

# APPENDICES



# **Appendix I**

**Written Response by the  
Fiji Public Trustee  
Corporation**



**Fiji Public Trustee Corporation Pte Limited**  
**Response to Questions - Parliament Standing Committee on Social Affairs**  
**on the 2019 Annual Report - for the 8<sup>th</sup> June 2022**

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The Chairperson, Hon. Viam Pillay and Honourable Members of the Parliament Standing Committee on Social Affairs. The Fiji Public Trustee Corporation Pte Limited (FPTCL) a public enterprise and state-owned entity have much pleasure in providing the Corporation's response on the Annual Report – 2019 questions.

The Corporation is represented today by:

1. Atonio Takala – Chief Executive Officer;
2. Priya Lal – Manager Legal;
3. Kirtan Lal – Manager Finance & Administration;
4. Kirtika Natasha – Acting Communications & Marketing Officer.

### **Questions**

#### **1. Pg. 7 of Annual Report (Stakeholder Engagement):**

##### **a) How is the stakeholder engagement & satisfaction analysed?**

Maintaining good stakeholder engagement is one of the key strategies in enabling the organisations to achieve its corporate goals. We assess satisfaction levels through:

- Conducting survey online and the results are analysed.
- Collecting feedbacks and gathering information's during our Community awareness and outreach programmes.
- Feedback gathered from our officers dealing with stakeholder's requirements which allows the Corporation to improve our services.
- Addressing queries from stakeholders through various means of communication such as the website, emails and social media.
- Establishing Memorandums of Understanding (MoU), business partnership agreements and other mutual working arrangements with stakeholders.

##### **b) How is the Corporation planning to meet the following objectives and strategies in an effort to strengthen its stakeholder engagement:**

##### **• Improve community engagement.**

We improve community engagement through our marketing and awareness programmes, Will awareness presentations, public outreach, the use of internet and social media to name a few.

In 2019 the Corporation's awareness included:

- 32 Workplace presentations and community outreach awareness;
- 2 radio talkback show sessions in iTaukei & Hindi stations;
- 2 Expositions attended with other agencies and NGO's;
- 7 Charitable and civil society group advocacies.

- **Promote knowledge and benefit of its services;**

Promoting knowledge and benefits of our services are the main objectives of our marketing and awareness strategies.

This would include:

- The use of technology which is now one of the most effective and efficient means of sharing knowledge through our website, social media, and in attending to email queries.
- Community talanoa sessions;
- Talkback shows in the local radio stations;
- Radio and social media promotions and advertisements.

- **Enhance better working relationships and understand stakeholders.**

For improving relationships, we work through Memorandum of Understanding with stakeholders, holding stakeholder meetings and working in collaboration with stakeholders. *(MoU's with FRCS, local governments and working relationships through existing legislations with others).*

2. **What plans are in place to extend the Corporation's services to those living in rural and maritime areas, villages and peri-urban centers?**

Currently the Corporation provides its services through collaboration with government centers, district and provincial offices and rural and town councils in order to extend its services to rural and maritime areas, villages, and peri-urban centers.

In addition, we visit these areas through our marketing and awareness programmes and when attending to estate and trust inspections in these areas through estate and trust administration services.

During the pandemic it was encouraging to see how people in these areas used internet services and social media for communication and services. Our plans on technological advancement enables the Corporation to provide online services accessible to people through government centers in rural areas.

3. **Are there plans to establish FPTCL Offices in other areas of the country, considering the Corporation's important role and the high uptake of its services by Fijians?**

To establish FPTCL offices in other areas of the country will have to be assessed on the need for our services and the ability of the office to operate sustainably, while providing services to the people. It has to be a commercial decision for the viability of the Corporation as a public enterprise.

However, the services of the government funded Legal Aid offices in these areas has been a great help as they also provide similar services to the people free of charge.

4. **In terms of Government's pledge to leaving no one behind, how has FPTCL ensured the inclusion of people living with disabilities through its service provision and programmes?**

This is an area that we are currently working on such as addressing access to our premises and providing services to those living with disabilities. However, our officers visit people with disability, the elderly and those who are bed ridden to access our services.

**5. Provide details of how the Corporation aligns its programmes and services towards the achievement of the Sustainable Development Goals.**

The Corporation contributes to the achievement of the Sustainable Development Goals through the following target areas:

**a) SDG#5 – Gender Equality**

Where the goal is to achieve gender equality and empower all women and girls. The percentage of women who were employed at the FPTCL at the date of this report was 65% women and 35% men. Furthermore, 50% of women are in managerial positions and they also makeup 75% of the Board composition.

The Corporation's employment and recruitment policy encourages equal opportunity for employment. A sexual harassment policy is also in place, and we do not tolerate violence against women and children amongst staff.

**b) SDG#8 – Decent Work and Economic Growth**

This goal has become an important one, especially after the global pandemic whereby unemployment has become prevalent. The FPTCL did not downsize or laid off any staff due to the impact of the pandemic but has continued to create the much-needed employment for its people.

The FPTCL's core business resulting from the transfer of wealth through succession and estate administration promotes development and economic growth.

**c) SDG#16 – Peace, Justice and Strong Institutions**

The Corporation continues to develop and implement policies, standards and practices that promotes accountability and transparency while striving to become a strong and sustainable institution. This includes our compliance to the International Financial Reporting Standards, audit of our accounts in accordance with international auditing standards and adherence with other legislations in the business.

We encourage responsive, inclusive, participatory, and representative decision making at all levels through our "open door" policy within the organisation.

In dealing with corruption, policies such as Whistle Blowing policy, Gifts and Entertainment Policy, and our continuous development and upskilling of our people on corporate governance issues.

Corporate governance in the corporation includes the existence of Board sub committees such as the Audit, Risk and Governance subcommittee and the Legal Human Resource subcommittee. There responsibilities and roles are as highlighted on page 11 of the Annual Report 2019.

**6. What was the impact of the COVID-19 pandemic on the operations of the Corporation, lessons learnt, and the business continuity and risk management plans implemented as a result?**

The impact of COVID-19 pandemic on the operations saw reduction in client services, loss in returns on investments and the psychological impact on our human resources.

The pandemic also provided some opportunities with areas of improvement for the organisation which included:

- Implementation of online services and digitisation of records and processes,
- The introduction of remote and virtual work operations ensures business continuity.
- In terms of risk management, the Corporation updated its Risk management policy and carried out an IT disaster recovery exercise to assess readiness of systems and the ability to support critical business functions and recovery after a disaster.

The Corporation is currently undergoing reengineering exercise to improve services with the use of technology, i.e. Document Management System, Customer Relationship Management System, online services, webchats, and the use of social media to better engage with the public and guarantee business continuity.

#### **FPTCL Financial Statements for the Year Ended 31st December 2019**

- 7. Provide us with the audited special purpose financial statements for the year ended 31 December 2019 for the Trusts & Estates under Administration and explain why it was not published in the 2019 Annual Report.**

The Trusts and Estates Administration special purpose financial statements is an internal and special purpose report for the Corporation. The Corporation is not mandated to publish this special purpose financial statements. However, Note.14 (*Trusts and Estates under Management*) of the Corporation's Financial Statement provides the disclosures and a summary of the Trust and Estates under administration.

- 8. We note that the auditor issued an unmodified opinion on the 2019 accounts of FPTCL in respect of the three matters highlighted on page 29 of the Annual Report. Confirm whether these have been rectified.**

1. The Trust & Estates under Administration financial statements was audited by Ernst & Young chartered accountants and Note.14 provides the disclosures of the financial statements in compliance with the accounting standards.
2. Note 20 – Highlights the names of persons who are directors and executives with the benefits paid for the financial year end 31<sup>st</sup> December 2019. There are no additional benefits paid other than the remunerations disclosed.
3. There were no adjustments made to the financial statements as of 31<sup>st</sup> December 2019 for the impacts of COVID-19.

We thank the committee for this opportunity.

# **APPENDIX II**

## **Verbatim Report on the Fiji Public Trustee Corporation Public Submission**



**VERBATIM REPORT OF THE MEETING OF THE STANDING COMMITTEE ON SOCIAL AFFAIRS HELD IN THE SMALL COMMITTEE ROOM (WEST WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS, ON WEDNESDAY, 8<sup>TH</sup> JUNE, 2022 AT 9.10 A.M.**

**Interviewee/Submittee: Fiji Public Trustee Corporation Pte Limited (FPTCL)**

**In Attendance:**

- |    |                       |   |                                    |
|----|-----------------------|---|------------------------------------|
| 1. | Mr. Antonio Takala    | - | Chief Executive Officer            |
| 2. | Mr. Kirtan Kapoor Lal | - | Manager Finance and Administration |
| 3. | Ms. Priya Lal         | - | Manager Legal                      |
| 4. | Ms. Kirtika Natasha   | - | Communications & Marketing Officer |
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MR. CHAIRMAN.- Honourable Members, I declare this meeting of the Standing Committee on Social Affairs open. We are now live on Parliament television and *Facebook*, so everyone is aware and we are hearing evidence from the Fiji Public Trustees Corporation Limited (FPTL) in relation to its operational and financial performance for the 2019 financial year.

Today's hearing is open to the public and I welcome members of the public and the media who may be viewing this broadcast. I remind everyone in this room that mobile phones are to be switched off, witnesses are reminded that the evidence given to the Committee is protected by Parliamentary Privileges. It is important for witnesses to be aware that giving false or misleading evidence to the Committee may also be a contempt of the Parliamentary privileges. If, at any stage, a witness wishes to give part of their evidence in camera, he or she should make that request to me as Chairman and the Committee will consider their request.

Today, we have with us the Chief Executive Officer (CEO) of FPTL, Mr. Antonio Takala. We also have their Manager Finance and Administration, Mr. Kirtan Kapoor Lal; Manager Legal, Ms. Priya Lal; and Communications and Marketing Officer, Ms. Kirtika Natasha. So, we welcome the CEO and his team, and we have 45 minutes with you, I believe.

Before we proceed further, I will let the Committee Members introduce themselves.

(Introduction of Committee Members)

MR. CHAIRMAN.- The normal procedure is that, we invite witnesses to make an opening statement and introduce themselves, after which we will hear your response to the Committee's queries which we had sent earlier and then you can make yourself available for questions from the Committee.

MR. A. TAKALA.- Thank you, Mr. Chairman and honourable Members of the Committee. The FPTL have much pleasure in providing our response to the 2019 Annual Report as has been tabled.

Mr. Chairman, FPTL's performance for 2019 as outlined in the Report, overall the services that we provide to Fijians as we continue to outline remains the same with additional services that we have introduced in the last couple of years. We have extended those services as much as we can throughout Fiji.

Just to highlight again, the Fiji Public Trustee is a public enterprise, therefore, we operate without any cost to Government. We continue to operate through reasonable fees and charges for our services. It is gazetted and we continue to try and operate as a business, while at the same time, providing services to the people. So it is bit different from a government department which is fully funded, and in this one we operate as a business. We try to maintain business to be sustainable, but at the same time providing service as far as we can to the people of Fiji.

Over the years, we have also seen some positive financial results in our business that has improved over the years through some investments that we have been doing from surplus funds after expenses in operations, and that is also reflected in our 2018 Report.

Core business saw some growth and also we are starting to see the people of Fiji knowing more about our business, and we continue to see the increase in the number of people interested, for example, in doing Wills, in doing estates and family trusts, et cetera. So this is the service that we have been providing since incorporation in 2006.

On top of that, one of the things we have been working on is customer service, ensuring that we continue to provide better and faster customer service to suit the type of customers we currently have. Customers' demands have continuously changed. Similarly, we have continued to try and improve the way we provide our service to ensure that customer service remains a priority for us, not only as a service that we are providing, but in maintaining this as a sustainable public enterprise.

We continue to work on transforming our people and culture within the organisation as well. This is 2019, but after 2019 and after COVID-19, a lot more changes are required of us, and I think that will be in other reports that will probably come later to the Committee.

Very interestingly too, we have tried to ensure that corporate governance remains a core part of the business and that is the creation of sub-committees within the company from the Board, and how the Board has continuously introduced audits, ensuring policies and operating procedures are in place when we are doing business. We continue to try and improve corporate governance over the years and that has been very much part of the new business as we operate now.

One of the things we have seen is stakeholder relationship, as the Committee has also picked up on that. That is a very important part in the business, especially for us in dealing with customers and also with a lot of agencies. It is important that our stakeholder relationship continues to improve. There are lot of changes happening within our stakeholders as well that we need to comply with and that, for us, builds the fundamentals of providing better services within the turnaround time, et cetera, through better relationship with stakeholders. That is very much what covers the Report, Mr. Chairman, and the details of financials are also outlined.

There are some highlights on the value of estates that we look after. In 2019, it was sitting at \$67.1million and of this, 58 new estates were accepted to the value of \$7.8million in 2019. Mr. Chairman, 4,293 registered Wills are with us, from which 290 were drafted and 55 executed in 2019. The total value of Trusts in 2019 sat at \$13million in 2019, 66 new Trusts were accepted at a value of \$66,000. The Corporation's net value as at 31<sup>st</sup> December was \$17 million; 6,861 Trusts administered as at 31<sup>st</sup> December, 2019; 1,895 deceased estates as at 31<sup>st</sup> December, with over 11,000 beneficiaries involved in that; 30 permanent staff and of those, 65 percent are female and 35 percent male.

In 2019, there was a partnership signed with Telecom Fiji Ltd, Fiji Revenue and Customs Service and as I was explaining, those are some of the areas in which we are trying to strengthen stakeholder relationships and that was also done in 2019.

We assisted eight charities in the value of \$130,000 in 2019 from estates that bequeath their estates to be shared to charities, et cetera. So, roughly, that is the highlight, Mr. Chairman, on the Annual Report and we are open for questions that you might have. Thank you.

MR. CHAIRMAN.- CEO, you will also respond to the questions which we have sent and also for the benefit of our viewers, please, read the questions and then you can proceed with your responses.

MR. A. TAKALA.- Thank you, Mr. Chairman.

**Question No. 1: On stakeholder engagement, how is stakeholder engagement and satisfaction analysed?**

Mr. Chairman, maintaining good stakeholder engagement is one of the key strategies in enabling the organisation to achieve its corporate goals. We assess satisfaction levels through:

- conducting survey online and the results are analysed.
- collecting feedbacks and gathering information during community awareness and outreach programmes.
- feedback gathered by our officers dealing with stakeholders requirements, which allows the Corporation to improve its services.
- addressing queries from stakeholders through various means of communication, such as the website emails, social media, et cetera.
- Establishment of MOUs; and
- business partnership agreements and other mutual working arrangements with stakeholders.

**(a) How is the Corporation planning to meet the following objectives and strategies in an effort to strengthen its stakeholder engagement?**

Through improving community engagement. Mr. Chairman, we improve community engagement through our marketing and awareness programmes, Will awareness presentations, public outreach, the use of internet and social media, to name a few.

In 2019, the Corporation's awareness included:

- 32 workplace presentations and community outreach awareness;
- Two radio talkback show sessions in *iTaukei* and Hindi Stations;
- Two expositions attended with other agencies and NGOs; and
- Seven charitable and civil society group advocacies.

**(b) How do we promote knowledge and benefit of its services?**

Promoting knowledge and benefits of our services are the main objectives of our marketing and awareness strategies. These include:

The use of technology which is one of the most effective and efficient means now of sharing knowledge through our website, social media and in attending to email queries.

- Community *talanoa* sessions.
- Talkback shows in the local radio stations.
- Radio and social media promotions and advertisements.

**(c) How do we enhance better working relationships and understanding stakeholders?**

As mentioned in the highlight for improving relationships, we work through MOUs with stakeholders, holding stakeholder meetings and working in collaboration with stakeholders. So, in 2019, there was an MOU with FRCS. In 2020-2021, we signed memorandums with some local governments and working relationships through existing legislation with others.

**Question No. 2: What plans are in place to extend the Corporation's services to those living in rural and maritime areas, villages and peri-urban centres?**

Currently, the Corporation provides its services through collaboration with Government centres, District and Provincial Offices and Rural and Town Councils in order to extend its services to the rural and maritime areas, villages and peri-urban centres. In addition, we visit those through our marketing and awareness programmes and when attending to estate and trust inspections in these areas through our Estate and Trust Administration Services.

During the pandemic, it was encouraging to see how people in these areas even used internet services and social media for communication and services. Our plans on technological advancement enables the Corporation to continue to provide online services accessible to people, especially through Government centres in rural areas.

**Question No. 3: Are there plans to establish FPTCL Offices in other areas of the country, considering the Corporation's important role in the high uptake of its services by Fijians?**

Mr. Chairman, to establish FPTCL Offices in other areas of the country will have to be assessed on the need for our services and the ability of the office to operate sustainably, while providing services to the people. It has to be a commercial decision for the viability of the Corporation as a public enterprise.

This being said, the services of the Government-funded Legal Aid Offices in these areas has been a great help, as they have also provided similar services to the people free of charge.

**Question No. 4: In terms of Government's pledge to leaving no one behind, how has FPTCL ensured the inclusion of people living with disabilities through its service provision and programmes?**

This is an area we are currently working on, such as addressing access to our premises and providing services to those living with disabilities. However, Mr. Chairman, our officers do visit people with disability, the elderly and those who are bedridden to access our services whenever required.

**Question No. 5: Provide details of how the Corporation aligns its programmes and services towards the achievement of the Sustainable Development Goals (SDGs)?**

The Corporation contributes to the achievement of the SDGs through the following targeted areas:

- (a) **SDG 5 – Gender Equality:** The goal is to achieve gender equality and empower all women and girls. The percentage of women who are employed at FPTCL at the date of this Report was 65 percent and 35 percent men. Furthermore, 50 percent of women are in managerial positions and they also make up 75 percent of the Board composition. The Corporation's Employment and Recruitment Policy encourages equal opportunity for employment. A Sexual Harassment Policy is also in place and we do not tolerate violence against women and children amongst staff.
- (b) **SDG 8 – Decent Work and Economic Growth:** This goal has become an important one, especially during the global pandemic where unemployment has become prevalent. The FPTCL did not downsize or lay off any staff due to the impact of the pandemic, but has continued to create the much-needed employment for its people. The FPTCL's core business, resulting from the transfer of wealth through succession and estate administration, also promotes development and economic growth.
- (c) **SDG16 – Peace, Justice and Strong Institutions:** The Corporation continues to develop and implement policies, standards and practices that promote accountability and transparency, while striving to become a strong and sustainable institution. This includes our compliance to International Financial Reporting Standards (IFRS), audit of our accounts in accordance with the International Auditing Standards and adherence to other legislations in the business.

We encourage responsive, inclusive, participatory and representative decision-making at all levels through our 'open door' policy within the organisation. In dealing with corruption, policies such as the Whistle Blowing Policy, Gifts and Entertainment Policy and our continuous development and up skilling of our staff on corporate governance issues contributes to that.

Corporate governance in the Corporation includes the existence of Board sub-committees, such as the Audit, Risk and Governance Subcommittee and the Legal and Human Resource Subcommittee. Their responsibilities and roles are highlighted on page 11 of the Annual Report.

**Question No. 6: What was the impacts of COVID-19 pandemic on the operations of the Corporation?**

Lessons learnt and the business continuity and risk management plans implemented as a result. The impact of COVID-19 pandemic on the operations saw a reduction in client services, loss in returns on investments and also the psychological impact it had on our human resource. The pandemic also provided some opportunities with areas of improvements for the organisation, which included the implementation of online services and digitisation of records and processes, the introduction of remote and virtual work operations, thus ensures business continuity.

In terms of risk management, the Corporation updated its Risk Management Policy and carried out an IT disaster recovery exercise to assess readiness of the systems and the ability to support critical business functions, and recovery after a disaster. The Corporation is currently undergoing re-engineering exercise to improve its services with the use of technology, such as Document Management System, the Customer Relationship Management System, online services, web chats and the use of social media to better engage with the public and guarantee business continuity.

**Question No. 7:** Mr. Chairman, on the FPTCL's Financial Statements for the year ended 31<sup>st</sup> December, 2019, it says for us to provide the audited Special Purpose Financial Statements for the year ended 31<sup>st</sup> December, for Estates and Trusts under administration and to explain why it was not published in the 2019 Annual Report.

The Trust and Estates Administration's Special Purpose Financial Statement is an internal and special purpose report for the Corporation. The Corporation is not mandated to publish the Special Purpose Financial Statements, however, Mr. Chairman, Note 14 of the Financial Statement outlines the Trusts and Estates under management of the Corporation's Financial Statements, which provides a disclosure and summary of the Trust and Estates under administration.

**Question No. 8:** We note that the auditor issued an unmodified opinion on the 2019 accounts of FPTCL in respect of the three matters highlighted on page 29 of the Annual Report. Confirm whether these have been rectified?

1. The Trust and Estates Administration Financial Statements were audited by Ernst & Young Chartered Accountants and Note 14 provides the disclosures of the Financial Statements in compliance with the accounting standards.
2. Note 20 highlights the names of persons who are directors and executives with the benefits paid for the financial year 31<sup>st</sup> December, 2019. There are no additional benefits paid, other than the remuneration disclosed.
3. There were no adjustments made on the Financial Statements as of 31<sup>st</sup> December, 2019 for the impacts of COVID-19, mainly because it was in a separate financial year. Most of the impacts were in 2020 and 2021.

Mr. Chairman, those are the answers to the queries and questions.

MR. CHAIRMAN.- Thank you, CEO, for the presentation provided to the Standing Committee on Social Affairs, and also the responses to the questions that were sent to you. Now, I will open the floor for honourable Members to ask further questions.

HON. S.V. RADRODRO.- Thank you, Mr. Takala, for your presentation on your core business and the organisation. I note that the three core business are Will making, Trust Administration and Estate Administration. Perhaps, you will realise and appreciate that in a society such as Fiji, Will making or Will preparation is not something that we are, kind of, comfortable with or we make it our priority while we are still alive.

In that sense, if you can just explain, for example, if someone has FNPF where there is clear nominations done with FNPF and they have passed away, how is that administered? Does FNPF have the mandate to implement the nomination as in the FNPF and if that person has a property and there is no Will, does that property go to the Trust administration or to the Estate administration? If you can highlight what specifically goes to the Trust administration, what goes to the Estate administration and what goes to those kind of institutions whereby members or persons may have indicated their nominations before they pass away? Thank you.

MR. A. TAKALA.- Thank you, honourable Radrodro. On the FNPF nomination, the FNPF does not form part of the estate. That means the FNPF is governed by the FNPF Act and whatever nominations are outlined in that, that is how the distribution of FNPF will take place. If you do a

Will and then highlight there that you have FNPF, the FNPF Act will override that, so whatever nominations are there, that is how it is going to be distributed.

In terms of properties, for those that do not have a Will and pass on without having a Will, then your estate(s) will be distributed as what the law says, that it will be distributed according to the Act – the Succession, Probate and Administration Act.

The Succession, Probate and Administration Act highlights who are your next of kin, so your next of kin can, therefore, go and apply for the grant and then the Letters of Administration. They then become the trustee or the administrator who will administer those particular assets. The court is usually guided by that Act and consent will need to be given by all those who are the next of kin, that this particular person be the administrator who will do the distribution of that property.

For the Public Trustee, the Public Trustee for those who come and do their Will and want an independent administrator or an independent executor to distribute or administer their assets, that is when they come to us, do a Will and they appoint us to carry out that role. That role can be cumbersome and it requires a person whom we can trust and also people who know how to go about the distribution of assets, depending on the complexity of the assets.

That is the main difference in that. The one who has a Will, assets will be distributed according to the Will and those without a Will, it will be distributed according to what is outlined in the Act – the Succession, Probate and Administration Act.

MR. CHAIRMAN.- Thank you, CEO. Honourable Salote, any further questions?

HON. S.V. RADRODRO.- Yes, Mr. Chairman. Just a supplementary question to that in regards to the FNPF, as you have highlighted, they are mandated by the FNPF Act. What about in terms of minors, does it still remain with FNPF or is there a relationship between FNPF and Public Trustee in regards to the minors in the FNPF nominations?

MS. P. LAL.- Thank you for your question. With regards to minors FNPF, there was a legislation change in 2011 whereby the FNPF (Amendment) Act came into effect and that amendment basically said that all minors' funds that was previously with Public Trustee will now be deposited with the High Court of Fiji. Any applications by the minors' parents to release those monies will be made to the High Court of Fiji. So, as yet, we do not have any relationship with FNPF with regards to the distribution of monies but all applications are being brought to the High Court of Fiji for distribution of the minors' FNPF.

MR. CHAIRMAN.- Thank you. Honourable Nagata, your question.

HON. A.T. NAGATA.- Thank you, Mr. Chairman, and thank you, CEO, and your team. Just a follow-up question on supplementary question number 2 with regard to the services to those living in rural and maritime areas. What percentage of your clients are from rural and maritime areas? Does it only include estate owners?

MR. A. TAKALA.- Thank you for that question. We have a very small percentage of people in these areas. It would have been less than 5 percent, it is very minor and that is why we continue to deal with Government officers in those areas to assist us in providing our services to those estates and trusts.

HON. RATU T. NAVURELEVU.- Mr. Chairman, I wish to ask the question with regards to the same issue as honourable Salote Radrodro asked regarding the Will. In some cases and I stand to be corrected, there is no Will may be due to some negligence or due unforeseen reasons. We would not know, the owner does not nominate anyone to have the Will. Is there any provision for the Trust to go down further to investigate as to who is the maternal link who can be distributed with the Will?

MS. P. LAL.- Thank you for your question. With regards to that, if there is no Will, then the person has to fall back to the Succession, Probate and Administration Act and in that Act, there is section 6 which basically outlines the hierarchy in which distribution is to be done. So, if a person has died with no spouse and has children, then the distribution priority will be given to the children. So the hierarchy goes from children to parents, to siblings, to half siblings, and then to cousins and then it goes on further. That legislation basically establishes the hierarchy in which distribution is to take place.

With regards to establishing maternal links, I believe that is one of the common issues that we do face. What we do is, we seek the assistance of the Births, Deaths and Marriages Office. When we obtain the birth certificate or the death certificate, we do have the Vola ni Kawa Bula (VKB) registrations which also do assist us a lot in that estate administration.

MR. CHAIRMAN.- Honourable Vegnathan, your question.

HON. G. VEGNATHAN.- I think FPTCL plays a very important role for our people in our communities in Fiji as a whole. My concern is, with our outreach to the people - the broader community, do you engage services of Advisory Counsellors and *Turaga ni Koro* (Village Headman) in this to assist to reach out to the people?

MR. A. TAKALA.- Thank you, honourable Vegnathan, for that question. Yes, whenever we can reach out to rural areas and Advisory Councils, we do reach out to them. Over the years, we have not really been reaching out as far as that but we have been using social media and the mainline media in doing our reach out to these people. We do take that into account.

MR. CHAIRMAN.- CEO, as you have also mentioned, the service provided by the Legal Aid Commission around the country, as we all know, is a free service, so are you also working closely with them?

MR. A. TAKALA.- Thank you, Mr. Chairman. We believe the Legal Aid Commission has a market that it targets, especially those who are not able to afford our fees and they are reaching out to those people. In some instances, they have referred clients to us that they believe who have the capacity to pay the fees. Otherwise, we have been working side by side in trying to ensure we reach out to everyone.

HON. RATU T. NAVURELEVU.- Mr. Chairman, the question regarding the outreach programme, can you update us on the progress of the outreach programme?

MR. A. TAKALA.- In the last two years, due to COVID-19, we have not been really able to reach out physically to towns and cities as we usually do. So this year we have started that and last month, we were at the rural centre in Seaqaqa, we had a team there for one week. For the last two weeks, we were also in the Nadi area where we were mainly trying to reach out to farmers in those areas, et cetera. This month we will be moving back to the Central Division, the most populated area in Nasinu from Valelevu, Nakasi and Makoi. While people are there, we believe that we need to

reach out to most of them and make it more accessible for people to come to us for the services. So now, after COVID-19, things have really opened up and we have continued to try and use that.

Also, very interesting is the use of the social media. That is an area where we have seen a lot of queries coming out from there, so we have played live *talanoa* sessions on our *Facebook* pages where discussions are happening. This month, we will be rolling out one in the vernacular for the Hindi *talanoa* sessions, et cetera, as we are trying to reach out to more and more people on that.

HON. RATU T. NAVURELEVU.- Are there plans to reach out to rural villages?

MR. A. TAKALA.- Yes, for villages, we see that it is more effective for us going as part of all stakeholders, so when Government usually carries out its expositions in the rural areas, we see that as more effective rather than us just going to set up in a village and the numbers do not come out. So expositions like what Government used to do and then we join up with that it is more effective where people come out in numbers and they are accessible to the various services, including the Public Trustee service.

HON. G. VEGNATHAN.- Mr. Chairman, I am more concerned about my sugarcane farmers, so do you have plans to reach out to them, because I think whenever we have meetings, we have a large number of them attending because of the interest? We have also noted there are many instances where farmers do not have Wills and they run into all sorts of problems running to the Sugar Cane Growers Council, et cetera. Anything in plan for them?

MR. A. TAKALA.- Thank you, Mr. Chairman, we take that into account as well in our next outreach as we go out. Now, that the country is opening up, we usually attend their AGMs as part of our providing the information and services. We would also open to go out to those farmers whenever required.

HON. A.T. NAGATA.- In your experience, after Wills are written down, some estate owners might have new developments on their estates. Will there be any amendments done on the Wills to accommodate the new developments?

MR. A. TAKALA.- That is a very good question and a very real situation. One of the things we always encourage and market when we go out there is that, when your circumstances change, change your Will as well. So if you have bought another property, then you will need to come and change your Will to do that. Sometimes when you have additional children who come along the way, they are not included in the old Will, so you need to change the Will, and that does happen. So, in those situations what happen is that, the distribution will continue in accordance with the Will as it is and then, yes, the latest Will will take precedence over that.

MR. CHAIRMAN.- Thank you. We will just take one last question.

HON. S.V. RADRODRO.- Thank you, Mr. Chairman and thank you, Mr. Takala and Team for your enlightenment on these very important topics that we are discussing, particularly in regards to Wills.

In relation to the question raised earlier on by honourable Ratu Navurelevu in raising the level of awareness in rural communities and you also mentioned that you are networking with Government Ministries and Departments, I may suggest that a good forum to approach is the *Bose ni Yasana* which is currently happening right now across the country. I would really urge the organisation if you could request to be part of the presenters in the *Bose ni Yasana* because Government Ministries

and Departments do come around and make presentation. That will be a good opportunity as well to increase the level of awareness in rural communities.

MR. A. TAKALA.- Thank you, honourable Radrodoro. We will definitely take that into account.

MR. CHAIRMAN.- Thank you, CEO. I believe that is all for today and on behalf of the Standing Committee on Social Affairs, I would like to thank you for your time and for your presentation and also providing all the responses to the questions. Should we need any further information, our Secretariat will be in contact with you.

Once again, on behalf of the Standing Committee, thank you very much for your time.

The Committee adjourned at 9.52 a.m.