would not have been realised.

I want to ask the honourable Minister, what are you doing? What are the taxpayers paying you for, Mr. Minister? No wonder the Malolo saga exposed and embarrassed the Government like it did. That is the reason, why I intend to focus on recommendation 6 of the Auditor-General's audit and recommendation 7 of the Committee's report on the issue of conflict of interest.

Even if the mere perception of conflict of interest in the regulation because even the mere perception conflicts of interest in the regulation of environmental impacts where investors or businesses are concerned, should tell the Ministry that in their pursuit of their balancing act, they must err on the side of the people's social and economic well-being over unrestrained development for backdoor arrangements that may be above the pay grades of ordinary civil servants.

Let us consider the incident that came to light in December 2021 where a dubious World Wave Project had a proposal to dig up sections of coral reefs of the remote Qamea and Taveuni Islands for a world leading project to create a world class wave, even though that same area is a renowned diving spot. Once again, this environmental vandalism as well as the shady background of some of the investors was made public by a solid investigative piece by the New Zealand newsroom outlet who also exposed the Malolo environmental devastation.

The honourable Minister was quick to down play that venture stating that approvals would not be given if there was any environmental damage involved. NFP always receives constant concerns and questions by the public on many of the land use planning and development proposals that seems to ignore robust Environmental Impact Assessment safeguards.

What should be fundamental for environmental regulators being paid by taxpayers, is that they are employed to ensure our social and economic wellbeing while safeguarding our environment, it is right there in the preamble of our Constitution.

Mr. Speaker, Sir, permit me to ask now why the 28-storey Friendship Plaza Tower right next door to the Holy Trinity Primary School in Suva continues to cause anxiety to taxpayers when pieces

of equipment fly off during periods of strong winds especially when they are children of Holy Trinity right next door.

How will our National Fire Authority be able to put out possible fires in that high rise when we can all see that fire trucks have ladders and fire hoses that can only be extended to a certain height or length. These questions amongst other drilled down to an EIA process not being as vigorous as it should be as the preamble of our Constitution says.

There are countless other incidents such as a proposed 10-storey residential apartment on Princess Road in Suva that was apparently approved by the Director of Town & Country Planning with the acquiescence of Suva City Council despite the GO Technical hazards and the risk that that the development is sitting on a Tamavua Earthquake Fog line.

Then there are the other various dredging projects by the Ministry itself. Are Environmental Impacts Assessments (EIA) reports for all those dredging exercises publicly available? Why are not all legal submissions, rulings and court orders on environmental issues not available on the Ministry website? Collusion, corruption and conflict of interest only thrive in the dark and the honourable Minister and is in your interest to shine a light on all your efforts to remove any perception of conflict of interest especially in this election year.

Mr. Speaker, Sir, if the status quo remains as we think it will, all these questions and uncertainties fall directly at the feet of the honourable Minister and his executive team, and he should not at all be surprised at how he will be treated by those he works for; the voters of this country at the upcoming polls.

Mr. Speaker, Sir, I thank the honourable Member for moving the Review of the Performance Audit on the Management of Environment Impact Assessment which was tabled on 21st September, 2021.

Mr. Speaker, Sir, before that, with regard to the Taveuni Project, honourable Qereqeretabua said that I said ...

(Chorus of interjections)

HON. DR. M. REDDY.- *Wawa, wawa...*

MR. SPEAKER.- Just carry on with your response.

HON. DR. M. REDDY.- There was possible issues raised about that project that could have an impact on the reef and environment. She said that I said, that, that will not be approved. No, Mr. Speaker!

I did not say whether it will be approved or not. What I said was, “let the process takes its course”. Before anything happens to that coral reef or that site, they will have to submit a terms of reference (screening application) for the Ministry to develop a terms of reference to under an EIA. That EIA Report will then decide whether the Ministry will say ‘yes’ or ‘no’. I cannot say, Mr. Speaker, Sir, I should not say, I should not get involved at this stage at all.

The project never started, they never did the EIA. All they were saying was, “we are looking at doing a project here.” If that is so and when they get permission, then they have to follow the process and one of the aspects of EIA.

They were never near, that and they started jumping and saying, “Oh, what is the Ministry of Environment doing? Our reef will be finished, et cetera.

Mr. Speaker, Sir, look at what they are saying in public, they want to form the Government, so is this how they are going to deal with investors? I am shocked that they want to be champions of the environment but they have no idea about the processes that are involved in approving a particular project.

Mr. Speaker, Sir, the EIA in Fiji is governed by Part 4 of the Environment Management Act 2005 and the Environmental Management Regulation 2007. The objective of the Performance Audit was to determine the Department of Environment is effectively and efficiently managing the EIA process as a tool for sustainable development planning in Fiji. This was the brief of that particular audit nothing else. There was a concern that the usage on natural resources in Fiji and the need for development to be carried out would be conservation of the environment. Sir, there was some concern that whether the EIAs were done and whether the development project were done with due concentration of the environment.

Mr. Speaker, Sir, when the Ministry of Environment welcomes the Performance Audit on the Management of the EIA, the Ministry is not at all satisfied in the way the audit was conducted by the Office of the Auditor- General does not agree with this financial. Let me know if you want me to provide the details.

Mr. Speaker, Sir, the final document of the Ministry receive from the Office of the Auditor - General was the amended draft management letter and not the final copy of the audit report that was tabled in Parliament on 21st<sup>1</sup> September, 2021.

Mr. Speaker, Sir, so you see the report the report that was tabled in Parliament it was not the one that was presented to us. No, it was the amended draft management letter. There was no final exit meeting between the Ministry and OAG that is supposed to happen.

HON. A. SAYED-KHAIYUM.- Listen, listen!

HON. DR. M. REDDY.- That is supposed to happen. How do we respond, Mr. Speaker, Sir, when there was no exit meeting? How did the Ministry respond to what they have stated there? Give us an opportunity to respond, Mr. Speaker, Sir, and that is called the exit meeting. There was no exit meeting.

HON. DR. M. REDDY.- Mr. Speaker, Sir, EIA is a highly technical and transparent process that is administered by the Department of Environment. It is a legislated process under section 4 of the Environment Management Act 2005 and Environment Management Regulation 2007. The Auditors clearly show a total lack of understanding of the EIA process. In many instances, the Department had to build their capacity in the EIA process and its administration while being audited.

In the process of audit, we had to tell them, “no, this is how it happens, this is how we get external experts to undertake certain aspects of the EIA, the terms of reference that was given. For instance, they repeatedly misrepresented and made sweeping statements that were incorrect whilst reporting.

Mr. Speaker, Sir, in the Ministry’s view the auditing process was not transparent. The Ministry noted that during the audit process, survey questionnaires were sent to 29 EIA stakeholders on 22<sup>nd</sup> July, 2020. To date, the Ministry is unaware of those stakeholders and what their responses were. We want to see this.



The survey questions were given to those 29 investors, what were the responses, so that we can provide a response to that. There was no proper way plan shared with the Department indicating the audit steps/procedures, corresponding to respective timeline. What was the basis of selecting those 29 EIA stakeholders?

The Ministry is also concerned about the several inaccuracies contained in the audit report, for example, Table 4.2 details the list of EIA reports prepared by non-affiliated consultants. However, the table includes four technical reports which are not EIA reports, Mr. Speaker, Sir. So, how can you include in this non-technical reports?

Under subsection 3.1.1, the auditors were provided evidence of all the business round tables and EIA clinics, including names of participants and clients who attended. However, this information did not seem to be reflected in the report.

Mr. Speaker, Sir, in fact last week, we had the Department of Environment staff, the Director and the PS, who were in the Northern Division undertaking EIA clinics face to face and meeting with potential investors, explaining to them the EIA process, how they need to comply, and hand holding them, Mr. Speaker, Sir. But they never included these EIA clinic details in their report.

Under section 4.2.5, the auditor seemed to imply that there is the absence of proper internal control mechanisms within the Department of Environment, to ensure that proper documentations are maintained and ensuring that there is adequate trail of information that could be a contributing factor to anomalies found regarding the review report process. This is not true reflection of the best practice standards established by the Department through SOPs, businesses processes, re-engineering and the systems put in place, ensuring appropriate documentations are maintained.

The Ministry does not agree with the audit ratings provided on page 5 of the audit report. Majority of the ratings were between one and three. Since 2016, the Department has significantly progressed towards fulfilling its regulatory process and evidence. The number of EIA reports processed by the Department increased from three in 2008 to 17 in 2016; 84 in 2018; and 93 in 2019, indicating a 550 percent improvement under three years. Note again, Mr. Speaker, Sir, three in 2008 to 93 in 2019. That is the substantial workload, substantial output because you need to deliver on to this. Investors are lining up, they want the EIA report, they want to quickly make the investment.

The number of prohibition notices issued also increased from one in 2013 to 34 in 2018 and 55 in 2019. What is the basis of saying that the Department of Environment staff are not active on the ground? The report incorrectly indicated a lack of interagency consultation.

Mr. Speaker, Sir, as Chairperson of the National Environments Council, the Ministry closely liaises and works with all the relevant agencies. We consult Town and Country Planning, MCTT, we consult all the relevant agencies, all key processors, including key agency inputs and active liaisons. There are joint visitors round the table that the Department collaborates with all agencies that have input into our service outcomes. The roundtables were especially innovated for this purpose by the Department.

Mr. Speaker, Sir, we are undertaking consultations through roundtable discussions. These are very different and the nature of this is that, we treat everyone equal so that there is seamless flow of information, questions and suggestions.

The Department also collaborates with expert committees and agencies that are neutral. This also holds the Department's decision-making accountable.

Mr. Speaker, Sir, the Department of Environment is a capable and trained outfit with nearly 100 of combined Environmental Management Practice Expertise captive with the management team with global, practical exposure. There are ongoing training and capacity building efforts regularly enhancing science-based knowledge and information through various means.

A typical example would be the recent training commission team of seven Environmental Prosecutors. The report failed to capture such critical information and reporting.

Mr. Speaker, Sir, now we have got our prosecutors trained by the DPP, but there is no mention of that in the Audit Report.

Mr. Speaker, Sir, with regards to the EIA consultants, the Department maintains a list of qualified consultants and publishes the same. The Department makes it available on the Ministry's website. This is made really accessible to the public, investment groups and developers. So, the list is totally out on our home page. The list of EIA consultants by nature on EIA, Mr. Speaker Sir. If you want to do a hotel development, this is the list of EIA consultants. These are the ones that you go to. You want to do a waste management project? This is the list of EIA consultants you can go too.

Contrary to the claims made by Auditor-General, the Department does not entertain documentation from unregistered consultants. No, show me the record. We do not. How can we give it, ask you to go and hire an unregistered consultant? They made this because not to qualify. This is the list, use this list, otherwise we will not accept it.

Mr. Speaker, Sir, in the last three years alone, the Department had to decline an EIA Report due to gaps. That shows how thorough we are. It is not that you have done it, you have paid \$10,000 to \$15,000, you have given the report, we accept it. I know, Mr. Speaker when you have rejected EIA reports, how many complaints I have received that goes to honourable Prime Minister or honourable Attorney-General? We know that, we have rejected it because we know there are gaps in it. They need to fix it, Mr. Speaker, Sir.

The Department issues strong warning letters. We have gone to the extent, Mr. Speaker, Sir, of deregistering consultants who have short cut the process.

The Department regulatory seeks to improve its consultation practices. For example, currently, the Department is improving on the Consolidated Code of Practice in consultation with the SG's Office. For the administration of risk in other policies, the Department has developed and implemented a Risk Management Policy.

For administration of risks to support good governance of the EIA process, the Department has established an internal audit team reporting to the Permanent Secretary.

Mr. Speaker, Sir, customer service excellence from the regulator has not always been open to valid interpretations. We are a regulator, Mr. Speaker, Sir, so there will be complaints because people will find it at times that their way is not accepted, so there will be varying interpretations.

A regulator cannot always pleased every customer, the reason being that potential compromise on environment protection by some roads developers under the guise of customer satisfaction, meeting the demand is not always possible, Mr. Speaker, Sir.

So, contrary to the report, the Ministry's proficient on the Conflict of Interest within the EIA has been very clear. There are policies within the Ministry that clearly spells out the requirements of

Conflict of Interest situation. There are documentary requirements from staff for every EIA application, there is a risk management policy put in place which has been shared, at least, with one other agency, additionally, the Department has key documentation in place. Staff are regularly trained to follow policies and procedures both internal.

Mr. Speaker, the Department notes some recommendations from the Standing Committee on Public Accounts regarding internal the role play by SDGs through EIAs. Mr. Speaker, Sir, I am delighted to inform this House that the EIAs administered by the Department covers 15 out of the 17 SDGs. I want to thank the Honourable Members and I want to assure the people of this country that we are mindful, we are the custodian of the environment but all of us need to share this vision of protecting our environment, not only the Department of Environment then only we can protect the environment but viz-a-viz we are also ensuring that development takes place.

MR. SPEAKER.- I thank the Honourable Minister, I give the floor to the Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I will be very quick just to clarify. I think the Honourable Minister for Environment and Waterways statement clearly demonstrates the shocking report that was done by the Auditor-General. In fact, Sir, I was just sitting here and one of the staff from Ministry of Environment was texting me saying, “The Auditor-General’s Office did not understand the EIA process themselves, yet they wanted to audit us. They need to be trained on EIA first. We had to train them so they could audit.”

Mr. Speaker, Sir, despite that supposed quick training, that is the kind of report they came up with. No exit interview and now they have opened that door, let me talk about it. This Auditor-General, Sir, refused to come to the exit meetings, refused to even come to the entry meetings. He said, “Oh, it will be a conflict”; such a lame excuse.

If his staff are there obviously vicariously he is involved with that and he is saying, “oh, it is a conflict of interest”. These are the types of shenanigans that went on, reports were filed in without getting a comment from their management. If you see, Mr. Speaker, Sir, I read out the terms of reference, nothing about changing the laws but whether they are actually sticking to international standards also. That is how proper audits are done.

The honourable Member from the other side having a narrative, they wanted to fit into the narrative. This is why precisely Mr. Speaker, Sir, it becomes even more damning that they are towing a particular line and it appears the Auditor-General is towing the line come what may and has compromised the independence of that office. That is what happened in practical terms.

Honourable Qereqeretabua sits there, when she makes comments flippantly, when the Ministers respond and we respond, it just does not register. Honourable Aseri Radrodro said “oh, only when the Freesoul matter was highlighted in New Zealand media therefore we acted.” He does not even know his facts. The PM was noticed before the New Zealand media got hold of him, prohibition notice was issued by environment, that is what came out in a court of law. You see they come here, the paddle false information and make it as if that the environment people are not doing the job.

Honourable Qereqeretabua talked about some geological issue about some ten-storey building, that is not an environmental issue, it is actually an engineering issue. You see whether there is enough rock there for the concrete to hit the rocks, the building will be stable. This is a geological issue. The issue in Taveuni that the honourable Minister raised. It came out in the media, “oh, we

are going to do this” any application made, no. Did Environment approve it? No. They just ran an article in New Zealand media, maybe they fuelled it, I am not sure.

In the same way the other day there was an article in the overseas media saying like I mentioned the other day, Nanoaicake was going to be some crypto currency fun land. It is an article written fantastically, nothing to do with us. Someone overseas decides to do this, “oh, Fiji is a great place, let us do this.” Does it make it factually correct? Of course not. It is our responsibility as Members of Parliament if you raise those issues, then you verify your facts rather than trying to get it to fit into a political narrative of yours.

Mr. Speaker, Sir, the other point that I also wanted to make was, they went on about, “oh, he has left, et cetera”. His contract came to an end after five years like all other offices appointed by the Constitutional Offices Commission, the term comes to end at the end of five years and then you apply for the job.

He can apply for the job, honourable Aseri Radrodro said, “oh, his withdrawn his application”. I do not even know whether he applied or not. I do not know where they got it from. It is with the Secretariat, there is an independent body that is appointed, a committee that is going to review all the applications. I do not know what kind of information he is getting. It is always the news, which news? *Fiji Times*, exactly that is the problem, maybe Anish Chand, that is the problem again. The kind of concoction that comes up.

Honourable Qereqeretabua said “oh, two months before the elections” not two months before the elections. The first day of the elections can be held on is 6<sup>th</sup> July, not the election year. It can also be held in January 2023.

HON. L.S. QEREQERETABUA.- Point of Order.

MR. SPEAKER.- Point of Order.

HON. L.S. QEREQERETABUA.- Thank you Mr. Speaker, Sir. Just misleading Parliament again as usual the honourable Attorney-General. What I said was two months into an election year not as he said two months before the election.

HON. A. SAYED-KHAIYUM.- Sir, the election year can also be held in January 2023. So, how is two months into election year unless their year has more than 12 months? See, this is the point.

Mr. Speaker, Sir, again they talked about conflicts of interest. There is actually a form available at the Ministry of Environment where the staff actually fill out conflict of interest forms. You see these people get caught out and say, “Oh, as usual misleading Parliament.” No! We are not the ones misleading Parliament, they are the ones misleading Parliament with facts, come here with half-baked truths, Mr. Speaker, Sir.

Mr. Speaker, Sir, the other point is this ...

HON. F.S. KOYA.- Shameful!

HON. A. SAYED-KHAIYUM.- ... that the decisions of the environment is also available. They just need to go and talk to the Department of Environment, they can get their decisions and as has been highlighted, in time to come they can be published on the website. In the meantime, they

are still available and you can still get it. Nothing is stopping you from getting those decisions by the Department of Environment.

So, Mr. Speaker, Sir, I would like to actually thank the staff at the Ministry of Environment. You know I find it really quite ironic that some of the issues that the honourable Minister Reddy is talking about when dealing with issues like dredging and silting, all of that happened in the 80s and 90s and even before that when there was absolutely no consideration for the environment. A former Minister has got his building built in Rakiraki right on the edge of the river. God knows how he got that provision. God knows how he got that.

In the 1990s, there was supposed to be a river diversion in Nadi also for environmental issues. Money was given by the Japanese government, the money disappeared, development took place, today it is a flood prone area in front of the Colonial Plaza and now we are trying to rehabilitate the issue, now we are trying to rehabilitate it. We have already spent \$10 million.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- Please keep quiet. You have finished.

We are now rehabilitating, we got the plans in place but these are the kinds of shenanigans that went on. They do not address that, Mr. Speaker, Sir. We were in Vanua Levu last week and we were sitting in Koroinasolo Village where we had a talanoa session with the people in the village and from that session *Fiji Times* ran an article, I do not know if you saw it on page three, someone sent it to me, where they are saying that the villagers pleaded with the Government to make sure the process are fast-tracked - environment, because Mr. Speaker, Sir, in the crowd we saw two saw millers who were sitting there, using the villagers to say, “get an EIA done, blaming the Department of Environment or Ministry to say, “oh, they are not doing their job, let us get it done.” But these were the millers, one of them was sitting there in his dark sunglasses looking like a mafia warlord getting everything done. That is what is happening and then the EIA, the poor environment guys get blamed and said, “Oh, you are not doing your job” then on the other hand they are being told, “you are being inefficient.”

Mr. Speaker, Sir, it is not an easy task when you have to address legacy issues, when you have to address current environmental issues and current development issues. There are a lot of things to juggle including, Mr. Speaker, Sir, the public demand, including things like pollution, including environmental degradation, we have to see what is going to happen in 10 to 20 years' time, the opportunity for jobs, then there is, of course, a lot of the developers who are corrupt. Of course they are corrupt, not all of them, some of them are very good, some of them are extremely good.

The new company that has bought 44 per cent of EFL, the first thing they did was a due diligence on the environment because you know Japanese companies are very much stickless for environmental compliance. Mr. Speaker, Sir, in fact I appreciate the work that is being done by the Ministry of Environment. I would like to also thank this young group of people and we get the Opposition slandering them all the time, non-stop. It is very difficult. Slandering them all the time, standing up here and saying nothing was done because some New Zealand media wrote the article, not knowing that those people actually had to go and put a stop to that. A few years ago, before the 2018 elections, when I went to Solevu.

Honourable Gavoka know I went there more than once, if you looked when it is low tide, you see all these boats had *Freesoul* written on it. Why? It is a gift. So the people who are actually the owners of the land are also turning a blind eye. There is a development here in Sovi Bay, Nadroga. The Department of Environment actually puts a stop work order on that for over a year, nearly two two

years. Now they are finally complying. Guess what happened? They gave about 15 vehicles to the village of Vatukarasa. That is a very delicate environment in the Sovi Bay Area. The environment people stepped in and stopped it.

HON. PROF. B.C. PRASAD.- How was it given in the first place?

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, that is the point.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- Please, you do not understand, you are like Abhay Nand, you do not understand and you are about it.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- Please, stupidity must be criminalised when you talk actually.

(Laughter)

Mr. Speaker, Sir, when environment department gives a plan, you have to do the consultation and stick to the plan. Their job is to make sure you stick to what they have laid out, if they do not then they stop it. How was it due in the first place? The development is going to take place but you have to XYZ. Stick within the parameters, you step out and they will stop you. Unless you can show how you can redress that situation or that breach, they will not let you start. That is how the system works, honourable Professor Prasad.

They come here with half-baked knowledge and they are cast aspersions right from the honourable Minister, to his Permanent Secretary, to the Director and all the other staff that works for them. Of course things can improve, but I would like to thank them for the very hard and in fact microscopic look that they have upon them. We need to ensure that we continue to resource them, get more people in there and make sure that we constantly reviewing our laws to make sure that it is proper environmental compliance.

HON. J. USAMATE.- Mr. Speaker, Sir, I will not speak too much on the issue, but I tell you I was really shocked when I was hearing what honourable Dr. Reddy was saying. Honourable Aseri Radrodro said, why are you shooting the messenger? Look at his message and the quality of the report that they did when they did not follow the process.

The honourable Qereqeretaua said the same thing. They are trying to fight for this office that cannot even do a professional job of what it is supposed to do. Is that what we are doing in this House? We are lifting incompetence up, we are lifting unprofessional sorts of ways of doing ....

HON. PROF. B.C. PRASAD.- Point of Order, Mr. Speaker, Sir.

MR. SPEAKER.- What is your Point of Order?

HON. PROF. B.C. PRASAD.- The honourable Minister is casting aspersions, misleading aspersions ...

HON. CDR. S.T. KOROILAVESAU.- What is your Point of Order?

HON. PROF. B.C. PRASAD.- ... on someone who is not in this House, on whom they had continuous attack. Listening to honourable Dr. Reddy, he is making the assertion that he did everything wrong. He was there for five years. When he started pointing things out to them then they got upset.

HON. CDR. S.T. KOROILAVESAU.- What is your Point of order?

HON. PROF. B.C. PRASAD.- Stop that character assassination of him here when he is not here.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- Point of order is relevance.

MR. SPEAKER.- You have heard the Point of Order, you have the floor.

HON. J. USAMATE.- Mr. Speaker, Sir, the institute or the organisation that we expect to do an independent, professional assessment of the services of arms of Government, they are supposed to be the very best in doing this and the kind of report that honourable Dr. Reddy said that total incompetence, totally unprofessional and we have people standing up in this House and saying, "you are trying to shoot the messenger". I am saying there was problem with the message and how the message was formulated if they cannot do a professional job.

We, as Members of this House should stand to make sure that the bodies that work, the Independent Commissions do their jobs professionally. So, when they produce a report, it is a quality report, its built on solid process. All of us should want that? No one should want anything that is absolutely shoddy.

I am going to talk about some of the recommendations in that Report, but given that, I will not because I am just shocked with the way that it has been done. One thing that I will say, while I will just pick on one particular issue, while I will just pick on one particular issue.

If you go to page 20 of this Report, we at the Mineral Resources Department we have set up our own Environmental Management Unit, working very closely with the Department of Environment to look at all of these issues to do with foreshore, mining, gravel extraction, monitoring, mining and quarrying, et cetera. So there is very close liaison on with the Department - mineral, exploration, prospecting licences and all of these things, we work very closely with them.

But if you look at Page 20, they talk about a number of exploration licences. They are talking about Viti Mining that they were going through the phase of trying to get their exploration licence. I can inform this House that Viti Mining has now got its exploration licence, it is a local company and is now doing exploration in Viani in Cakaudrove.

Also in that report is mentioned the Amex Mining in the mouth of the Ba River. They were doing their EIA at that particular point in time. For the iron sand. That iron sand extraction, Mr. Speaker, Sir, is now taking place. If you go to Page 20 and read it, you will see how thoroughly they went through the process at Department of Environment to make sure that when the mining took place, they checked everything out. They went house to house survey in that village. They interviewed people, they look at the social impact before they gave their approval for the mining to take place - very, very thorough.

We were talking earlier on about the Sigatoka exploration and all that. I am telling you, read that part of the Report and it tells you how thoroughly it was done. Because you were talking about mining, mining is important but it has to be sustainable.

The best thing is we have now paid the first sets of royalty for the iron sand to the landowners there of about \$325,000 and this, Mr. Speaker, Sir, will be one thing that this Government will be remembered for. From the time that Fiji was a Colony all that stuff that is under the ground belong to the Government, landowners would sit on top and they would get nothing of that royalty. It was this Government that gave 80 per cent of the royalty to the landowners and that is something that this Government will be remembered for. To give that royalty back to the people.

Today, we are talking about the people at Nasomo in Vatukoula. They have already received royalty of almost \$1 million. Almost \$1 million at making a change in their lives everyday and that is what this this Government is about. Thank you, Mr. Speaker, Sir.

HON. A. A. MAHARAJ.- Mr. Speaker, Sir, I would like to thank all those who have contributed towards the motion and also to the Minister of Waterways and Agriculture for clarifying the issues that were raised with regards to the Audit Report itself. Thank you, Mr. Speaker.

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

Question put.

Motion agreed to.

MR. SPEAKER.- Honourable Members, on that note, before we take the next Item, we will take 15 minutes break.

The Parliament adjourned at 7.48 p.m.



The Parliament resumed at 8.04 p.m.

**REVIEW REPORT- DEPARTMENT OF FORESTRY  
1<sup>ST</sup> JANUARY TO 31<sup>ST</sup> JULY 2016 ANNUAL REPORT**

HON. S.S. KIRPAL.- Mr. Speaker, Sir. I move:

That Parliament debates the Review of the Department of Forestry Annual Report for the period 1st January to 31st July 2016, which was tabled on 22<sup>nd</sup> September, 2021.

HON. M. BULANAUCA.- Mr. Speaker, Sir, I beg to second the motion.

HON. S.S. KIRPAL.- Mr. Speaker, Sir, the honourable Acting Prime Minister, the honourable Leader of the Opposition and honourable Members of Parliament, I, as the Chairperson of the Standing Committee on Natural Resources who moved the motion take this opportunity to speak on the motion in regards to the Standing Committee on Natural Resources' Review Report of the Department of Forestry Annual Report for the period 1<sup>st</sup> January to 31<sup>st</sup> July 2016, which was tabled on 22<sup>nd</sup> September, 2021. Mr. Speaker, Sir, I, on behalf of the Committee commended the Department for the satisfactory performance shown during the review period.

At the outset, Mr. Speaker, Sir, 2016 was a challenging year for the Department as the nation encountered the severest *TC Winston* affecting Fiji's economy. The Department had to redeploy funds on rehabilitation.

Mr. Speaker, Sir, the Committee would like to share the operations of the Department for the period under review. The Department was able to achieve a number of significant outputs, including:

- The successful conclusion of the Cocowood Research Project which was conducted in partnership with the Australian Centre for International Agricultural Research (ACIR).
- The delivery of a wide range of forestry skills training for both, forest-based companies and for the communities was another successful output. The training focussed on people who depend on the forest as their source of livelihood.
- Another output achieved during the review period was the distribution of portable sawmills to assist community-owned pine schemes.

Mr. Speaker, Sir, the Department also worked on Reducing Emission from Deforestation and forest Degradation (REDD+), a project which is co-funded by the Government and the World Bank through its Forest Carbon Fund Facility.

Mr. Speaker, Sir, even though the Department of Forestry was a standalone Department, it continued with its efforts to provide the much needed public service delivery to the community as required by Government.

The Committee considers it necessary that the Department of Forestry ensures implementing the few recommendations put forth by the Committee for improvements.

In conclusion, I commend the effort of the Committee Members in the compilation of the Review Report of the Department of Forestry from 1<sup>st</sup> January to 31<sup>st</sup> July, 2016 Annual Report. My appreciation also to the Executives for their timely contribution in the compilation of the bipartisan Committee Report.

Mr. Speaker, Sir, with those few comments, as the Member moving the motion, I thank you for this opportunity.

MR. SPEAKER.- Honourable Members, the floor is now open for debate.

HON. V.R. GAVOKA.- Mr. Speaker, Sir, if I could just comment on the environmental issue at Sovi Bay; every time, people used to go and complain to those people that they were breaking all the rules, they used to say, “Go and see the Prime Minister” - as a developer, they used to say that. That is why a lot of things do not happen in this country because developers claim that they have the sanction from Government.

(Honourable Member interjects)

HON. V.R. GAVOKA.- Well, it went on for quite some time, honourable Koroilavesau.

Mr. Speaker, when I look at the Annual Report here, I see the three types of forests that we have:

1. Pine;
2. Mahogany; and
3. Native Forest.

I see here, Mr. Speaker, that pine is dominant. In 2016, it was about 172,000 cubic metres versus mahogany’s 27,000 cubic metres and native forest - 25,000 cubic metres. So, Pine is dominant in this country in terms of our forests.

I would like to spend a bit of time on that today, Mr. Speaker, and before I start, let me pay tribute to our former colleague, the late honourable Osea Naiqamu. He committed virtually all his life to forestry, especially in the pine sector. He was very much respected within the pine fraternity and people spoke warmly of him in that sector.

Mr. Speaker, if you look at the Recommendation No. 1 by the Committee, it says, “The Committee recommends that in an endeavour to increase the Ministry’s contribution to GDP that the Ministry encourages millers to achieve production targets set by the Ministry of Forestry.” I have been highlighting over the last couple of days that the resource sectors should increase their contribution to GDP and I would like to touch on an area, Mr. Speaker, in terms of pine that has problems brewing in the pine industry. I would like to speak on that this evening.

Towards the end of his life, Honourable Naiqamu was trying to resolve a rift that had emerged between the Fiji Pine Limited and the Fiji Pine Trust. Mr. Speaker, Fiji Pine Limited is the company that looks after the pine businesses and the Fiji Pine Trust looks after the landowners. The two organisations run separately. Fiji Pine Limited respects the Fiji Pine Trust and does not interfere in the affairs of the Trust. That is the way it has been running, Mr. Speaker.

Fiji Pine works hand in hand with the Trust. Members of the Trust, Mr. Speaker, I remember Mr. Faiz Khan very fondly as someone who worked closely with them. This is the former CEO and Chairman who had passed away, Sir. But, Mr. Speaker, the same is not true with the new CEO of Fiji Pine. He is interfering too much into the affairs of the Trust.

What happened last year, Mr. Speaker, was that, Fiji Pine Limited had called a meeting of the Trust, which he cannot do. The only person who can call a meeting of the Pine Trust is the Chairman

of the Trust. However, this happened and out of that meeting, the Chairman of the Fiji Pine Trust was dismissed, and this, I believe, is where the Honourable Naiqamu was trying to come in to resolve.

Fiji Pine Limited owns all the Class ‘B’ shares which is 99 percent. The Trust members own one percent – these are the Class ‘A’ shares, and they have voting rights and dividend rights. So, it has been a very well setup structure, but it is now in turmoil, Mr. Speaker, Sir. What has happened now is that they have dismissed the Chairman of the Trust and he is the biggest landowner in the area of Lololo, around the Drasa area. He has been dismissed, together with a staff of the Trust and they have also taken all the equipment.

They have put in place a caretaker board and it is not sitting well with the members of the Trust. The Trust members are saying, “Fiji Pine, you should just focus on managing the business, plant on the land that is leased to you by the members of the Trust, manage their plantation, harvest, process the pine products and market them”. It is doing that, but also now interfering with the affairs of the Trust.

He had no right to call for the meeting. As I have said, only the Chairman can call the meeting and it was not a lawful meeting and is creating, as I have said, a lot of anxiety within the Trust, to the extent that the Office of the Trust is located in the premises of the Fiji Pine and those people who were dismissed cannot even visit those offices. They are restricted from moving into their office.

The Trust and Fiji Pine Limited was established in 1998 and the landowners affairs to be with the Fiji Pine Trust. For the Fiji Pine Limited to concentrate on its commercial affairs and the landowners affairs to be on the Fiji Pine Trust. The Trust would receive about \$300,000 from Fiji Pine to enable it to run and a further \$300,000 was given to the landowners’ Business Trust Fund (LBTF) for education, training, community development and business development. But all those were suspended during the global crisis in 2008.

Honourable Naiqamu would have been one of the beneficiaries of that training programme. They were some of the best, Mr. Speaker. Within the Nadroga/Navosa Corporation, we hired a General Manager who was trained under this. He was really a top accountant, trained through this scheme. He actually lectured at FNU. Honourable Naiqamu was also a financial person and they were all trained through this arrangement.

Fiji Pine has come a long way, Mr. Speaker, Sir. I am told that from the beginning it, all started from a loan from the New Zealand Government of about \$100 million and it is just about paid off now.

The landowners, Mr. Speaker, Sir, who belong to the Trust are primarily from Nadroga/Navosa, Ba, Ra, Bua and Macuata. These are the people who own the pine land in Fiji and who were the dominant members of the Fiji Pine Trust.

To be a member of the Trust, Mr. Speaker, one hectare of land leased to Fiji Pine is equivalent to one unit. It is kind of a share within the Trust and for the maritime areas, 20 hectares of pine enables one to be a member of the Trust. So, it is very well defined and one that should continue to function and produce what we want from the pine industry. My concern, Sir, is that if we do not resolve this matter, it will impact on the future of Fiji Pine.

The pine problem, Mr. Speaker, Sir, is serious. Factions are emerging. The former Chairman who is the biggest landowner, may not renew the lease at Lololo and likewise, other landowners. That is how bad it is because Fiji Pine is dependent on the land that is leased from the landowners. If they are aggrieved and it is not resolved, they can refuse to lease their land to Fiji Pine.

How to resolve is the way forward. We believe, Mr. Speaker, it is time, Fiji Pine has come a long way, it is almost debt free. The way it was set up was that, there would be losses along the way until they start harvesting in Vanua Levu. This is now happening and hence, the profit that is now accruing to Fiji Pine and on which they have been paid their dividends that FijiFirst has been paying out. It has come to a stage whether we could afford to pay that.

It was a long term objective of the Pine Commission to return Fiji Pine Limited to the landowners and these are the people as I have said of Nadroga/Navosa, Ba, Ra, Bua and Macutata. We believe, Sir, the time has come that we do this and, in fact, it is part of the policy of SODELPA to give all the B Shares to the landowners and let them own Fiji Pine in the Class A and Class B shares.

They have done a lot for the country and we can all relate to the effort at that time to convince them, to lease out their land to Fiji Pine and I think it is more than 50 years, and the time has come that they take ownership of the Pine Scheme and Government will continue to offer them guidance, professional assistance, et cetera. You own it, it is yours and their new Fiji Pine Limited runs it. They may even decide to bring in some professional companies to manage their business in Fiji under the Fiji Pine.

Mr. Speaker, Sir, this is what is happening, I believe this is the way we can resolve it because we cannot let these factions within the Trust - one siding with Fiji Pine Limited and the others are out on their own, to impact on the potential that we can see from pine. We all want a thriving forestry sector and as the Committee have said here that we must endeavour to maximise return from the forestry sector in terms of their contribution to GDP. This, Sir, is the way forward - resolve that issue, bring about peace between the two entities, give the ownership to the landowners which was due to them anyway (what was just going to happen) for the future of the Pine Scheme.

That, Mr. Speaker, Sir is my contribution. I support this Report, especially the call that everything must be done to maximise return on the forestry and the contribution from the pine sector.

HON. J. SAUKURU.- Mr. Speaker, Sir, thank you for giving me the opportunity to again make a very brief response in support of the Report. Hopefully the line Ministry will consider the findings and recommendations of the Committee as well.

I also wish to pay tribute to my *Koicalevu ni Vesi*, the late honourable Osea Naiqamu for his enormous contribution to the sector. He was the long serving CEO of the Fiji Pine Trust before he became the Minister for Forestry.

Sir, the Department of Forestry's Annual Report for the period 1<sup>st</sup> January to 31<sup>st</sup> July, 2016 was referred to the Standing Committee on Natural Resources on Monday, 7<sup>th</sup> June, 2021. Sir, the Department of Forestry then was responsible for:

1. Implementation of the Fiji Forest Policy 2007.
2. Administration and enforce forest legislation.
3. Conservation, sustainable utilisation and management of forest resources.
4. Approval and issuance of forest-related licences.
5. Provision of training, extension services and research.
6. Coordination with key stakeholders including forest resource owners.

Sir, I wish to talk on two findings of the Committee in this six-monthly Report. First, Fiji has a total of 1.2 million hectares of forest area, out of which natural indigenous forests comprise 82.1 percent, pine comprises 7.2 percent, mahogany comprises 5.7 per cent and mangrove comprises 5

per cent. The Northern Division has the most forest areas covering 40.6 per cent of total forest area, followed by Central/ Eastern Division with 30.8 per cent and Western Division with 28.6 per cent.

On the other hand, the national log production from January to July 2016 stood at 225,011 cubic metres of which pine covers only 7.2 per cent of the forest area, produced 172,473.2 cubic metres which is about 76.7 per cent. Mahogany was 27,017.1 cubic metres which is equivalent to 12 per cent and native species which takes up 82.1 per cent of the forest area only produced 25,520.8 cubic metres which is about 11.3 percent. There you have it, Sir.

We have been talking about how the sector could improve on its contribution to GDP and I have just mentioned above an area that the now Ministry of Forestry could explore further. We need to explore on the potential of the native forest and maximise production as they take up a major portion – 82.1 per cent of our forest area.

The second leg of my contribution is the legal framework and I thank the honourable Acting Prime Minister's contribution that we would need specialised lawyers to take on this task. However, Sir, the Forest Bill 2016 (Bill No.13 of 2016) which is a review of the Forest Act 1992 was tabled in this Parliament and also presented to the Standing Committee on Natural Resources in 2016. The Bill is the outcome of several stakeholder consultations with a view of revising the 1992 Forest Act as approved by Cabinet to include recent developments within the forest sector, in addition to supporting the full implementation of the Fiji Forest Policy 2007. It is sad that the Forest Bill is yet to be passed by Parliament.

Sir, I reiterate my earlier call this week that all Ministries would need the necessary legal framework to enhance service delivery. I, therefore, call upon the line Minister to, please, reintroduce the Forest Bill in this august Parliament. Mr. Speaker, Sir, I support the motion before the House.

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, I also would like to pay tribute to my *tauvu*, the late former Minister for Forestry, Mr. Osea Naiqamu, and I pray that he rest in peace.

Mr. Speaker, Sir, my intervention is going to be very short. I just wanted to ask if the Acting Prime Minister as Acting Line Minister for Forestry, could explain the logic of an Annual Report being split into two. The Committee has reviewed the Ministry's 2006 Annual Report for January to July, but I am just wondering when we are going to be debating the latter part of the year.

At this juncture as well, perhaps the honourable Minister for Infrastructure, Meteorological Services, Lands and Mineral Resources ought to talk to his colleagues in Cabinet to stop meandering on reports that have a legislative timeline obligations in this House. Further, Mr. Speaker, the honourable Minister loves to stand up and talk about meandering, even though he meandered about Rwanda and somewhere else, while the rest of us listening were convinced that he actually lost his own marbles.

Mr. Speaker, Sir, as Fiji prepares to welcome the US Secretary of State, Anthony Blinken, this weekend, I hope the honourable Minister for Fisheries, the honourable Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management, honourable Minister for Infrastructure, Meteorological Services, Lands and Mineral Resources and the honourable Assistant Minister for iTaukei Affairs have been useful in Cabinet and ensuring that the period of the Acting Prime Minister which the Gazette Notice says ends tomorrow, 11th February, has been duly approved by them as Cabinet Ministers and gazetted properly, not retrospectively as has been the habit, so that when Mr. Blinken arrives in Fiji, he is accorded the due respect he deserves, and dialogues and equal footing with an Acting Prime Minister backed by a Gazette Notice that is in effect on Saturday, 12th February, 2022.

Mr. Speaker, Sir, Page No. 9 of the Ministry's Annual Report is quite amusing. Unfortunately, the Ministry has wasted a whole page with a blown up pie diagram, highlighting how many garlands or *salusalu* the honourable Minister received for opening events and making speeches and how many Parliamentary statements was made by him. This is no joke! Yet for January to July, there was only one Cabinet submission on wood biomass for energy and export. What about the people, Acting Prime Minister, since you are the Acting line Minister for the second last day, how do the *salusalu* or garlands improve people's lives?

The remainder of the Annual Report, Mr. Speaker, is quite informative. However, while the Ministry puts an effort on logging, there is also a lot of attention paid towards nurseries, seed collection and distribution, monitoring control and surveillance, research and development projects on trials, plots and pest and disease surveys.

It is quite noticeable that the Annual Report espouse on its REDD+ efforts. As this House will know, the NFP has shared many views on this.

While that is understandable, Mr. Speaker, I would urge the Ministry to remember that globally-prioritised initiatives like REDD+ will only have global resources available for a certain amount of time. After the project or readiness period ends, it falls back on the taxpayers to pay for. So while the World Bank is here right now, the ownership of REDD+ initiatives must be sustainable, even after the project ends.

Turning to the Committee's Report, I note that they had three recommendations:

1. To increase the Ministry's contribution to GDP, the Ministry encourages millers to achieve the production target set by the Ministry of Forestry.
2. For the purpose of protecting the environment, the Ministry should ensure proper monitoring of river banks and other buffer zones during clear felling and selective logging.
3. That the Ministry employs a legal officer that will review and fast-track laws, for example, Forest Bill No. 13 of 2016 and we have heard that mentioned here tonight.

I note here that these recommendations showcase the balancing act for the Ministry. But hopefully, in light of the rampant flooding and extensive of road damages that we have seen in the past few weeks, more hardy trees are going to be researched and planted by the Ministry and that perhaps, sold to FRA to help deal with the excessive moisture content in the soil during heavy rainfall. Thank you, Mr. Speaker, Sir.

HON. LT. COL. I.B. SERUIRATU.- Mr. Speaker, Sir, I would like to contribute to the motion and I also pay tribute, to our colleague, the late honourable Osea Naiqamu.

Mr. Speaker, Sir, I was Minister for Forests for about 12 months way back in 2013 and on few occasions, I have acted as well on Prime Minister's portfolio and I am well aware of most of the issues in the forest sector.

Let me thank the Committee and also thank the Ministry of Forestry for the good work that they are doing. Although there are a lot of challenges, environmental issues and some issues within the industry, however, I can confidentially say, Mr. Speaker, Sir, that they are doing an excellent job for us in looking after our forests and most importantly, in the regulatory role because of the laws associated with the forest that come under their portfolio. This is an extractive industry and

sustainability is something that we need to seriously consider and, of course, what we have continued to deplete over the years.

Let me start with honourable Saukuru. Of course, let us not be deceived by the native species and the forest cover it provides - 25,520.8 cubic metres which covers about 11.3 per cent. Mr. Speaker, Sir, I remembered when I was in Forestry way back in 2013, there was a request that came from the saw millers of Fiji, that is, if we can reduce the diameter of logs (native species) so that they can continue. We stopped that, Mr. Speaker, Sir, because of the sustainability of the industry in the long term.

For those of you who know Vanua Levu, when Fiji Forest Industries (FFI) left, that was signal to all Fijians that almost nothing was left. We have a big mill there now that was designed for veneer sawmilling and then Valebasoga Tropik Board came along as well. But they have to stop the operations there and just shipped the logs across to Lautoka because they no longer have what was supposed to be milled at that facility. That is the story about this. As I have stated, it is an extractive industry and depleting stock is what we have right now, Mr. Speaker, Sir.

We have an over-reliance now on plantations - pine and mahogany. That is the reality now. There is a huge challenge for us, particularly, with native species, Mr. Speaker, Sir, because these native species take ages. Unfortunately, the logging that has taken place over the years, as I have mentioned, we have to stop the reduction of the diameter of the logs because we need to keep it for the various reasons, apart from the economic benefits.

Our forest is so important to our food security, our water sources and to the living organisms that are there. There are so many benefits of forests and in reality, it is a challenge because when it comes to sustainable development, Mr. Speaker, Sir, and let us be honest with this, it is not only the economic benefits. We have to be aware of the social implications and we have to be aware of the sustainability requirements as well. So that is the reality, particularly with native species. We love to but, unfortunately, there is not much left now for Fiji. Perhaps, that will be a challenge for us into the future as well, when we start with the deforestation programmes.

To make it worse, Mr. Speaker, Sir, those two companies, and I am speaking in particular because there was a lot of forest cover in Vanua Levu, they had concessions. The FFI had concessions and honourable Bulanauca knows this very well, Valebasoga Tropik Wood also has concessions. Even in Wainunu, they want to use some of their land for agriculture purposes, but it is the concession that is still valid that restricts them from utilising those resources.

Mr. Speaker, Sir, FFI did leave the country after they took all the cream of the native logs in Fiji and then we had the concessions again. But we know that they are big employment providers for Vanua Levu because in Labasa alone, it is FSC, FFI and Valebasoga Tropik Wood that employ majority of the people and keep the economy running in Labasa, apart from the others, and of course, FSC as well, Mr. Speaker, Sir. That is the story about native species.

The issue about the Fiji Pine Trust Board, Mr. Speaker, Sir, is more than that, honourable Gavoka. We value our landowners. Of course, we have to make sure and because of the role they play, we need to maintain that healthy relationship with them. But, Mr. Speaker, Sir, there are a lot of issues with respect to the former Minister, perhaps, that is also a case that is under investigation because there were some issues with the Board. There were some debts that were created by the Board and they came back to Fiji Pine Limited and wanted Fiji Pine Limited to clear off the debts they accumulated because some of the businesses they invested in, failed. But I would rather leave it at that, it is more than what we have heard from the honourable Gavoka.

We are fully aware of what is going on between Fiji Pine Limited and Fiji Pine Trust and the Boards. Let me say that Vimal, the current CEO, is doing an excellent job in trying to ensure that we maintain that relationship, together with his Operations Officer, Mr. Asesela Wata. So, that is the story behind the Fiji Pine Limited and the Board as well.

Let me conclude my contribution, Mr. Speaker, Sir, by saying that, particularly, to us, the landowners, it is about our responsibility when we are looking at our future and for the generations that will come. Let us not be deceived by the economic benefits only, because it is not only for our environment, it is not only for our food security, it is not only for our water resources, but most importantly, it is for the benefit of Fiji and our generations in years to come. Perhaps, that will always remain as a challenge for us in the Ministry and the whole of society because we need to have sustainable development that fulfils all the three main pillars; economic, environmental and sustainability so that we can be in a better position to look at the industry and see how it contributes not only to the economy but also to the wellbeing of every Fijian.

I thank the Committee and the Ministry of Forestry. There is a lot that we need to do together and I hope that with the directions that the Ministry is taking, together with the key stakeholders, we should be able to achieve it, Mr. Speaker, Sir.

HON. M. BULANAUCA.- Thank you, Mr. Speaker. I also want to pay tribute to the late Honourable Osea Naiqamu who has passed away. We thank him for his involvement in the Fiji Pine Trust and also in Parliament.

I thank the Ministry for the researchers, educational training, conservation activities on the parks, nature and native forests and also pine achievements which is good. I have a few comments, Mr. Speaker, Sir, particularly on the recommendation that the mills has to achieve targets and this needs encouragement and support from the Government and also from the Ministry, technical people concerned particularly to increase the recovery rate of the timber coming out of every log. At the moment it is very low, from 42 per cent to 45 percent and up to 50 per cent; that is low. We need to increase the recovery rate within the mills and they need to be assisted on what type of, it is technical but it is important to increase that recovery rate so that we can have more products to sell. The Ministry has qualified people there too and encourage the millers to comply with or be encourage to drive with.

Also on the recommendation of coastal rivers, streams banks and buffer zones as already emphasised. It is important particularly in the plantation forest when they do harvest, they plant and they also harvest right up to the river banks. Under the lease conditions and development conditions, we do not have to plant or particularly harvest right down to river bank. You have leave 20 feet for the buffer zone on either sides. You need monitoring and compliance of the development conditions and also lease conditions or licence condition to be in place and practical right in the field, Mr. Speaker, Sir. It is important to keep our coastal and river banks in good hands.

Also on agriculture. A lot of farmers are planting right down to the river banks. It is important that the leave 20 feet on river banks to protect our rivers and streams and also our coastlines.

The Forest Bill (Bill No. 13 of 2016) is still pending and still there. We are still emphasising, from the Ministry's point of view, we need to have this Bill formulised, passed in Parliament so that they can go and increase the ways they can produce or perform at their field level. Not only in fisheries, forestry, agriculture and all the archaic legislation are held up there. Why not introduce as S0 51 and we deal with it because this will help with the production out here particularly for economic ministries such as forestry.



Economic figures, it is important that we have economic figures properly laid out in the annual reports and the production contribution to GDP export, import, value adding, balance of trade and the economics ministry and economic performance is paramount for 2018-2019 report which we have not gone through is not quite clear there, Mr. Speaker, Sir.

However, I would not go into detail, just a summary of the production. For native from 2009 is 59,614 cubic metres, 2017-2018 which is beyond this report is 39,242 cubic metres. In 2016, it is only 25,521 cubic metres because that is only seven months, we can accept that. But for per year, 59,614 cubic metres in 2009 cubic metres, down to 39,242 cubic metres in 2017-2018, the production is down. You can accept the explanation already made by honourable Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management but there should be ways and means to increase the production into the future, Mr. Speaker, Sir.

Pine in 2009 was 249,769 cubic metres production down to 172,473 cubic metres in 2016 and that is for seven months only, so you take away that part. But in 2017-2018 it is 395,276 cubic metres. Pine is performing well Mr. Speaker, Sir, as I see the figures here. Even though it only got 172,000 cubic metres for seven months in 2016 it bounced back in 2016-2017 to 192,385 cubic metres then bounce right back to 395,270 cubic metres in 2017-2018. That to me is good, sometimes you are hit and you can bounce back particularly in the plantation such as pine.

In mahogany in 2009 63,758 cubic metres and it rose to 93,748 cubic metres in 2011 then it dropped to 2,000 cubic metres in 2016-2017 to 15,646 cubic metres to 17,000 cubic metres in 2016 which is the subject of this report which is seven months we can accept that but 2016-2017 it dropped to 15,646 and again to 2017-2018 right down to 11,285. So, it is a drop of production from let us say 63,000 cubic metres instead of 93,000 cubic metres right down to 11,000 cubic metres - that is a marked drop particularly for plantation and the best plantation in the world is mahogany.

I do not know how many will come in 2018-2019 maybe 16,000 cubic metres, or a little bit up but the mahogany is not performing well. It is important to look at that area and ensure that they perform to lead the Fiji Hardwood Corporation who is in charge here Mr. Speaker, Sir and it is under the Mahogany Industry Council in the Prime Ministers' office.

On export Mr. Speaker, Sir, the best export is by Fiji Pine and native timber and mahogany export are hiding behind Fiji Pine's performance. So, in the Annual Reports we need to have separate records of exports from native timber, pine and mahogany so that it is clear to us who is performing well, who is not then we can point out where to improve or how to improve. It is important to separate the performance by species.

For export, Mr. Speaker, Sir, particularly I do not have the figures for native timber but for mahogany it dropped from \$38 million to \$6 million. That is very bad record or hardwood for mahogany. So, it is important that the Mahogany Industry Council and Fiji Hardwood Corporation to look at how to improve their performance in order to rake in the foreign exchange that we need.

Mr. Speaker, Sir, on Fiji Pine Limited as I had already mentioned, gain we need to help the landowners as already highlighted by our Party Leader that we need to look at how to improve the businesses within the pine industry. If there are some problems there you have to come to the Ministry of iTaukei Affairs or the Ministry of Forestry or Fiji Pine Limited to help them get up again. It is always important to know how our localisation for landowners are going on because in the capital structure that was made, there is supposed to be a 50:50 of local and others in the management level by 2016. I do not know whether that has been achieved or not.

Also, in the same capital structure plan for 2023 or 2025, the pine industry to be reverted to the landowners and they should have paid the cost for establishment of \$69 million to Government by that time. It is important to find out where we are and where the landowners are heading. I hope it is on target for reversion of the pine industry to landowners by 2023 or 2025.

With those comments, Mr. Speaker, Sir, I have no further comments to make but to thank you for allowing me. The performance of mahogany is very low, Sir, so it is important that people concerned or the organisation concerned should look at the ways and means of improving their performance and production. Thank you, Sir, I support.

HON. J. USAMATE.- Mr. Speaker, Sir, I will not take too long. I thank the Committee that did the work on this particular Report. It is just that a number of things that I appreciate about this particular Report. Firstly is the recommendation for the purpose of protecting the environment. The Ministry is to ensure proper monitoring of river banks and other buffer zones during clear-felling and selective logging, and I think honourable Bulanauca talked about that.

One of the issues that we have especially in the provision of water, now when you extract water from rivers, Waimanu for instance, whenever there is heavy rain, the place just gets flooded. There is a lot of siltation and we have the problem of pulling water out. I think this is a reflection not only in the way that we have been cutting down trees, it is also a reflection of the fact that people are now habitating or living in places where people do not used to live - upstream.

All of these are not very good agricultural practices and the practice of felling a lot of trees is not only having an impact on soil erosion, it is in turn having an impact on the quality of water we are able to extract out of rivers, especially for supply into the greater Suva area. So, that is something that we really appreciate, that particular recommendation and I hope that it can be strengthened right throughout the country, not only for the felling of trees and the felling of forests but also agricultural practices and good drainage practices because it will help us to ensure that we can provide good water in the way that WAF extracts water from rivers that we have. We have slight rain now and it is all dirty water and that is going to clog up our pumps and at the end of the day when the pumps get clogged up, it is difficult to get the water into the reservoir which affects water supply across the greater Suva area.

The Ministry of Lands has been involved also in terms of the mahogany plantations and we have a big exercise going on, to survey all the mahogany plantations. The mahogany plantations have been in place but the survey has not been done well. Now, the Ministry of Lands is doing this to try to make sure that the landowning units are well aware of their boundaries so that they can get their appropriate lease money paid to them and at the same time, it protects the company that is paying, the Fiji Hardwood Corporation Limited in terms of the leases so hopefully this kind of work that is being done at the Ministry of Lands will help this sector to grow into the future.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, a few points just to reiterate what the honourable Minister for Defence mentioned about Fiji Pine, unfortunately, honourable Gavoka seems to have been swayed by about four or five people, who painted an entire wrong picture of what is happening. In fact, the level of consent that the landowners have given in the recent past, in fact, has been quite overwhelming. The person that honourable Gavoka is talking about has very small percentage of land that is currently leased. One of them held the position of CEO.

Mr. Speaker, Sir, one of them held the position of CEO in the Trust without an employment contract and without the approval of the Board of Trustees. He also held the position of Trustee Chair of the Board, he himself appointed himself to the Fiji Pine Limited Board.

The Trust's Rules, Mr. Speaker, state and does not allow a person to hold the three positions concurrently. A person cannot hold a position of Trustee for two consecutive terms of three years (unfortunately this person did). A number of his family members were employed at the Trust. The Pine Trust did not produce audited financials for a number of years.

I can go on, Mr. Speaker, Sir, and I even got here testimonials from people in Wairiki (*Tui Wairiki*) where they are asking as to what has happened to the benefits they are receiving which, in fact, they have not received from the Trust itself. Before honourable Gavoka comes to Parliament and paints a different picture, he really should get the full picture.

Mr. Speaker, Sir, even people in Tau, Bavu, Emuri and even Navutu have all given their support to what is happening and the people in Navala have even given up their private pine plantation to work together with Tropik Woods.

Honourable Qereqeretabua had asked why January to July only. That is when the financial year changed, that is why you see that it is for six months. It is interesting the Cabinet Ministers and Assistant Ministers she singled out. She did not single out the other Cabinet Ministers and saying, "I hope they have given their consent for the Acting Prime Minister." I just want to let her know, the appointment of an Acting Minister or Acting Prime Minister is the prerogative of the Prime Minister himself. He informs His Excellency the President, who then issues you a letter for your acting appointment. That is how it works.

Mr. Speaker, Sir, regarding the forestry sector, the honourable Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management, of course, mentioned a number of things in particular, the indigenous species, et cetera. Honourable Saukuru talked about the potential in the indigenous species and what we can do. It goes to show a very fundamental way of thinking that it is not in alignment with modern day thinking about forestry.

When we approved the Climate Change Act, we talked about carbon trading and in that presentation, we mentioned that in Fiji, indeed, not with many other countries of the world, we only seem to value or give an added value in terms of its value to our GDP, only when trees are cut down. We only value trees in terms of the monetary value only when they are cut down. The new way of thinking, Sir, is that you need to value the trees when they are actually in the ground.

I remember honourable Saukuru stood up and said, "Are we now going to charge people for breathing oxygen? God has given us oxygen." He had the wrong end of the stick. Carbon trading means is that people who own the land on which the forest is planted or is there naturally, actually get rewarded for keeping those trees in the ground. That is the business, that is what you call 'offsets', because it sucks in carbon dioxide from the air and spews out oxygen; fundamental basis. He does not understand that.

Mr. Speaker, Sir, we need to look at the offset market - enormous potential. One of the very few settler countries in the world where 91 per cent of the land is owned by the indigenous population. Vast tracts of land in Fiji are still under forestry. It also does not mean that you have to have wild forest or just indigenous species. You can have good forest management practices for which you will also be rewarded. You can also go out and plant for which you will also be rewarded. There is actually a value to it.

Currently, Mr. Speaker, Sir, as mentioned in the Report too, we have a current agreement with the Emission Reduction Programme with the World Bank Forest-Carbon Partnership Facility. This is basically a precursor. It is about to end soon about two years or so which will then mean that

we will be able to get some good pricing in the market and then through the facility that is actually provided under the Climate Change Act, Sir, we will actually be able to do carbon trading.

Last weekend someone from the Sabeto area (landowning unit) sent me a text message saying, “Please come and speak to us because we want to understand about carbon trading.” I have heard about three people in three landowning groups that are wanting to talk to us about carbon trading and trying to position themselves. So they know what to do when they are able to participate in this particular growing sector.

Mr. Speaker, Sir, the other point that I also want to highlight, as we mentioned in the eulogy for the late honourable Naiqamu was that, he visited over 300 villages in the initiative that NFP has questioned about whether we actually planted 8 million trees or not. Our target is to plant 30 million trees in 15 years. Already 8 million trees have, in fact, been planted, Sir, and this initiative is working well. Companies like Fiji Airways, every time its plane take off anywhere in the world, they plant a tree, that is their commitment.

Mr. Speaker, Sir, it is not only about planting trees in what we call, a sort of terrestrial areas but is also in the foreshore areas. Things like mangroves need to be added to the stock of the trees that we do plant because it is not only about protecting the shoreline but as we know, mangroves, in fact, have a high level of sequestration. In other words, it can suck in more carbon dioxide than the trees on a hill. We need to look at forestry from that perspective. It does not necessarily mean that we will, therefore, not have any deforestation, but it must be done in a sustainable manner.

There is, of course, a lot of illegal operations that does take place. Even in Vanua Levu, we did find that out. The Ministry of Forestry is working with organisations, like FRCS in terms of trying to track down those illegal operations too.

Mr. Speaker, Sir, I would like to highlight also that the Ministry has launched an online licensing system in 2020 where import and export licences can be facilitated within 24 hours to 48 hours. A similar online licensing system for harvesting is also being developed and is targeted to be completed in this financial year. These innovative measures, Sir, will address the Ease of Doing Business and economic growth but a new norm since the introduction of online, the Ministry has facilitated over a 200 export licences which fetched over \$56.7 million.

Mr. Speaker, Sir, I do not want to elaborate any further. There are a lot details available and the Ministry of Forestry is doing a lot of public relations work in this respect. Honourable Bulanauca talked about Fiji Hardwood Corporation Limited (FHCL) and mahogany plantations, there is obviously a lot of work being done in that space. As I had mentioned a couple days ago, the FHCL has basically managed to get almost all its debt off its books. Honourable Bulanauca, you will remember when you were fairly active, there was a dead stock of around \$27 million or so.

Mr. Speaker, Sir, I would like to also thank the Ministry for their work. A few years ago we started, and it is now a regular feature where we actually allocated specific value or dollars in the budget for nurseries for indigenous timber because we saw that the indigenous timber is very much in demand. *Vesi*, for example, I know is highly sought after and used. It is very expensive, therefore, it is very attractive to cut down. This is why under the Bainimarama-led Government, we have decided to start nurseries for indigenous species and that will be the focus in the future too.

Once again, I would like to thank the Committee for their work. My observation, again, you do not need an in-house lawyer employed, you need the specialist to do the work and I am sure with

the new focus and now with the economy opening up, we will be able to direct more resources, Mr. Speaker, Sir, to the Ministry of Forestry and, indeed, other Ministries like Ministry of Fisheries. Thank you, Sir.

HON. S. S. KIRPAL.- ,Mr. Speaker, Sir, I would like to thank the honourable Acting Prime Minister, the honourable Members for their contribution and I have no further comments to make. Thank you.

MR. SPEAKER.- Honourable Members, Parliament will now vote:

Question put.

Motion agreed to.

MR. SPEAKER.- Honourable Members, before we move on to the next Agenda Item, I would just like to inform you that the final score for the Drua and Rebels match: Melbourne Rebels - 26 and Drua - 28.

## QUESTIONS

### Oral Questions

#### Reform – Local Government Act 1972 (Question No. 32/2022)

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

Can the honourable Minister for Education, Heritage and Arts, and Local Government inform Parliament what steps have been taken so far to achieve the critical reforms of the Local Government Act 1972?

HON. P. D. KUMAR.- Mr. Speaker, Sir, the Fijian Government has sanctioned a reform of the Local Government Act as a whole. The first area of reform involved merging the two types of local government of the past into one. That is, the former Rural Local Authorities were abolished and key functions given to the Municipal Councils. This was done in 2018 where the Government provided funding for the provision of allocated services.

Mr. Speaker, Sir, I just want to highlight that this exercise is extremely important. There was a three-member Committee appointed at one time to review the functions and the work of Municipal Councils, and it was found that some Municipal Councils were kept smaller, out of fear that political control would be lost.

Also, the other problem was that there was no boundary extension, so peri-urban areas did not develop the way they should have. Haphazard development was seen in the peri-urban areas. Now, with the inclusion of the rural local area boundary into Municipal Council, the Council is able to monitor the development in that area.

The second area of reform is the review of the municipal services with an aim to promote ease of doing business. This has seen the removal of the Businesses Licencing Act which has reduced administration loading on Municipal Councils.

The third area of reform was the change in the fiscal year of the Councils from the calendar

The third area of reform was the change in the fiscal year of the Councils from the calendar year to the Government financial year. This was to ensure consistency and uniformity with the national fiscal policies, which allow better monitoring of projects from planning to completion in line with the Fiji Government's Budget announcement.

Mr. Speaker, Sir, there are legislations that have an impact on the review of the Local Government Act 1972. These legislations are currently being reviewed and includes, the:

- Public Health Act;
- Town Planning Act; and
- Subdivision of Lands Act.

The reforms of the Local Government Act could not be done without reviewing the Town Planning Act and the Subdivision of Lands Act, because these legislations govern the operations of the Council's services. For example, the application for buildings, subdivision and rezoning are processed at the Municipal Councils before it is forwarded to the Department of Town and Country Planning.

As I had mentioned earlier in this House, the review of Town Planning Act and the Subdivision of Lands Act was completed and discussions are going on with the Solicitor-General's Office. So there is a draft legislation.

Mr. Speaker, Sir, the Ministry has been carrying out gradual reforms to the Local Government Act and the system and processes of Municipal Councils. These changes are fundamental and necessary to make Municipal Councils efficient and effective.

The review of the Local Government Act requires new scoping, given the new framework of the Local Government operations with the inclusion of the rural local area. It is significant to note that the Ministry has prepared a background or issues paper to guide the drafting of Cabinet paper to further reform the Local Government Act. In addition a Terms of Reference for the Local Government Act Review Committee has been prepared and provides the Scope of Work.

Mr. Speaker, Sir, based on the background paper and the Terms of Reference, the Ministry develop a draft cabinet paper that will require cabinet endorsement prior to undertaking this exercises.

The Ministry has proposed process in relation to this review:

1. We need to look at key strategic and policy based issues on what a Local Government is expected to do, how it should be structure to do this.
2. What are the right governance and management structures that should be in place and what mechanisms should be in place to monitor performance.
3. We also need to review international good practices for relevant to Fiji and the second phase will encompass capturing the views of all stakeholders through comprehensive public consultations.

HON. L.S. QEREQERETABUA.- Mr. Speaker, just a supplementary question to the honourable Minister.

We have been led to believe or been told that there have been some problems in the processing of payments in Municipal Councils because Councils now need to send a payment requirements to the Ministry for processing an approval and this is causing delay in payments and it is even causing delay in the salary of staff. Is the honourable Minister aware of that or maybe she could explain that.

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

HON P.D. KUMAR.- Thank you, Mr. Speaker, Sir. I am not aware of the fact that the staff were not paid as far as I know the payment were made to staff. The only thing I am aware of is one service provider was not paid on time simply because one had to assess the work that he done. So, that took a bit of time but other than that all the approvals or signing of the cheques is done by the Acting Permanent Secretary.

High Risk Water and Sanitation Programme  
(Question No. 33/2022)

HON. A.A. MAHARAJ 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 progress of the High Risk Water and Sanitation Programme?

HON. LT. COL. I.B. SERUIRATU.- Mr. Speaker, Sir, I wish to thank the Honourable Member for the question and I would like to keep it as brief as possible. But Mr. Speaker, Sir, this is a new programme. New allocation to the Ministry of Rural Development and Disaster Management and of course we wish to thank the Government particularly the leadership of the Honourable Prime Minister.

This allocation reaffirms the commitment of Government to ensure that the living standards and the wellbeing of our rural Fijians are improved and of course it also firms the match that we do care and we will continue to look after them.

Mr. Speaker, this whole programme is about two things:

1. Giving our people clean drinking water;
2. Health issues that they face. So it is about high risk water and high risk sanitation.

Let me just define High Risk Water. It refers to water source that are considered high risk in which water is obtained from surface. Water that is untreated which includes spring water that is unprotected and untreated and water from the well that are protected unprotected to name a few.

I will give you an example, in Kumi Village, Sir, where I come from. We had our pipe system done way back in the 1960 but till today the water that we are drinking comes straight from the dam into the taps. That is high risk, Mr. Speaker, Sir but we are still healthy. No problem in Tailevu, Sir.

MR. SPEAKER.- I can see that.

HON. LT. COL. I.B. SERUIRATU.- Sanitation, Mr. Speaker, Sir, is mainly related to diarrhoea and, of course, typhoid and we have issues about dengue and sometimes leptospirosis as well but when it comes to high risk sanitation, the focus is mainly on typhoid and diarrhoea. Why did we go into this programme? Because the allocation on self-help which is for social and economic projects are although limited, there is a big chunk of that allocation that goes to water projects and sanitation projects, Mr. Speaker, Sir, averaging of around \$0.7 million or \$700,000 in a year.

For example, in the last five years for these projects alone we have used about \$3.5 million out of the self-help allocation and we presented the case to Government based on the data that we have, identifying the communities and of course we are thankful that we were given \$750,000 in the

2020-2021 Budget. That was given to the Ministry of Infrastructure and Meteorological Services and again very lately we have \$500,000 allocated in the current Budget.

So, very briefly in terms of the identification, there is a Committee I will not go into the detail made up of the Ministry of Economy, Ministry of Infrastructure, Water Authority of Fiji and Ministry of Rural Development and of course they look after the allocation and the communities that have been identified. But very briefly in terms of the first ten projects that were identified, is Naqia Village in Tailevu, Naboutini Village in Serua, Dawasamu Secondary School again in Tailevu, Tavuki Village in Kadavu, Nagadoa Village in Bua, Natewa Village in Cakaudrove, Namada Village in Nadroga, Saioko Village, Ra, Wainilotulevu in Namosi and Nasovatava in Nadroga, Navosa.

And out of those already identified, Mr. Speaker, Sir, we have four that have been completed out of the ten that includes the two from Tailevu, in Naqia in Dawasamu nothing to do with me, Mr. Speaker, Sir, but one from Serua in Naboutini and one from Nadroga. We are thankful to the Ministry of Economy because Water Authority had a lot of challenges last year after *TC Yasa* and *TC Ana*, the allocation remained with Water Authority despite the end of the financial year, so that the remaining six projects identified can continue.

Sir, in terms of sanitation out of that allocation, eight communities were identified including Dogusu and Qara Settlements in Ba, Nadave Settlement in Macuata, Korovou Village in Naitasiri, Wainaloka in Ovalau, Nukuilau Village in Nadroga, Navosa and Nuku Village in Moala. That was for the allocation in the 2020-2021 Budget.

As for the \$500,000 for the current financial year, very briefly, very briefly, Mr. Speaker, Sir, for the communities that have been identified - Naiyaca in Savatu, Ba, Tonuve and Namataku in Navosa, Nacavanadi in Gau, Beqa, Yanuca in Raviravi, Beqa, Qelemumumu in Labasa and Lea Village in Navatu, Cakaudrove.

That is high risk water and high risk sanitation that have already been identified, we have two in the Central Division, six in the Eastern Division, two in the Northern Division and 15 in the Western Division but those that are considered early for this includes Kabisi and Naikeli Settlements in Malomalo, Nadroga, Navosa, Domokavu Village in Vaturova, Cakaudrove, Mataso Village, Sanima in Kadavu and Nasaibitu Village in Nayavu, Tailevu. I will stop there, Mr. Speaker, Sir, unless there are any further questions.

Agricultural Assistance on Farms  
(Question No.34/2022)

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

Can the Minister for Agriculture, Waterways and Environment update Parliament on the implementation of the Agricultural Assistance on Farm Response Package, Home Gardening Seed Packages and Improvement of Farm Genetic attributes as part of the COVID-19 Response?

HON. DR. M. REDDY.- I would like to thank the honourable member for asking this question. The farm response and the home gardening seed packages started in March 2020. On this note, I would like to thank the Government of India that provided us with 6.9 tonne of dry seeds that supported our farm response programme. In addition to that, the COVID-19 response budget we had received \$1 million from the Ministry of Economy to support these two programmes.



Mr. Speaker, Sir, till date- from 30<sup>th</sup> March 2020, we have distributed seed packages to about 218,719,020 households. Each of this package consists five or six crop seeds.

Mr. Speaker, Sir, this year following TC *Cody* - we have distributed this home gardening seed packages to 20,000 households. In addition to that, we have supported a large number of farmers with respect to provisional planting materials- whether it is dry seeds or green planting material.

These programmes are continuing in the farm response package that the farmers are getting the planting materials, 8000 farmers have been supported since March 2020. On the part of the question we regard to the improvement of Farm Genetic Attributes- whether it is crop or livestock. This is an ongoing programme. We have our research division which is undertaking continuous research. We have released new varieties for the crop, whether it is *dalo* /pidgin pea

We are continuously undertaking seed purification of rice and also other crops. We have released new variety of eggplant, tomatoes and rice. These are undertaken by any country- research has to take place to deal with issues and pesticides diseases that arises as well adaptation to Climate change and come up with high leading varieties.

With regard to livestock, again we are very much concerned about the loss of genetic attribute due to inbreeding. That is one aspect we are dealing with by providing them with breeders whether it is poultry, sheep, goat as well as the cattle. So, Mr. Speaker, Sir, these programmes are continuously on going and we are supporting our farmers to improve Genetic material.

Assisting Women – Agriculture Sector  
(Question No. 35/2022)

HON. J.N. NAND asked the Government, upon notice:

Can the Minister for Agriculture, Waterways and Environment inform Parliament on how the Ministry is supporting women engaged in the Agriculture sector?

HON. DR. M. REDDY.- I would like to thank the honourable Member for asking this question.

Mr. Speaker, Sir, the Ministry of Agriculture values the contribution of women in this sector and it is clearly highlighted in our five-year Strategic Development Plan. By recognising women's involvement in the sector, Mr. Speaker, Sir, the last census that we undertook, Mr. Speaker, Sir, we have a separate volume which deals with where this entire census has undertaken general analysis based on gender, Mr. Speaker, Sir, so that we can look at how we can have targeted measures to develop and support women farmers.

Mr. Speaker, Sir, the gender analysis report provides a platform that identifies vulnerability and exposes hidden trends that can help establish new policies which could be targeted to assist them.

Mr. Speaker, Sir, the Report found that 47 percent of the households that are engaged in agriculture involve women, and 14.4 percent are in fact women-headed households that are engaged in agriculture.

Mr. Speaker, Sir, for a long period of time, annually the Ministry supports women in agriculture. There are specific programmes that we assist with in terms of funding and provision of small equipment such as Virgin Coconut Oil (VCO) processing.

This year, Mr. Speaker, Sir, out of the nine programmes that we announced, one programme is specifically targeting women where we have a specific line item allocated. Under this programme we have assisted 500 women's groups with respect to materials that be required for the activity that they were engaged in, whether they engaged in a small cottage industry, whether they engaged in nursery, so we provide them with nursery material or they require farm tools for agriculture.

Mr. Speaker, Sir, overall we are very excited that now we have a line item and a specific allocation - a bumped up allocation and as economy and budget improves, we will see a parallel movement in terms of increase the allocation for women engaged in agriculture.

Free Education Grant for All Institutions  
(Question No. 36/2022)

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

Can the honourable Minister for Education, Heritage and Arts, and Local Government update Parliament on the Free Education Grants for all educational institutions during the pandemic?

HON. P.D. KUMAR.- Thank you, Mr. Speaker, Sir. I also thank honourable Kepa for the question. The Free Education Grant initiative was introduced by the FijiFirst Government in the year 2014 to provide accessibility to education for all eligible primary and secondary students.

In 2015, the Grant was extended to cover all Early Childhood Education (ECE) schools. This initiative was introduced by the Government to ensure students have access to quality teaching and learning environment. Since its inception, eight years ago, the Government has invested a total of \$565 million in the form of Free Education Grant to 736 primary, 175 secondary and 870-plus ECE schools.

Mr. Speaker, Sir, the FijiFirst Government has been first to provide free education to our Fijian children, contrary to what Mr. Rabuka has been saying. During his time what he did was he provided assistance to children who could not afford to pay their school fees but the FijiFirst Government took it as the first Government that made education for ECE right up to secondary school absolutely free.

The Ministry has been allocated Free Education Grant in the sum of \$62 million in the current financial year, despite the pandemic. The FEG has eased the financial burden on parents, students, teachers and the school management Committees. Schools until then, used to engage in fundraising activities to improve educational facilities and to provide teaching resources.

Today, we find schools with better facilities, such as tiled floors, fans, libraries with books, interactive boards, overhead projectors, computers, smart TVs, internet connectivity, and the list goes on. Having said these, Mr. Speaker, Sir, we recognise that schools are at different stages in terms of improving their school facilities.

Mr. Speaker, Sir, FEG has ensured that more students regardless of their financial background are able to access education. The Government assists approximately 236,000 students annually through FEG.

The increase in enrolment rates is a clear indication of the benefit of FEG. In addition to this, our data shows that participation rate of students in the rural and remote areas, as well as enrolment

of female students, have also increased. The ECE Tuition Grant is currently set at \$50 per term for each registered five-year old child, who is a Fijian citizen.

Mr. Speaker, Sir, the FEG for Year 1 to Year 13 is provided on a per capita basis with smaller schools provided with a baseline or additional grant. The amount of grant provided per student decreases for larger schools with more students on the roll.

The FEG amount paid to each school is determined by the number of students on the audited school roll. During the pandemic, Government continue to provide grants to schools, to ensure that the school's operational activities are not affected.

Mr. Speaker, Sir, it is not necessary that schools will receive the same amount of FEG each year, as this depends on number of factors, including students roll in the previous term and the budget allocations provided for that financial year. In 2020, despite schools being closed for three months, due to first wave of COVID-19, the Ministry released budgeted grants to all schools that were compliant for all three terms.

Mr. Speaker, Sir, for the first time in Fiji's history in 2021, the schools were closed for over eight months. Before the second wave of COVID-19 in Term 1, 2021, the Ministry released grants to all complying school. In term 2, 2021, when schools were still closed and teachers were at home, the Ministry released full grant to all the schools to prepare for reopening of schools in the new normal.

To ensure that schools meet the COVID-19 Safe School Re-opening Protocol for the safety of our children, the Ministry released a further 50 percent grant to all schools for Term 3, 2021, despite the schools being closed. The Ministry did this to make sure that school were operational and ready for students. In Term 3, 2021, the Ministry also cleared outstanding arrears for water bills for 87 ECE schools, 70 Primary and 17 Secondary Schools at a cost of \$483,000 and unpaid water bills accumulated over many years for the schools. The Ministry stepped in to pay the water bill arrears to ensure that water, being the basic need is maintained.

Mr. Speaker, Sir, these payments are being adjusted from the FEG payout. The Government has also ensued that ancillary staff wages and other operational costs, such as payment of utility bills and printing cost of worksheets are met during the periods schools were closed. The Ministry continued to release timely grants to schools, despite false claim that grants are not being paid.

To facilitate proper use of grants, the Ministry in 2020 developed a School Management Handbook, which provides guidance for the school on the use of the grants.

Mr. Speaker, Sir, the FijiFirst Government recognises the importance of education in empowering our nation and for creating a knowledge-based society. The Government has and will continue to invest in education to secure better future for our children. Thank you, Mr. Speaker, Sir.

HON. RO T.V. KEPA.- A supplementary question, Mr. Speaker, Sir; I thank the honourable Minister for her response. Just in regards to COVID-19, what is the monitoring process that is used by the Ministry to ensure that there is proper utilisation of these funds?

HON. P.D. KUMAR.- Mr. Speaker, Sir, the School Management Handbook provides all the details. How the schools are monitored in the use of the funds? When the funds are allocated, it is divided into six parts and the percentages are given. Besides that, the audited school roll is checked, the bank reconciliation is checked, the grant agreement which the school must have is checked and, obviously, the auditors at the Ministry can audit their accounts when we receive complaints or when

we see the bank reconciliation and we suspect something was not right. So that is when we intervene and do all the crosschecks.

MR. SPEAKER.- Honourable Members, the sixth Oral Question for today, I have agreed that it would be tied over to tomorrow because the Minister had to leave urgently and she is not here. So we will move on to the seventh Oral Question.

Sugar Price Increase  
(Question No. 38/2022)

HON. A.M. RADRODRO asked the Government, upon notice:

Can the honourable Acting Prime Minister and Minister for iTaukei Affairs, Sugar Industry, Foreign Affairs and Forestry inform Parliament how the recent sugar price increase will impact stakeholders, including the Fiji Sugar Corporation (FSC), landowners and farmers?

HON. A. SAYED-KHAIYUM.- I will be a little bit longer than usual, Sir, because it is a fairly topical subject and also, of course, the honourable Member, well, I have to thank him for asking this question has talked about how it will affect FSC, the landowners and the farmers. I assume landowners meaning, *itaukei* landowners of landowning units.

Mr. Speaker, Sir, FSC, like any other business, needs to stay competitive and reinvest in its organisation. They need sufficient revenue, it is only possible and the prices for the goods that they produce are periodical reviewed and goods are sold at the right price. Sugar of course, Mr. Speaker, Sir, is subject to price control.

Mr. Speaker, Sir, the FSC is no different. It has to have a decent investment plan and sufficient cash to implement the plan. The Government has put almost \$500 million in the sugar industry since 2016 through various subsidies and various other assistance to farmers directly and indirectly.

Mr. Speaker, Sir, we also, of course, apart from Government funding, we need market driven solutions too. There is a most suitable way to improve the efficiency at all levels and improvement for upgrading the three sugar mills, is a key priority for FSC. We know what happen with the Indian upgrade that took place during the Qarase Government, much of it was in fact left idle and did not take place but the money was actually spent.

Mr. Speaker, Sir, the last time the sugar prices was reviewed was four years ago. The review was conducted in \2017 by the Fijian Competition and Consumer Commission (FCCC). As outlined in the FSC submission to FCCC in June 2021, the company needed to carry out necessary investments in Sugar Mills but requires sufficient cash to implement major upgrading works. So price review is determined to be necessary.

Mr. Speaker, Sir, when FSC has been hesitant to invest in its milling facilities given the shambolic upgrade that took place a few years ago. Mr. Speaker, Sir, the Ministry was aware of sugar, was aware of the recurs for the price review, however, the Ministry does not interfere with the workings of FSC, and of course, its liaisons with FCCC. In fact, Mr. Speaker, Sir, the FSC wanted an increase of 109 percent or \$1.49 per kilogramme.

However, the FCCC in fact approved an increase in price of 90 cents per kilogramme of sugar, not the \$1.49 that they wanted. Where will the proceeds go? All proceeds generated from the

sale of sugar is shared between the growers and the miller through a 70:30 ratio as stipulated in the Master Award and this formula has remained there for ages. To put it simply, it is not the Government that benefits from the price increase, it is the growers. On an average, the FSC supplies approximately 26,000 tonnes of sugar in the domestic market annually.

With the increase in price, additional revenue of \$23.4 million will be generated. Of this, FSC will receive approximately \$7 million which is about 30 percent. That would be invested in the sugar mills and to carry out other investments plans. Mr. Speaker, Sir, just to explain to the honourable Member and other Members in Parliament, how the price determination was actually carried out, and FCCC has actually provided this information.

Mr. Speaker, Sir, the whole pricing review was conducted over seven months which included for a call for public submissions and a thorough review of the FSC's financials. The FCCC consulted members of the public and other relevant stakeholders from the sugar industry. A call went out for submissions through the FCCC website and social media to members of the public to submit their proposals. This is, of course, Mr. Speaker, Sir, at the height of the various variants we had - Delta and the Omicron. Sir, FCCC received a total of 118 submissions and it then deliberated on the request for price increase, bearing in mind the current market conditions and submissions and decided to set a new price from 20<sup>th</sup> January this year. I understand only one political party made a submission, that was the Fiji Labour Party and not NFP or anyone else for that matter in this room.

Mr. Speaker, Sir, this process obviously was an independent process and submissions were also made by the Ministry of Sugar objecting to the increase in the sugar price. Mr. Speaker, Sir, FSC will use the additional \$7 million to improve the efficiency of the mill. As said, increased cane production improved the TCTS ratio. This will reduce FSC's reliance on Government and tax payer funds and is the right way to become a healthy and sustainable business. The remaining \$16 million will go towards the proceeds of farmers, the 70 per cent as per the Master Award. As the price is guaranteed at \$85 per tonne, Sir, Government will save the \$16 million from the original subsidised price. This means Government can use these savings to provide other assistance related to the farmers. As the farmers do know that some of the initiatives, because of COVID-19 restrictions in the Budget, some of it, was in fact, for example, new cane planting programme was somewhat slowed down or muted.

Mr. Speaker, Sir, cane growers will continue to receive the guaranteed current price of \$85 per tonne as well as additional benefits to the growers and other stakeholders including the land owners, lorry drivers, cane cutters, machine operators and financial institutions as the mill operations improve. Upgrading work in the mill will improve production efficiency and better TCTS. Less cane will be required to produce a tonne of sugar, thus the total volume of sugar production will increase.

With increase in sugar production, Mr. Speaker, Sir, the overall proceeds generate from the sale of sugar will increase, thus increasing income for both the miller and the growers. When the mills run efficiently, the crushing rate improves. This will reduce the down time of lorries waiting for hours and queue to get their cane weighed and off load for crushing. With an accelerated crushing rate, the lorries will be able to return to the cane fields much earlier for reloading. This also brings efficiency to both the mechanical harvesters and the cane harvesters. Cane harvesting will be completed in a shorter duration thus reducing the major harvesting and transportation cost of growers.

Mr. Speaker, Sir, when the mills are not effectively functioning, the cane cutters and harvesters cannot perform their work and this increases grows cost, as they are compelled to provide food and other demands of the cane cutters. Therefore, such cost will be avoided with the additional savings in their pockets and the growers will be able to make timely repayments to banks and make

investments on their farms. Of course, we talked about this the other day, they can also get into other farming livelihood.

Mr. Speaker, Sir, the FSC also placed utilised part of the additional income on increasing cane production. This is a fundamental development needed to grow and sustain the sugar industry. Through their cane development plan, the FSC is focusing on reviewing and increasing areas under cane, improving productivity and ratoon management.

Plans are in place to establish more joint ventures in New Zealand and neighbouring Pacific Island countries. Therefore, there is a need to improve on packaging machine, distribution channels and acquire international certifications will open up doors to new markets. Sir, FSC is currently researching product diversification. They would see new variants of sugar being launched.

Mr. Speaker, Sir, there are many positive benefits to be realise by the different stakeholders in the sugar industry therefore the price reviews is well timed for the FSC. Of course some people do not necessarily comprehend this and they turn it into a political issue.

Mr. Speaker, Sir, we have to understand, honourable Kuridrani talked about FSC being technically insolvent and all of that, it is not he said, may be it is. Mr. Speaker, Sir, it is a commercial entity that requires healthy cash flow to make investments for its sustainability and that of the entire sugar industry.

As people know, Sir, FSC is owned by the Fijian Government but also FNPF had shares, Fijian Holdings had shares and there are other shareholders but no one in the past number of decades or so have contributed a single cent towards the equity of this particular organisation. It is only the Government. I will live it there, Sir and if the honourable Member has any question, I can answer from them.

Northern Connectivity Programme  
(Question No. 39/2022)

HON. A.D. O'CONNOR asked the Government, upon notice:

Can the honourable Attorney-General and Minister for Economy Civil Service, Communications, Housing and Community Development inform Parliament on the progress of the Northern Connectivity Programme as announced in Parliament last year?

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I must admit that since being in Parliament for a number of years now, for two terms nearly this was one of the most pleasurable tools I had actually in Vanua Levu when I went there last week because it was so immensely empowering to see of the immense empowerment of these people in very remote areas who are connected to the internet.

We have school children being excited because they can now access the internet; things we actually take for granted. There are 40 sites, Sir, that have now been connected, they include schools and nursing stations. Mr. Speaker, Sir, we worked together with the Ministry of Education, Heritage and Arts and Ministry of Health and Medical Services as to which sites should be connected. There are still a number of other schools that need to be connected and I am sure some nursing stations.

Just very quickly, this project is now as announced in Parliament last week is being completed. It was in fact completed by December, we did go down to see a few of those sites. We went to Lutukina District School, Koroinasolo Village School, Qalitu District School, Dawara

District School, Saint Pauls Primary School, Wailevu East Primary School, Vunisalusalu Primary School, Volivoli Primary School, Laqi Health Centre and Dogotuki Nursing Centre.

So, we have now all these nursing stations where the nurses actually have access to internet. We gave them screens, we gave them web cameras, some of them were also given IT phones. A lot of these nursing stations do not have doctors. So, they can, for example, the patient can sit in front, this is a very basic type of telemedicine they can have with the Labasa Hospital where doctors can see them. So, that is one aspect of it.

The other aspect, of course, was for the schools. The teachers now as you know under FEMIS because for FEMIS they have to travel all the way to Labasa or Savusavu. It takes them hours to do that, now they actually sit on the comfort of their office, get connected, download the worksheets for the students, they do not have to go two hours to print it somewhere. We have given them printers, extremely powerful, Sir, and also some of the schools where there was a village or community living by we *WiFi* those schools also. So, in other words as you get out of the school some places about 300 metres, some of them about 150 metres, it was *WiFi*. So, someone could come from the village and sit outside in the compound in the school yard and actually connect to the phone, connect to *Viber*, connect to *WatsApp*, connect to internet, things we actually take for granted in the city. It is an extremely empowering situation.

Just to let you know, Mr. Speaker, Sir, how we got the funding for this. We had borrowed USD\$5.54 million for the submarine cable that is built out of our cable that comes to the Southern Cross cable in Vatuwaqa, the Samoan one that came between Taveuni and Vanua Levu we have built a pipe of that. Mr. Speaker, Sir, there were some funds that were left and with that we committed it for the, what we call, “connecting the unconnected” for Vanua Levu.

Mr. Speaker, Sir, just by way of information, we of course did the scoping and then we outsourced the work, we called for tenders, Vodafone and Telecom were the main providers for their connectivity. We had, of course, a lot of the schools do not have electricity also. So, we gave them solar panels, very high powered, we have got very powerful batteries actually that will store the energy and of course we gave all of that to them. Also, like I mentioned there were personal computers and the other peripherals that go with it.

Mr. Speaker, Sir, part of this programme also we have in fact expended about \$1.1 million for emergency telecommunication solutions and those phones are now coming. So, a lot of these areas because of cyclones, they are quite remote. We now have the emergency telecommunications which is about to arrive into the country I think in about three weeks’ time. So, these people will also be connected in the Northern Division.

The last point Mr. Speaker, Sir, was that I have got a whole list, I know people want to go home of all the 40 sites that have been connected but we had the *Walesi* team also, Sir, that went with us and all of these places that I have just mentioned that we did go to, they all requested *Walesi*. All of them have been connected with *Walesi*, if the students want it because as you an Educational Channel on Channel 10 on the *Walesi* platform so they have access to that.

What was really interesting, Sir, in some of the schools we went to, the heads of the school from the other schools that were nearby, they all came over and said, “look we want to be connected also to the internet but also they wanted a connection to *Walesi*” and they will be doing all of that within the next two weeks, Sir.

So, all in all Mr. Speaker Sir, it was a very rewarding experience, we were just talking about the BPO council. We were talking to some people that now we have the submarine cable landing in

Savusavu, there is an opportunity in the future now, of course, we want to lay fibre-optic cable in Savusavu up to Labasa. A huge opportunity to do that and even when we expanding the BPO sector, we can actually have some of these call centres in Vanua Levu because as we said we want to keep the people in Vanua Levu in Vanua Levu that is their home, a lot of them actually leave Vanua Levu to come to Viti Levu for jobs. In fact we would like it to be the other way around. We like some people from Viti Levu to go to Vanua Levu.

The real estate is a lot more attractive in terms of pricing and for the businesses, it will be good and, of course, will create a lot more jobs. So that is just a very quick update in respect of the Northern Division connectivity.

MR. SPEAKER.- I thank the Acting Prime Minister. Honourable Members, that is the end of the Oral Questions and now we will move on to the first written question for today.

### Written Questions

#### Community-Based Corrections Programme (Question No. 40/2022)

HON. M.R. LEAWERE asked the Government, upon notice:

Can the honourable Attorney-General and Minister for Economy, Civil Service, Communications, Housing and Community Development inform Parliament on the benefits of the Community-Based Corrections Programme in particular –

- (a) how many offenders have participated in the programme and by Division since 2018; and
- (b) the number of community-based organisations by Division that have participated in the programme since 2018?

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I will provide my written answer to the honourable Members as provided for under the Standing Order.

#### Update on Lighthouses (Question No. 41/2022)

HON. P.W. VOSANIBOLA asked the Government, upon notice:

Can the honourable Minister for Commerce, Trade, Tourism and Transport update Parliament on the following:

- (a) How many lighthouses are looked after by the Ministry and listed by Division; and
- (b) The status of reconstruction of destroyed lighthouses, including the lighthouse at the Natubari Passage, Levuka?

HON. F.S. KOYA.- Mr. Speaker, Sir, I will table my response at a later sitting date as permitted under Standing Order 45(3).

#### Embryonic Transfer Programme (Question No. 42/2022)

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



Can the honourable Minister for Agriculture, Waterways and Environment update Parliament on the progress of the embryonic transfer (ET) Programme and the percentage of cattle infected with tuberculosis in particular –

- (a) The total number of farms by Division which have benefitted from the ET Programme annually since 2018; and
- (b) The total number and percentage of cattle infected with tuberculosis annually since 2018.

HON. DR. M. REDDY.- Mr. Speaker, Sir, I will provide a response at a later sitting day as provided for under the Standing Order.

MR. SPEAKER.- Honourable Members, question time is now over. On that note, we come to end of today's programme and we will now adjourn until tomorrow at 9.30. I thank you for your cooperation.

The Parliament adjourned at 10.05 p.m.