



OFFICE OF THE PRIME MINISTER AND FIJIAN IMMIGRATION DEPARTMENT
Management Response to the Issues raised by Standing Committee on Justice, Law and Human
Rights on the 2018-2019 Annual Report



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Question 1.

Can the Office of the Prime Minister enlighten the Committee what the Social Assistance to Vatukoula Goldmine Strike entails (noted in page 20)? Additionally, did the Ministry of Employment, Productivity and Industrial Relations assist in solving this issue?

Background

The plight of the former Emperor Gold Mines (now Vatukoula Gold Mines) workers started in 1991. Decades have since passed with many attempts made to resolve the issue.

The Solicitor General's office provided its legal opinion to Government on the matter in March 2019. It was stated that the employer correctly terminated the workers under their terms of contract.

Furthermore, that Government does not have any legal obligation to compensate the workers. However Government could make a policy based decision to make an ex-gratia payment to the workers in view of resolving the grievance issues.

OPM Update and Views

Government is not neglectful of the situation of the former Mine workers. Many attempts have been made over the years to address their concerns and bring the issue to some amicable solution.

The Ministry of Employment, Productivity & Industrial Relations (MEPIR) had engaged the FMWU around 2014. A settlement amount was considered as compensation through mediation. This figure included loss of earnings, compensation for humiliation and housing compensation for relocation.

However this approach was set aside after the Office of the Prime Minister (OPM) consulted the Solicitor General's office in 2019. The advice given was clear and definite. That Government is under no legal obligation to compensate the former workers. However there is space to settle this outstanding issue through an ex-gratia payment (payment made without the giver recognising any liability or legal obligation) via a policy based decision.

Subsequently a Cabinet Paper was prepared and consultations held with the Solicitor General's office, the Ministry of Economy and MEPIR. An offer of an ex-gratia payment was made to the FMWU in 2020 which was eventually rejected despite numerous attempts to find common ground.

In a recent letter from FMWU (December 2021), the FMWU claimed that a compensation of \$2.0 million per former worker would be suffice as restitution for 30 years of suffering and to meet the needs of their families. This was in contrast to legal advice received by OPM that it was not legally obligated to offer compensation.

It is in the best interest of all parties that this issue is settled. Prolonging such an issue only leaves a stain on Fiji's history. However the FMWU must offer a compromise (or bring a new piece of information to the table for discussion) to be able resolve this issue.

Question 2

In line with its priority areas in terms of the Small Grant Scheme (SGS) (noted in page 21), please provide the list of 70 projects along with its estimated cost Value?

Management Response

The Office of the Prime Minister was allocated \$9m under the 2018/2019 National Budget for the Small Grant Scheme (SGS) Program to fund projects identified by the Prime Minister during his visits and consultations with the rural communities. The SGS funds aim to address the needs of the people in terms of assistance to school, water, electricity, foot bridges/crossing, and small scale income generating projects.

Of the \$9m budget allocation, a total of \$5,248,131.68 was utilized with a total of 70 projects funded during the financial year in the three (3) sectors i.e. Education, Village/Settlement and Other integrated.

Tabulated below the 70 projects and cost

No	Project Name	Project Type	Division	Sector	Payment 2018/2019
1	Abdul Aziz Khan, Vuci South Nausori	Boat Materials, Outboard Engine	Central	Individual	\$8,351.83
2	Ballantine Memorial School	Construction of Duplex and Single Teachers Quarters/Classroom Block and Kitchen	Central	Education	\$148,649.36
3	Batiki Nursing Station, Mua	Solar System	Eastern	Village	\$28,865.28
4	Biausevu Village Women's Group	Construction of Resource Centre	Western	Village	\$48,544.26
5	Biausevu Village, Nadroga Navosa	Flood Protection	Western	Village	\$157,081.53
6	Bocalevu Village, Macuata	Construction of Timber Crossing	Northern	Settlement	\$39,950.00
7	Bukuya Health Centre	Mortuary/Additional Costing	Western	Village	\$296,327.73
8	Cautata District School, Tailevu	Construction of 1*2 Bedroom Teachers	Eastern	Education	\$145,850.77
9	Cautata District School, Tailevu	Desk and Chairs	Central	Education	\$11,450.00
10	Dama District School, Dama, Bua	Construction of 7 Pan Ablution Block	Northern	Education	\$9,931.11

No	Project Name	Project Type	Division	Sector	Payment 2018/2019
11	Dogotuki District School, Macuata	Construction of 1x2 classroom	Northern	Education	\$27,255.55
12	Drauniivi Youth Club	Boat and engine	Western	Village	\$16,684.00
13	Fiji Scouts Association	Provision of washrooms, bathrooms and lightnings	Central	Settlement	\$8,472.00
14	Five (5) Women's Group in Tailevu (3) And Naitasiri (2)	Kitchen Utensils 5 Womens Group	Eastern	Village	\$31,732.54
15	Immaculate Conception College, Cakaudrove	Construction of 1x2 Bedroom Teachers Quarters	Northern	Education	\$15,000.00
16	Immaculate Conception Primary School, Solevu, Bua	Construction of 1x2 Classroom	Northern	Education	\$89,547.08
17	Installation of EFTPOS Machines At Matuku, Moce, Kabara and Ono I Lau, Lau Group	Installation of EFTPOS Machines At Matuku, Moce, Kabara and Ono I Lau, Lau Group	Eastern	Village	\$9,210.50
18	Kenani Settlement, BA	Construction of Ablution Block	Western	Settlement	\$16,000.00
19	Kia District School	Building Materials	Northern	Education	\$11,360.00
20	Kia District School, Macuata	Building Materials	Northern	Education	\$910.39
21	Korovou Settlement, Nabukaluka, Naitasiri	Extension of the Mains, Water Project	Eastern	Settlement	\$27,435.95
22	Korovuli Village Water Project	Water		Village	\$15,616.00
23	Kubulau District School	Construction of 1x2 classroom building	Northern	Education	\$96,485.29
24	Lekutu Government Station	100KVA Generator	Northern	Village	\$38,725.00
25	Logani Koro Makawa. Tailevu	Groundwater Project	Northern	Village	\$68,000.00
26	Lomaivuna High School	Assembly Shed	Central	Education	\$45,250.50
27	Mr Alataini Babiau Lokia	23 FT FibreGlass Boat /40 HP Outboard Engine	Central	Individual	\$16,434.00
28	Nabua Resource Center	Construction of Resource Centre	Central	Settlement	\$16,077.49
29	Nabukaluka District School Kindergarten, Daviqele, Nabukelevu Kadavu	Refurbishment of the Nabukelevu District School Kindergarten	Eastern	Education	\$58,454.68
30	Nabukaluka District School, Naitasiri	Construction of 1x2 Bedroom Teachers Quarters and School Fencing	Eastern	Education	\$147,608.20

No	Project Name	Project Type	Division	Sector	Payment 2018/2019
31	Naidrodro Settlement, BA	Construction of Ablution Block	Western	Settlement	\$24,500.00
32	Naivakacere Primary School	Clearance of Debt for Photocopier	Central	Education	\$8,142.25
33	Nalovo Cemetery, Nadi	Construction of the Ablution Block and Fencing	Western	Settlement	\$4,181.95
34	Narocake Nursing Station	Solar System	Eastern	Village	\$28,865.28
35	Nasau Village, Koro Island, Lomaiviti.	Clearing of Debris and Construction of Bridge	Eastern	Village	\$403,042.82
36	Naseyani Primary School	Construction of Dining Hall	Western	Education	\$76,446.17
37	Nasivikoso Village School	Construction of dining hall and kitchen	Western	Education	\$200,866.07
38	Nausori District School, Tailevu	Construction of Multipurpose Shed	Central	Education	\$155,579.34
39	Navala Catholic School	VSAT	Western	Education	\$11,616.79
40	Navala Village / Naitasiri Settlement / Kiuva Village / Vatoa Village Women's Group	Kitchen Utensils	Western	Village	\$33,083.80
41	Navala Village Qaliyalitina, BA	3 * TJ 45 Kawasaki Brushcutters	Western	Village	\$2,025.00
42	Navula Village, Navosa	Supply of Kitchen Utensils	Western	Village	\$7,323.44
43	Navuso Primary School, Naitasiri	Construction of 1x2 Bedroom Teachers Quarters	Eastern	Education	\$146,849.28
44	Nawaikama Nursing Station	Solar System	Eastern	Village	\$28,865.28
45	Nawaka Village Evacuation Centre	Completion of Nawaka Village Evacuation Centre	Northern	Village	\$15,992.57
46	Nubu Primary School	Construction of 1x2 concrete classroom block	Northern	Education	\$24,252.56
47	Qelemumu Primary School, Macuata	Construction of ECE Builing	Northern	Education	\$143,989.00
48	Qelemumu Primary School, Macuata	Construction of 1x2 Bedroom Teachers Quarters	Northern	Education	\$141,700.00
49	RA High School	Purchase of Double Bunk Beds and Mattresses	Western	Education	\$37,600.00
50	Raiwai Youth Hall	Retaining Wall and Fencing	Central	Settlement	\$269,077.57

No	Project Name	Project Type	Division	Sector	Payment 2018/2019
51	Raiwaqa	Lightings	Central	Settlement	\$20,553.04
52	Ralete Primary School, Nadi	20 Wooden/Chairs	Western	Education	\$3,100.00
53	Ratu Nacagilevu Primary School	Construction of 1*2 Bedroom Teachers Quarters	Eastern	Education	\$123,458.63
54	Ratu Veikoso Primary School, Tailevu	Construction of 1x2 Bedroom Teachers Quarters	Eastern	Education	\$145,850.77
55	Rokotuivatu District School	VSAT	Central	Education	\$11,616.80
56	Rukurukulevu Village	Construction of Gym Shed/Net	Western	Village	\$16,015.81
57	Sawanikula Primary School, Naitasiri	Construction of 1x2 Duplex Teachers Quarters	Eastern	Education	\$170,040.00
58	Suva Methodist Primary School	Renovation and Ablution Block	Central	Education	\$165,911.84
59	Suvavou Kindergarten, Suvavou Village	Construction of 1x2 classroom /Additional Funding	Central	Education	\$33,913.56
60	Tailevu North College	Construction of 5 x 2 Bedroom Teachers Quarters	Central	Education	\$304,277.90
61	Tamusua Nursing Station	Completion of Nursing Station	Western	Village	\$190,993.00
62	Tavua District School	Completion of First Floor Classroom - SGS/Additional Funding	Western	Education	\$142,584.38
63	Tubou Community Resource Centre, Lakeba Lau	Upgrading	Eastern	Village	\$122,680.93
64	Uluivalili College	Construction of 1x2 Bedroom Quarters	Northern	Education	\$268,047.00
65	Veiuto Primary School	General Upgrading of The Swimming Pool	Central	Education	\$307.48
66	Veiuto Primary School	General Upgrading of The Swimming Pool	Central	Education	\$10,191.50
67	Vio Island, Lautoka	40 HP Outboard Engine/2 Safety Kit	Western	Village	\$10,110.03
68	Vunisei District School, Naceva, Kadavu	Completion of Footpath at School- Materials	Eastern	Education	\$3,466.90
69	Vuya District School, Nabouwalu, Bua	Construction of 1*2 Classroom Building	Northern	Education	\$87,531.90
70	Sawaieke Village Hall	Logistics for Gau Secondary School	Eastern	Village	\$2,220.00

No	Project Name	Project Type	Division	Sector	Payment 2018/2019
TOTAL					\$5,248,131.68

Question 3

On Gratuitous/Donor Aided projects, referred to in page 22 of the report, can the Committee be updated on the 10 projects are still on feasibility study, defect liability period and ongoing stages

Management Response

In 2018 to 2019, one new project was undertaken and completed while 10 projects are still on feasibility study, defects liability period and ongoing stages.

The completed project was the renovation of a newly State House Squash Court. The Memorandum of Understanding (MoU) for the reconstruction of the Wellness Center of the State House was signed on 30th April 2018 between the Republic of Fiji and the People's Republic of China. Reconstruction of the Wellness Center commenced on 1st July 2019 and completed on 22 August 2019 at a cost of FJ \$2 million. Construction content being renovating a single-story building (formerly used as a squash court) to a gym. The scope of the newly renovated gym are:

Below List of 10 projects.

#	Name of project	Status
1	2 nd Phase of Mushroom	On going
2	2 nd Phase of Rice Development	On going
3	Construction of Jetties	Feasibility study
4	Renovation of Sports facilities	Feasibility study
5	Vunidawa Sports Complex	Feasibility study
6	Valelvu Sports Complex	Feasibility study
7	Vatuwaqa and Stinson Bridge	Defect Liability Period
8	Penang Mill	Feasibility study
9	Saint John Bosco playground	Feasibility study
10	USP Dormitory	Feasibility study

Question 4

In reference to the Rotuma Subvention Fund (noted in page 23) it was noted that this Fund was not utilized due to the non-submission of the audited accounts by the Council of Rotuma; clarification is sought on any progress on this issue?

Management Response

The Rotuman Community through the Council of Rotuma was allocated \$240,000.00 under the 2018/2019 Budget i.e. 55% for Operational and 45% Development Funds. During the reporting year, the Rotuma Subvention Fund was not utilized due to the non-submission of the audited accounts by the Council of Rotuma

2019 Annual Account was audited and funds commenced released in 2021-2022 financial year.

Question 5

Updates on the 10 Jetties, Valelevu Sports Complex and Renovation of Sports facilities

Management Response

10 Jetties

The Chinese Technical team conducted the feasibility of the ten (10) jetty sites. Of the 10, 2 jetty sites had been feasible based on the locality and economical routes:

- i. Kiuva Jetty at Kiuva village service between Natovi and Suva; and
- ii. Korolevu Jetty at Korolevu, Nadroga service between Suva and Lautoka Jetty.

Valelevu Sports Complex

The Chinese Technical team had conducted the feasibility study at Valelevu ground adjacent to the Valelevu Multipurpose center but due to the land size it cannot accommodate the stadium and other facilities.

Renovation of Suva Sports Facilities

The Chinese Technical team had arrived in March 2022 and work commenced for the renovation of Hockey center and Aquatics center.

Question 6

List of the categories of permits and number of permits that were approved

Management Comment

The categories of permits are Exemption Permit, Investor Permit, Residence Permit, Special Purpose, Student Permit, Visitor Permit, and Work Permit. The number of permits that were approved is 14,321.

Question 7

With reference to Integrated Passport Issuance System, how does the office ensure maintenance of its security against major security threats, given the development in technology and rise in technology related threats?

Management Comment

Department is strongly guided by its SOP's and Regulation which allows to control process related security threats. The ePassport System is enclosed by a secured firewall and uses access controls as part of its security measures. Furthermore, security document signer certificates are also changed quarterly to ensure security of the document and the authenticity of the chip inside. One of the major security feature is the design of the passport itself. The document has hidden security features that have been systematically put in place.

Question 8

Can the Department of Immigration elaborate on the costs involved in regards to the partnership with Muelbauer High Tech International for the introduction of its e-Passport System?

Management Comment

Cost associated with the Partnership with MB is approximately €1,912,703.20 which is FJ \$4,385,354.02. The total cost of investment for 6 years is Euro \$3,460,755.00 which is approximately FJ\$7.8m to FJ\$8m. The cost includes of hardware, software, project implementation, installation, training, support and also the stock of yearly supply of ePassport Booklets.

Question 9

Are there any difficulties faced due to the transition to e-Passport system from the Machine-Readable Passports

Management Comment

The sudden power fluctuations and shut downs affect network system and delivery of services within specified timeline. Some of the challenges include power fluctuations and failures in Fiji causing network disruption which in turns affects the service delivery hours at times.

Question 10

In terms of movement of vessels are they required, when entering our ports, to inform Border Control of the type of cargo that they are carrying on board?

Management Comment

Not for Immigration; however is a requirement for other border agencies such as Customs and Biosecurity (responsible for movement of goods/cargo).

Question 11

In reference to page 36, there were 11 SOP's developed and reviewed by the Research and Development Section, clarification is sought for the following:

- (a) Does the section develop SOP's for other Department under the jurisdiction of the OPM?*
- (b) The 11 SOP's developed, how has this improved the respective departments?*

Management Comment

- a. Jurisdiction- No.
- b. The SOP's developed has significantly increased efficiency of the process. This resulted in faster turnaround times for application outcomes. This also boosted efficiency in relation to those process.

Question 12

In reference to page 44, regarding the qualified opinion of the Audit of the financial statement, clarification is sought on what measures has the Office and the Department put in place to rectify those issues?

Management Comment

- 1) Irregularities in revenue process
 - i. Revenue documents (receipts, cash analysis and bank lodgments) checked and verified by respective Managers daily in accordance with FID finance manual.
 - ii. Revised SOP for revenue collection and management.
 - iii. Revised Job Description's KPI for respective Managers states compliance to Finance regulation and practice.
 - iv. The receipts, cash analysis and bank lodgments are reconciled daily with IBMS by finance team.
 - v. Monthly reconciliations of BLC and revenue reconciliations, submitted to MOE.
 - vi. Quarterly visit to outer stations to ensure adherence to Department's financial manual.
 - vii. Checking process in Suva (receipts, cash analysis sheet, bank lodgment).
 - viii. Revenue reconciliation conducted monthly.

2) Immigration Bond Trust Fund Account

- i. Monthly reconciliation submitted on the 15th of every month to MOE.
- ii. Accurate reconciliations conducted within timeframe.

3) Anomalies in Payroll Expenditure

- i. Overtime and meal paid from correct allocation.
- ii. Department conducting monthly Payroll General Ledger (GL Reconciliation).

4) Listing for Security Bond held in Trust

- i. The Department as per the circular 03/2021-2022 has reconciled the substantiated Immigration Bond claimant listing till 31/05/2022 and has transferred the unsubstantiated trust monies to Consolidated Fund account 03/06/2022.
- ii. Monthly reconciliations will be performed by the Department to maintain the updated Immigration Bond claimant listing.

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