

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

THURSDAY, 1ST SEPTEMBER, 2022

[CORRECTED COPY]

CONTENTS

| | <u>Pages</u> |
|---------------------------------------------------------------------------------------------------|--------------|
| Minutes | 2259 |
| Communications from the Speaker | 2259 |
| Presentation of Papers & Certain Documents | 2259-2260 |
| Presentation of Reports of Committees | 2260-2268 |
| (1) Review Report – Electoral Commission Annual Report 2019 | |
| (2) Consolidated Review Report – Fiji Meat Industry Board Annual Report 2015-2017 | |
| (3) Review Report – Office of the Auditor-General Annual Report 2021 | |
| (4) Review Report – Office of the Auditor-General of the Republic of Fiji Compliance Audit Report | |
| Fiji Development Bank (Amendment) Bill 2022 | 2269-2271 |
| Financial Transactions Reporting (Amendment) Bill 2022 | 2271-2288 |
| Electoral (Amendment) Bill 2022 | 2288-2315 |
| Suspension of Standing Orders | 2315-2316 |
| Referral of Treaty to Committee – Standing Order 130 | 2217 |
| Review Report – Municipal Councils 2004-2019 Annual Reports | 2217-2332 |
| Review Report - Fiji Roads Authority 2016-2018 Annual Reports | 2332-2344 |
| Consolidated Review Report - Ministry of Forestry 2016-2019 Annual Reports | 2345-2352 |
| Consolidated Review Report – RBF Insurance 2019-2020 Annual Reports | 2353-2357 |
| Questions | 2357-2362 |
| <u>Oral Questions</u> | |
| (1) Provision of Planting Materials for Farmers (Q/No. 163/2022) | |
| (2) Clearing of Drains and Creeks – Rural Tailevu and Rewa Delta (Q/No. 164/2022) | |
| (3) Ministry of Fisheries Sectoral Contribution to GDP (Q/No. 166/2022) | |
| (4) Aging with Dignity Programme – Purpose and Plans (Q/No. 167/2022) | |

THURSDAY, 1ST SEPTEMBER, 2022

The Parliament met at 9.34 a.m. pursuant to adjournment.

MR. SPEAKER took the Chair and read the Prayer.

PRESENT

All Members were present, except the honourable Minister for Employment, Productivity and Industrial Relations, Youth and Sports; the honourable Dr. M.T. Naulumatua; the honourable Professor B.C. Prasad, the honourable S.V. Radrodro, the honourable T. Waqanika; and the 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, 31st August, 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. I also welcome all those joining us in the public gallery and those watching the live broadcast of the proceedings. Thank you for your continued interest in the workings of your Parliament.

In the public gallery today, we have some members of the Diplomatic Corp and also the Year 8 students of Vunidawa District School. You are most welcome and I trust that your time in Parliament will be enjoyable and educational.

PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS

The following Reports were tabled by honourable Ministers in accordance with Standing Order 38(1) and referred to the relevant Standing Committee for deliberation in accordance with Standing Order 38(2):

Standing Committee on Economic Affairs

1. Sugar Cane Growers Council – 2020 Annual Report (*Parliamentary Paper No. 47/2021*);
2. Sugar Cane Growers Fund – Annual Report 2020 (*Parliamentary Paper No. 49/2021*);
3. Sugar Research Institute of Fiji – 2020 Annual Report (*Parliamentary Paper No. 50/2021*);
4. Fiji Development Bank 2021 Annual Report (*Parliamentary Paper No. 81/2022*);
5. Reserve Bank of Fiji - Insurance Annual Report 2021 (*Parliamentary Paper No. 11/2022*)
6. Accident Compensation Commission Fiji - 2019 Annual Report (*Parliamentary Paper No. 42/2022*); and
7. Pacific Fishing Company Pte Limited - Annual Report 2019 (*Parliamentary Paper No. 89/2022*).

Standing Committee on Natural Resources

Ministry of Forestry – Annual Report 2019-2020 (*Parliamentary Paper No. 72/2022*);

Standing Committee on Public Accounts

Report of the Auditor-General of the Republic of Fiji - 2018-2019 Financial Statements of Government (*Parliamentary Paper No. 88/2022*);

Standing Committee on Social Affairs

1. Ministry of Youth and Sports - Annual Report 2019–2020 (*Parliamentary Paper No. 16/2021*);
2. Fiji Sports Council - August 2017 to July 2018 Annual Report (*Parliamentary Paper No. 01/2022*);
3. Levuka Town Council - Annual Report for the Year 2012 (*Parliamentary Papers No. 49/2022*);
3. Levuka Town Council - Annual Report for the Year 2013 (*Parliamentary Papers No. 50/2022*);
4. Tavua Town Council - Annual Report for the Year Ended 2015 (*Parliamentary Paper No. 52/2022*); and
5. Ba Town Council - Annual Report for the Year 2019 (*Parliamentary Paper No. 55/2022*).

PRESENTATION OF REPORTS OF COMMITTEES

Review Report - Electoral Commission Annual Report 2019

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, by way of introduction, the Standing Committee on Justice, Law and Human Rights was referred the Electoral Commission Annual Report 2019 and mandated to review the Annual Report and table its findings back to Parliament.

Mr. Speaker, Sir, like the other Committee Reports tabled this week, the Committee Report tabled today provides details of the Committee’s review of the Annual Report including the initial deliberation; the findings, and the concluding remarks by the Committee. I would like to mention a few highlights and activities for the Commission in 2019 that were identified from the review, which includes –

- The immense support provided to the Commission from development partners including the Election Commission of India and the Australian Electoral Commission, which included visits to the two respective jurisdictions for the purpose of observing their electoral operations;
- The Commission’s consideration of the final report by the Supervisor of Elections on the 2018 General Elections;
- Attending of a meeting with the Manager International, New Zealand Electoral Commission and attending election related programmes such as the Election Visitors Programme on 2019 General Elections to the Lok Sabha (House of the People) and some State Assemblies in India, and the Building Resources in Democracy, Governance and Elections (BRIDGE) Strategic Planning Workshop; and
- Attending official engagements, such as the launch of the Laws of Fiji website, Announcement of the 2019-2020 Budget Address, Fiji Day Celebration 2019, 243rd Anniversary of the Independence of the United States of America and Opening of the 21st Attorney-General’s Conference, to name a few.

Mr. Speaker, Sir, there were also standout matters noted from the Annual Report, that the Committee felt needed further deliberation, which included somewhat insufficient financial information recorded in the Annual Report. A few discrepancies were noted in the budget references and discrepancy in the recording of the number of Commission meetings. Mr. Speaker, Sir, all these matters were addressed accordingly by the Committee through discussions with the Commission.

Mr. Speaker, Sir, as a result of the review, the Committee identified few key findings, as follows:

1. The Electoral Commission had undertaken a review of the 2018 General Elections and had identified the main areas of improvements, which includes continuous assessment and monitoring responsibilities in key areas of the Electoral Management, with a focus on improving the process that guide the Commission's service delivery, and ensuring acceptability of the election process.
2. There have been key positive changes realised by the Electoral Commission, which strengthens its independence, and one of which is the ability of the Commission to control its own budget that is separate from the Fijian Elections Office.
3. It was encouraging to note the numerous activities and initiatives that the Commission is undertaking and is planning to undertake, which promotes gender equality and empowerment of women.
4. The Commission had demonstrated that it also prioritises reducing inequality and promotes political inclusion of everyone in Fiji and those who are living with disability.
5. I would like to reiterate one of the key challenges faced by the Electoral Commission which was the publication and spread of false and misleading information through online and social media platforms in the last General Election. This is the key issue we noted as the Committee that needs to be given enough consideration and address through necessary means, for example, changes to legal framework governing such publications.
6. Relevant amendment provided in Bill No. 49 of 2022, can cater for these issues highlighted by the Standing Committee on Justice, Law and Human Rights, regarding the challenges faced by the electoral management bodies during the 2018 General Election, which was misleading and false information flooding the social media platforms. This diverted necessary resources from the running of the election to trying to curb such unethical tactics during the election period.
8. Another point of discussion that was done with Electoral Commission was on the size of the ballot paper and what action would have been taken by the Electoral Commission in case of multiple parties. Little did we realise at that point in time, Mr. Speaker, Sir, that in this General Election we would have at least 10 registered political parties with potentially more than 500 candidates.
9. Having said that, the size of the ballot paper in 2018 was A3 size. The Committee had already suggested if the size of the box on the ballot paper can be increased a bit to easily locate the numbers. If the numbers of the candidates increases, then the size of the ballot paper will increase. If over 500 candidates contest the election, it will be impossible to fit the ballot paper books and other election materials in the ballot box for transportation.
10. In such scenarios, the law needs to be flexible and allow the Electoral Commission to determine the most practical means to transport the ballot paper securely and in a

transparent manner from the polling station to the national result centre. Therefore, there was a discussion that numbers allocated to candidates should be restricted to three digits. This will maintain consistency as well as not increase the size of the ballot paper.

Mr. Speaker, Sir, at the conclusion of the review the Committee acknowledges and commends the Electoral Commission for the strides it has taken in improving many areas of their service delivery in the electoral system in Fiji.

As honourable Members will note from the Committee's Report there were numerous achievements by the Commission including successful General Election in 2018, which was considered by Multinational Observer Group as having processes that were transparent and credible overall, and the outcome broadly represented the will of the Fijian voters. Additionally, it was noted that there were further improvements of processes for the election, and numerous initiatives that the Commission was undertaking to promote gender equality and empowerment of women and inclusion of all persons in Fiji.

Mr. Speaker, Sir, at this juncture, I would like to acknowledge the honourable Members of the Standing Committee, honourable Rohit Sharma, honourable Mosese Bulitavu, honourable Salik Govind, honourable Mikaele Leawere and former Member honourable Ratu Suliano Matanitobua for their deliberation and input, and alternate Members who made themselves available when the substantive Members could not attend, and the secretariat for their support. I also acknowledge the representatives of Fiji's electoral management bodies who kindly answered the Committee's request and made themselves available to answer pertinent questions which assisted the Committee with its work.

Mr. Speaker, Sir, before I close my address this morning, I take this opportunity on behalf of the Committee to commend the great work carried out by the Electoral Commission in terms of the work post-election and the work it has done, and is doing, to improve many areas of their service delivery in electoral system in Fiji, in anticipation of the upcoming General Election.

On behalf of the Committee I commend the Electoral Commission Annual Report 2019 to Parliament and request the honourable Members of this august Parliament to take note of the contents of the Committee's Report.

(Report handed to the Secretary- General)

HON. A.A. MAHARAJ.- Mr. Speaker, pursuant to the Standing Order 121(5), I hereby move:

A motion without notice that a debate on the content of this Report is initiated at a future sitting.

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

Question put.

Motion agreed to.

Consolidated Review Report – Fiji Meat Industry Board Annual Report 2015 – 2017

HON. V. NATH.- Mr. Speaker, Sir, the Standing Committee on Economic Affairs is pleased to submit to Parliament the Consolidated Review Report of Fiji Meat Industry Board Annual Report 2015–2017. The FMIB works with the mission of proving slaughtering and processing services in facilities that are internationally-benchmarked for safety, hygiene and quality.

As part of its deliberations, the Committee invited executives from FMIB to provide a submission for the period under review. It was noted that the industry has been facing numerous challenges which includes but are not limited to dwindling livestock numbers and high maintenance costs due to aged abattoir facilities.

The Committee made recommendation for FMIB to develop a multiyear strategic plan which systematically addresses these challenges and sets the organisation in the right direction. Furthermore, the Committee during its deliberation also noted the need to review the Meat Act of 1970.

The Committee recommended for FMIB to consider the option of vertical integration which would entail exploring the viability of having an own supply farm as part of a retail butcher. It will also enable FMIB to complement its supply of live animals and maintain the minimum throughput necessary. I would like to take this opportunity to extend our appreciation to the representative from FMIB for making time to present before the Committee.

Finally I would like to thank our Committee Members who were part of the team that produced this Report – Deputy Chair, honourable Veena Bhatnagar, honourable Sachida Nand, honourable Inosi Kuridrani and honourable Ro Filipe Tuisawau. I also take this opportunity to acknowledge and thank the parliamentary staff who have given us invaluable support.

On behalf of the Standing Committee on Economic Affairs, I commend the Review Report of FMIB Annual Report 2015–2017 to the Parliament.

(Report handed to the Secretary-General)

HON. V. NATH.- Mr. Speaker, Sir, pursuant to Standing Order 121(5), I hereby move:

A motion without notice that a debate on the contents of the Report is initiated at a future sitting.

HON. V.K. BHATNAGAR.- Mr. Speaker, Sir, I beg to second the motion.

Question put.

Motion agreed to.

Review Report – Office of the Auditor-General Annual Report 2021

HON. A.A. MAHARAJ.- Mr. Speaker, at the outset, I am pleased to present the Committee Review Report on the 2021 Annual Report of the OAG. The Committee reviewed the above-mentioned Report and provided the details of the review that was carried out by the Committee.

Mr. Speaker, Sir, the OAG is established under Section 151 of the Constitution of the Republic of Fiji and the Audit Act 1969 further specifies the powers of the Auditor-General to audit the Whole of Government Financial Statement and the Report of all entities of Government. It also empowers the Auditor-General to conduct Performance Audit of government entities to ensure Parliament that the entities are achieving their objective effectively and in doing so, economically and in compliance with the relevant legislation.

The Auditor-General is responsible on behalf of the Parliament to audit the accounts of all government agencies, state-owned entities, statutory authorities, municipal councils and provincial councils except for its own office and those entities that may be exempted by law.

The Auditor-General carried out the audit in accordance with the relevant provisions of the standards on the auditing issues by the Fiji Institute of Accountants or other relevant standards considered appropriate. Moreover, Section 152 of the 2013 Constitution of the Republic of Fiji states that at least once in every year, the Auditor-General shall inspect, audit and report to Parliament on:

1. The public accounts of the State;
2. The control of public money and public property of the State; and
3. All transactions with or concerning the public money or public property of the State.

Mr. Speaker, Sir, the Supreme Audit Institution (SAI) plays a critical role in strengthening governance, accountability and transparency in government. As such the Office of the Auditor-General (OAG) is expected to promote transparency and accountability through good governance of its own affairs in an ethical manner and within the ambit of law in order to fulfil its mandate. To assist in this crucial role, it is important that the OAG leads by example and be a model organisation.

Mr. Speaker, Sir, the UN resolution acknowledges the role of Supreme Audit Institution in fostering government accountability for the use of resources and their performance in achieving Sustainable Development Goal 16 – To promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. The OAG plays a critical role in ensuring efficient and transparent use of resources and the achievement of SDG target 16.6 which is to develop effective, accountable and transparent institutions at all levels.

In this regard, the Committee notes that whatever questions raised by the Auditors in terms of the utilisation and management of Government expenses, it is related to the achievement of SDG target 16.6. Through the execution of its mandate, the OAG promotes efficient, accountable, effective and transparent public administration and governance in achieving nationally and internationally agreed development plans. The SAI can also be considered as an oversight mechanism under the review and monitoring frameworks as evident in its inclusion in the National Development Plan (NDP) 2017.

For information, the OAG now prepares its annual financial statements using the International Financial Reporting Standards for Small and Medium-sized Entities known as IFRS, as the financial reporting framework. It is important to note that the OAG is funded through an annual one line appropriation by Parliament. This enables the OAG to fulfil its audit mandate on public sector entities and these includes financial audits, performance audits and special investigations. In the year 2021 financial year the budget appropriation stood at \$5,048,231 compared to \$5,606,269 in 2020, and it was noted that only 93 percent of their budget was utilised due to COVID-19.

Mr. Speaker, Sir, the Committee after carrying out a thorough review on the OAG's 2021 Annual Report, the Committee in a bipartisan approach agreed on the following recommendations;

1. The OAG partners with the line Ministries Head (Permanent Secretaries), Provincial Council and Municipal Councils to train their staff to prepare and submit quality draft annual financial statements for audit in a timely manner as by the OAG.
2. That a proper training plan be developed to be in line with the audit training needs of the staff so that they are able to better improve their performances and productivity; and
3. The OAG to conduct a comprehensive exit meeting to allow ministries and departments to rectify pertinent issues before tabling of audit report to Parliament.

At this juncture, I 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, honourable Ro Teimumu Kepa, honourable Virendra Lal and honourable Aseri Radrodoro. On behalf of the Committee I also acknowledge the Standing Committee on Public Accounts secretariat for their timely support throughout their scrutiny process that were undertaken, compilation and finalisation of this detailed report.

Mr. Speaker, with those words, I commend this Report to Parliament.

(Report handed to the Secretary-General)

HON. A.A. MAHARAJ.- Mr. Speaker, Air, pursuant to Standing Order 121(5), I hereby move:

A motion without notice that a debate on the content of this Report is initiated at a future sitting.

HON. J.N. NAND.- Mr. Speaker, I beg to second the motion.

Question put.

Motion agreed to.

Review Report - Office of the Auditor-General of the Republic of Fiji Compliance Audit Report

HON. A.A. MAHARAJ.- Mr. Speaker, this Report provides the Committee Review findings on the Report of the Office of the Auditor-General of the Republic of Fiji on Compliance Audits that were carried out on the:

1. Management of Unemployment Benefit; and
2. Management of Concessional Loan Package to Micro, Small and Medium Enterprises (MSMEs).

The Office of the Auditor-General undertook a compliance audit on the Management of Unemployment Benefit COVID-19 facilitated by the Ministry of Economy and administered by the Fiji National Provident Fund (FNPF) in 2020.

The audit's primary objective was to obtain sufficient and appropriate evidence to form a conclusion on whether the Ministry of Economy and Fiji National Provident Fund had paid COVID-19 unemployment benefits for workers in the tourism sector and the informal and formal sectors, is in accordance with the required criteria. Whilst the compliance audit objective on the management of MSMEs concessional loan package was to obtain sufficient and appropriate audit evidence to form a conclusion on whether (in all material aspects) the processes and internal controls are adequate and effective to ensure that only eligible MSME businesses benefited from the initiative.

Mr. Speaker Sir, under the Management of Unemployment Benefits Scheme, the Ministry of Economy is responsible for managing public finances in accordance with the Constitution and the Finance Management Act (FMA) 2004. Government made a commitment through the Ministry of Economy to provide financial assistance of \$150 per redundant worker business owners in the informal sector. Assistance was provided to those Fijians who had been affected due to the lockdown in Lautoka, Suva and Nasinu that were eligible for the financial assistance.

As per the COVID-19 response plan for redundant workers, the Government of Fiji budgeted

a total of \$210 million for redundancy and unemployment benefits of which \$60 million is subsidised by Government and \$150 million is provided through FNPF. As at 31st August 2020, a total of \$35.6 million has been paid under this COVID-19 response.

Government together with the FNPF also implemented relief packages to assist the FNPF members and employers in two phases as Fiji faced the economic impacts of the novel coronavirus (COVID-19). This saw the facilitation of the formal sector unemployment benefit pay-out. The Phase 1 Government subsidy financial assistance commenced on 1st April, 2020 and closed on 29th May, 2020 while Phase 2 was effective from 29th May, 2020 until 9th June, 2020 respectively, being paid out in three different categories.

As at 31st August, 2020, Government subsidy that has been paid out totalled up to \$80,576,019 to 73,721 eligible applicants. Recovery of over payment and implementation of recommendation can assist in ensuring the integrity of the Government's financial assistance data in the financial and the member information management system used by FNPF.

In addition the Ministry of Economy, through lessons learnt during pandemic, can develop and design detailed SOPs for similar programmes undertaken by the Government so that staff are able to carry out tasks correctly and consistently to reduce variation within a given process. Properly designed operating procedures will assist in enhancing accountability and transparency on the use of public funds. Processes and procedures for any detection of payment made in error or over-payment, can assist in significant saving in time, effort and costs, instead of determining and effecting recoveries after a significant time lapse.

In view of the above audit finding, the Committee noted that majority of the issues identified herewith have been taken into consideration with necessary implementation undertaken by the Ministry of Economy and these are:

1. Review of the Standing of Operating Processes (SOPs) to clearly define the detail roles and responsibilities of project partners including details on systematic application and verification processes;
2. The Ministry of Economy with the assistance of the World Bank under the Fiji Social Protection project has adopted a Cash Transfer Operations Manual for the unemployment cash assistance program. The manual defines the guiding principles and specifies the detailed arrangements and procedures with regards to eligibility criteria and procedures for the verification of beneficiaries and the amounts of cash transfers and so forth; and
3. A separate Cash Assistance Operations Manual (CAOM) developed with implementing partners and with the assistance of the World Bank will be adopted soon. The CAOM was developed for the \$360 payments and aims to :
 - (i) Provide operational clarity and guidance to decision makers and implementers of the UA Programme;
 - (ii) Specify the institutional arrangements, roles, responsibilities and accountability of the stakeholders in the UA Program operations; and
 - (iii) Validate the detailed procedures of the UA program operations to ensure consistency, timeliness and accuracy.

Under the Management of Concessional Loan Packages to Micro Small and Medium Enterprises (MSMEs), the COVID-19 pandemic has significantly impacted all businesses including Micro, Small and Medium Enterprises and as such, many are struggling with cash flow issues as revenue levels have

declined due to weak demand.

With the tourism industry coming to a halt and its adverse flow-on effects to almost all sectors of the economy, several businesses are struggling and unemployment has been on the rise. The Concessional Loan Package is provided to eligible MSME businesses with a five year repayment term including two year grace period with no principal or interest payment. The loan repayment will commence from the second year with the flexibility of a single annual repayment or even with the payments spread over the year. Interest calculation will be based on a simple interest method.

Mr. Speaker, Sir, based on the audit and evidence gathered, the MSME Concessional Loan Package programme was implemented with its intended intent however, there were instances where control measures were not effective to mitigate the risks associated with the programme. In addition, absence of comprehensive assistance risk assessments to identify potential risks and how these could have been mitigated, reflects that more awareness needs to be done on risks in planning for the delivery of such programmes.

At this juncture Mr. Speaker, Sir, it is important to state that the two programmes were rolled out during the severe health crisis whereby Fiji, with every nation on earth, was at war with coronavirus thereby resources and communications were limited. That being said, the Ministry of Economy and FNPF are taking necessary measures to address those issues and put in place mechanisms for future use on such programmes, through lessons learnt from and during the COVID-19 pandemic.

On a positive note Mr. Speaker, Sir, the success of the programme is largely attributed to the Public-Private Partnership (PPP) with participation of the Women in Business, Fiji Chamber of Commerce, Fiji Commerce and Employers Federation and Fiji Institute of Accountants. The commitment of the assessors to voluntary assess applications resulted in the survival of at least 6,000 Fijian owned MSMEs. It is also encouraging to note that through this programme, the private sector partners have formalised their partnership through the legal entity - Business Assistance Fiji - who have furthered their network with organisations such as Business Link Pacific and Fiji Development Bank to support MSMEs and the informal sector.

Overall, I thank the executives from the Ministry of Economy and Ministry of Commerce, Trade, Tourism and Transport for their responses to the audit issues that were raised and staff from the Office of the Auditor-General for providing technical clarifications on those issues. Most importantly, we acknowledge the two ministries efforts in addressing the gaps that were identified during the audit.

I 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 extend my appreciation to the Secretariat staff for their timely support in compilation and preparation of this Report.

With those few words, I commend this Report to Parliament.

(Report handed to Secretary General)

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, pursuant to Standing Order 121(5), I hereby move:

A motion without notice that the debate on the content of the Report is initiated at a future sitting.

HON. S. NAND.- Mr. Speaker, Sir, I beg to second the motion.

Question put.

Motion agreed to.

MR. SPEAKER.- Honourable Members, on that note we will take a break for morning tea. We now adjourn.

The Parliament adjourned at 10.17 a.m.

The Parliament resumed at 10.54 a.m.

FIJI DEVELOPMENT BANK (AMENDMENT) BILL 2022

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Monday, 29th August, 2022, I move:

That the Fiji Development Bank (Amendment) Bill 2022 (Bill No. 47/2022) 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, as in the introduction of the motion itself on Monday, we had highlighted that this particular amendment to FDB Act seeks to remove the word “servant” and “servants” from the Act to refer to its “employees” and refer them to “employee” and “employees” as opposed to servants. Servants, as you know, were the terms that were used predominantly during the Colonial period and this is essentially to bring it up into the 21st century.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion. Is there anyone wishing to take the floor? I have the lists here with your names emblazoned in

HON. I. KURIDRANI.- Sorry, Sir, I withdraw.

MR. SPEAKER.- Anyone else wishing to take the floor?

HON. RATU N.T. LALABALAVU.- Mr. Speaker, Sir, I rise to make my brief contribution on the amendment to the Bill that is before us. It may sound kind of trivial just to change the words “servants” to “employees”. But again it kind of brings to the fore the lightly impact of this trivial change where it is being presented where they are referring to it as something that we took on from Colonial past.

Again, we have people serving in this particular instance that have come through a career path that was well mapped out and clear and they were civil servants and servants of the country as a whole, Sir. But again to bring in employee, what are we opening ourselves here to? That is a question that we would like to raise here. What are we opening ourselves to? Are we bringing in some other people from outside to be referred to as employees? That is an area that we find it very, very sticky, Sir, and we hope that my colleague who will be speaking after me would be able to highlight this better, but I want to bring that to the attention of this august Parliament in this “slight amendment” as they put it, but in fact it has quite a lot of impact on it.

HON. S.R. RASOVA.- Mr. Speaker, Sir, I would like to participate in the motion on Bill No. 47 of 2022. I thank the honourable Leader of the Opposition with regard to the word “employee” being archaic or Colonial term for public servant. We have the public service, being a public servant to change it to “employees”. It is good that it is from the Fiji Development Bank. I do not know when the Government institutions will change the Acts of the ministries to employees. They are public servants and it is the integrity of that is public servant and we entrust them as a public servant.

As a public employee, now we have a Ministry of Civil Service, now it is going to be civil employees, public employees. You are doing it with FDB, imagine that you are going to transfer this to all the ministries to change the “servants” to “employees”; it is going to be public employees not public servants, it is not going to be Civil Service Ministry but Civil Employees. What is the secrecy behind this, the honourable Minister went and picked up the FDB. The FDB has been a national issue by this side of Parliament because of the monies that are guaranteed by the RBF of \$200 million, the loans that

are being done and the appointment of the CEO of Fiji Airways being the Chairman and also the former ANZ Bank employee being appointed in the FDB.

(Honourable Member interjects)

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

HON. S.R. RASOVA.- Don't carry out, you two!

(Laughter)

Yes, Mr. Speaker, Sir. What is the secrecy behind this, just to pin out that word in the Fiji Development Bank Act is something that we really need to know. The public has to know why the change because after that, they will change all the ministries and departments; that is our worry.

HON. P.D. KUMAR.- Mr. Speaker, Sir he posed that question and through you, I want to answer that question. He said, "Why are we changing this?" This is being changed to be consistent with all other legislations.

MR. SPEAKER.- Anyone else wishing to take the floor?

HON. MEMBERS.- No.

MR. SPEAKER.- Honourable Attorney-General, you have the floor to speak in reply.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, it is really quite amusing in respect of the contributions by the honourable Leader of the Opposition and honourable Rasova. Honourable Rasova, we are used to his shenanigans and honourable Lalabalavu - FDB staff are not civil servants, they are actually employees of FDB. I cannot understand why he is saying in his years of experience in Parliament and also as a Minister that he would say that FDB staff are civil servants, they are not. It is a statutory body and employees of statutory bodies are not civil servants. So he is fundamentally wrong in that instance.

Secondly, this whole conspiracy theory about what is going to happen, he may recall that we used to have a law called the Workmen's Compensation Act. Honourable Kepa agreed with us when we made an amendment to the actual title of the Act when we called it the "Worker's Compensation Act" because workmen's compensation meant only men who were workers and indeed that is a reflection of how things used to be. Women used to stay at home and the men used to go and work, but as we know from the Colonial times, British times and Victorian times, things have changed highly significantly. Honourable Lalabalavu I think is caught in a different century altogether now.

HON. A. SAYED-KHAIYUM.- ... Honourable Lalabalavu I think is caught in a different century altogether now. He needs to come into the 21st century as we are bringing all our laws into the 21st century. Honourable Rasova said, "Oh, we have the civil service and now they will be called 'civil employees'". We are not changing the word "service", we are changing the word "servants" and "servant" which is different to service. So again, he is kind of caught in his own conundrum, Mr. Speaker, Sir. So, it is a very basic issue. We have staff of FDB, young enthusiastic staff, people who are appointed on merit, they are doing fantastically well, they have developed technology, adopted technology and they do not want to be called servants, they want to be called employees and employee. It is very simple as that, Mr. Speaker, Sir and that is my contribution.

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

Question put.

Motion agreed to.

[A Bill for an Act to amend the Fiji Development Bank Act 1966 moved under Standing Order 51 passed and enacted by the Parliament of the Republic of Fiji. (Act No. of 2022)]

FINANCIAL TRANSACTIONS REPORTING (AMENDMENT) BILL 2022

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Monday, 29th August, 2022, I move:

That the Financial Transactions Reporting (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, we had on Monday when tabling this particular motion and indeed we discussed the merits of the Bill itself fairly significantly. I would like to, rather than regurgitating simply what the Bill is all about, it is set out very clearly in the explanatory note, Sir.

Just to highlight to Members on the other side in particular, that firstly as in response to what they had said on Monday, honourable Qereqeretabua again yesterday I think talked about the fact that, “oh, now when people remit money, they have to report it.” Well, actually they do. All remittances from overseas have to be reported and when we say reporting generally, Sir, not generally but reporting means that the financial institution has the obligation to report it to the Financial Intelligence Unit (FIU), not the person who is receiving the money, not the person who is actually depositing the money, not the person sending the money. It is a reporting obligation by the financial institution itself, so Mr. Speaker, Sir, that is one thing to allay. They need to understand that.

Secondly, honourable Gavoka had mentioned the other day also, the ease of doing business, it will affect. It will not affect ease of doing business because as far as the business is concerned, everything is normal. It is only at the backend that the reporting is done by the banks and as highlighted, Mr. Speaker, Sir, that majority of the transactions in Fiji are below \$10,000.

The honourable Members on the other side need to understand that when we have what we call inter-banking relationships, in particular through international borders and 9/11, the ball game as far as financial institutions and in particular international transactions are concerned has changed highly significantly, money is tracked now more than ever before and when our banks trade with international banks, before they give the tick off. They need to ensure that we have certain standards we adhere to. If other jurisdictions and indeed other international entities that monitor transactions find that the bulk of the transactions that are carried out on a daily basis in Fiji is not actually reported, they will raise a red flag, they will give a red tick, they will give a warning bell. So, our banks come further more under scrutiny.

If we have a reporting mechanism at the back end where other international institutions and banks know that bulk of the transactions are not below the radar but in fact are above the radar or on the raider I should say, then they will feel a lot more comfortable to trade with us, they will give a lot more credibility. They will have a sense that our financial system has integrity and indeed that there is no money laundering taking place or at least been picked up, there is no terrorism financing at least it has been picked up and other illicit transactions.

So, Mr. Speaker, Sir, they need to understand that that is the current paradigm as far as financial institutions are concerned in international trading. All we are simply saying, Sir, and the banks have all agreed to this, they have all accepted the fact that this reporting needs to take place. There have been also consultations by the Financial Intelligence Unit with all the other stakeholders including, for example, professional bodies or professional entities that have trust account monies.

We have had situations where people, that is why we saw the hike in the price of real estate property, people turning up to law firms emptying out a bag full of money of half a million dollars, one million dollars in cash and saying, “I want to buy that house”. That is what we are seeing, they know that. So, this is to ensure that we have integrity in our financial system both domestically and our ability to transact with countries internationally and financial institutions. This is what it is all about, Sir.

Honourable Tuisawau had raised the issue about the definition of “cash”; it is very simple. If you look at what is being removed, what is being removed is bank drafts. For me to get a bank draft, I have to go to a bank so it will get picked up. Bank cheques, I have to go to the bank, it gets picked up by the bank. Bearer bonds, it is issued by a financial institution that gets picked up. Travellers cheques, again it is issued by, for example, a licenced financial institution, it gets picked up.

Postal notes, again, gets picked up by a financial institution that has been authorised for transacting that type of money transaction, similarly with money orders. So it is simplifying it, knowing full well that now we have a reporting mechanism that all these other definitions of cash are already being picked up. So, we do not need to report it, it is always at the financial institution end where in fact it gets reported. So, all the other provisions in the Act, Sir, essentially talks about the threshold being lowered from \$10,000 to \$5,000 and that is what it is all about. Those are my introductory remarks.

HON. J. SAUKURU.- Mr. Speaker, Sir, thank you for giving me the opportunity to respond to Bill No. 48 of 2022, a Bill for an Act to amend the Financial Transactions Reporting Act 2004. Sir, at the end of June 2022 our foreign reserves was at \$3.6 billion equivalent to 8.4 months of retained imports. A major portion of this foreign reserve is related to borrowing and remittances.

In my response to the honourable Attorney-General’s Budget Address earlier I was thanking our people living overseas for financially supporting their relatives here in Fiji. Sir, at the most very difficult time in our history when the whole world and our economy almost came to a standstill through the COVID-19 pandemic, our people overseas were the first to answer to our call for assistance with the remittances.

Remittances represent one of the largest sources of income for people in low income and to our national economy when our export remains very low. Mr. Speaker, Sir, the Deputy Governor of the Reserve Bank of Fiji was quoted lately by the media saying and I quote:

“For us as a small open economy, foreign reserves are so important and it is when foreign reserves comes under pressure and the financial conditions domestically come under pressure that we need to start look at our policy setting.”

He said the growth of the economy was still very renascent and fragile and we feel like it is more overtasked of fiscal policy for Government.

Anyway I was expecting the honourable Attorney-General to encourage our foreign reserve by incentivising remittances. To report any transaction of an amount in cash of \$5,000 and above to the Financial Intelligence Unit (FIU) through Bill No. 48 of 2022 will only weaken our foreign reserve as it may discourage our people overseas to send money to relatives here and to invest back into our country. I say it again, it may discourage our people overseas to send money here.

Sir, this is just another form of dictatorial, control of being silently introduced through Bill No. 48 by the FijiFirst Government. I suggest that the honourable Attorney-General should explore how we could localise the Government of Philippines Balikbayan Program by incentivising remittances instead.

HON. F.S. KOYA.- As usual, Mr. Speaker, Sir, in everything they seem to be completely bereft of ideas, always coming with this, there is some kind of serious conspiracy theory to every Bill that comes before this House - they need to get off that horse. People of Fiji are watching.

HON. MEMBER.- Wake up.

HON. F.S. KOYA.- There are quite a few of them across the way here actually would do very well in either Hollywood or Bollywood writing scripts seriously because their conspiracy theories are just absolutely amazing.

As we are all privy to resent and just quickly before I even commence with honourable Saukuru, may I ask you the question - why would it be so troublesome for anyone? We are trying to make sure that everyone does everything lawful. Why do you think - 'No, you cannot do that, you should not do that, why? We want to live in a legal platform. People want to do things properly you know it is all transparent. Why would you be so against something like this - really? Unless you are hiding something.

Most importantly as spelt out quietly eloquently earlier on ...

HON. MEMBER.- Jealous.

HON. F.S. KOYA.- I am telling you, ...

HON. S. ADIMAITOGA.- Honourable Rasova, listen.

HON. F.S. KOYA.- Listen carefully, it is not upon the person sending the money the reporting is done by the bank. It is as simple as fact.

GOVERNMENT MEMBER.- They do not understand.

HON. F.S. KOYA.- Why would you be worried?

Mr. Speaker, Sir, as we are all privy to the fact that the Financial Transaction Reporting Act of 2004 it is actually a key legal safeguard. I am sure you will all understand this. It is a key legal safeguard against money laundering and terrorism financing. Why would you be against it?

HON. J. USAMATE.- Maybe they are

HON. F.S. KOYA.- Exactly.

(Chorus of interjections)

HON. F.S. KOYA.- I can see the differing of opinion from one side to the other true also because they belong to do different camps at the moment: because one camp might be into money laundering who knows. This Act regulates and controls the reporting of financial transactions by financial institutions. It actually establishes the financial of the FIU - this is the Transaction Reporting Act of 2004. The Act actually provides legislative framework of measures to combat money laundering and the financing of terrorism in and through Fiji. I fully support the proposed amendment requiring financial institutions such as commercial banks to report all transactions of \$5,000 and above and it also requires the non-bank

financial institutions to report only cash transactions of \$5,000.

Now, just to put it into perspective Mr. Speaker, Sir, this is a common practice across the country where the law requires businesses and institutions to report cash transactions above a certain threshold to agencies that are similar to Financial Intelligence Unit (FIU) for instance, and now I just spell out the list: the US does it, Fintrack in Canada does it, Austrack in Australia does it, the European Union (EU) does it. Why are we so different? Why is it that you object to it even? South Africa does it, Singapore does it. I could run through the whole list, China does it.

The silence is deafening Sir.

(Laughter)

And you have to put it into perspective in terms of the scale of the economy, \$5,000 in Fiji is still a lot of money. If it is \$10,000 in the US, it is a different scale so you have to look at it and put it into that perspective. The gist of the matter is that each nation implements their respective policies pertaining to their capacity, their frequency of transactions and the need to detect and deter money laundering and tax evasion.

Countries that I have just mentioned are developed or larger developing countries and they garner transactions of larger values. As I have just said, hence the reporting sum is significantly greater as well - we have to put it into perspective. In the case of Fiji there are a number of contributing factors towards the notion to reduce the reporting value to \$5,000.

For instance primarily, Mr. Speaker, Sir, the amendments will create a streamline reporting abroad between the financial institutions and the Financial Intelligence Unit (FIU). This will enable efficiency in the process of the commercial banks and that the banks will be able to quicken the process of opening bank accounts for foreign investors. It has been evident that most of the time, it has been seen to be a difficult process faced by the investors.

Commercial banks can actually quicken up the process for opening a bank for investors where FIU will actually monitor these accounts and report any suspicious activity that may be found in the account. However, Mr. Speaker, Sir, this does not stop the banks from doing their checks and analysis but it enables agencies working in collaboration resulting in the efficiency of our processes.

In addition to the above, Mr. Speaker, Sir, the reporting of \$5,000 will enable better controls and movement of finance both locally and internationally which will actually reduce the gap for money laundering in terms of remittances and that is decreasing (limiting the sum) gives less opportunity for people for elicited ways of transferring money. It was quite clearly spelt out by the honourable Attorney-General when he presented the Bill.

In this post-pandemic period Mr. Speaker, Sir, we are embracing more and more online transactions and online purchasing, hence the compliance mechanism will actually allow for tracking of remittance of funds into foreign accounts, reaffirming the nature of the transactions. Many times it is noted that our locals are actually cheated off and there is no formal means of depicting transactions. Because we are now even more in a digital mode, we need to be very, very reliant on these things. We need to make sure that we have got all the necessary laws in place so we protect our country from money laundering and bad financial transactions.

Mr. Speaker, Sir, just to conclude, such amendments will make our policies more sound, will also allow us flexibility and also be cost effective and innovative for the future and with the welfare mostly of all our Fijians in mind.

Mr. Speaker, Sir, these reforms are there to provide better services and reduction in turnover time; in costing processes, this is actually evident with the amendment to the FTR Act as this initially will actively boost basically our investor and public confidence.

Mr. Speaker, Sir, I fully support the Bill to amend the Financial Transactions Act. I thank you Sir.

HON. RO F. TUISAWAU.- Mr. Speaker, Sir, I rise to contribute on the Financial Transactions Reporting Act (Amendment) Bill. I note the various features in it including amending the definition of 'cash' in Section 2 to mean 'currency and notes only', reducing the threshold of \$10,000 to \$5,000 or its equivalent in foreign currency and also requirements for the commercial banks to report transactions of \$5,000 and above. Also the requirements of financial institutions including non-banks.

Some of the comments as alluded to by my colleagues, why was the law being fast-tracked without consultation with stakeholders and why has the Minister gagged the Financial Intelligence Unit from commenting on the Amendment? It would be good to get their comments and views. It appears to us that this law is simple intimidation and unnecessary because FIU already has the power to examine bank transactions for any individual even without Court Order. If this law is aimed at intimidating political parties, donors and candidates, the FIU already has the capacity to elicit any information required from banks. So rather than leaving FEO and FIU to work corporately as they have an MOU but the rest of the population is being penalised.

The banks and non-banks financial institutions: With this onerous reporting requirement which will increase cost and across the board for the already struggling public. Banks and non-banks financial institutions will have to get extra staff but exchanged their banking software as I have already mentioned to have automatic flagging of transactions to \$5,000. All these costs will be passed onto to the consumers even for reporting requirements right now for non-banking institutions, for example, all the legal firms there is very onerous reporting requirements there, they have to fill in forms, et cetera, for all the financial transactions and this is creating extra costs and they have to get extra staff for those reporting requirements.

Even now that is what they have submitted. With this they will be further bogged down and Government continues to make life harder for everyone, banks, non-financial institutions, ordinary people who are already under the burden of high living costs again demonstrating that the FijiFirst Government is out of touch with reality, that is the reality of the matter. No one is hiding anything from this side

(Chorus of interjections)

HON. RO F. TUISAWAU.- I mean there are no actors here from Bollywood as suggested by honourable Koya. The reality is that Fiji is now moving to a Police State where monitoring and surveillance is becoming an everyday occurrence. Soon it will become like Russia under Putin.

(Chorus of interjections)

HON. RO F. TUISAWAU.- That is the problem and that is the way we are going. Honourable Attorney-General has mentioned that the person who is sending money will not report but the institutions. Of course, but it affects them, they will be hassled and if queries come up the person making the deposit will be hassled and even with this it has a psychological impact when people are reading about this.

My colleague has mentioned remittances, remittances is now becoming the major income earner and this can impact on that. People will be reluctant to send money because they know they will be monitored by this Police State.

(Chorus of interjections)

HON. RO F. TUISAWAU.- Not only that, they will not put their deposits here in Fiji, they will only send some for the survival of the families, the rest they will deposit in Australia or New Zealand. I mean how much of these funds they are talking about? Honourable Attorney-General keeps on going on and on about terrorist financing. Where are the terrorists?

The only persons we have arrested in the last few years have been drug smugglers. We have not arrested any terrorists, why do you keep on going about terrorists? What is the percentage of terrorist financing which has been detected by FIU? The reporting requirements I have already mentioned that. Mr. Speaker, Sir, we do not support this motion.

HON. I. KURIDRANI.- Mr. Speaker, Sir, thank you for allowing me to give a short contribution to the Bill before Parliament. I have already mentioned in this Parliament several times that the problem of our economy is overregulation: too much laws - they do not understand. That is why there is no investor confidence. That is why investment has been low because they do not have the confidence, they keep on changing the laws and the rules.

I remember in one of the sittings, honourable Seruiratu mentioned if they keep on changing their stand, we are not fit to manage. And that is why that is happening here. They keep on changing the laws. I believe that there is a hidden agenda referring to this Bill.

(Honourable Members interject)

MR. SPEAKER.- Order!

HON. I. KURIDRANI.- Their agenda, Mr. Speaker, Sir, recently most of these political parties have been doing fundraising overseas for their Election campaigns in this coming Elections, and this Bill has been fast-tracked into Parliament to disqualify those funds from coming in to the country for the political parties to use in the Elections - that is the hidden agenda in here. They know that other political parties are getting monies overseas through fundraising and this Bill has just been fast-tracked into Parliament to disqualify those funds. Is this democracy?

(Honourable Members interject)

MR. SPEAKER.- Order, order!

HON. I. KURIDRANI.- So that is what I just want to raise here. We are like Russia.

(Laughter)

HON. DR. I. WAQAINABETE.- Mr. Speaker, Sir, I just wanted to say a few things: No. 1 that I support the motion before Parliament and specifically around Clause 3. If you are transparent there is nothing to hide. If your financial dealings are transparent there is nothing to hide, nothing to run away from. I want to give us a scenario: I know many of us here I have many relatives on my side and my wife's side who are farmers and ginger and *yaqona* are doing well and if they happen to uproot *yaqona*, they bring it down, bring that from Moala or Naitasiri, bring ginger and they sell that and make \$6,000. They are given a receipt, they have to pay VAT when they buy things, it is accounted for because they have to go and take it to the place or to the person who is going to export the ginger, for example, or buy the *yaqona*.

At the same time, when someone receives money, for example, someone aspires to be a candidate

in the next Elections, receives money, saves \$6,000, not reported and that source of money is being said, let us do this with this money. We are giving you this money for this particular purpose. What this amendment Bill is trying to do, is to allow the Supervisor of Elections (SOE), to find out where the source of money is, just for the purpose of election and to be able to find out and ensure that it is used transparently. As I have said before, if we are transparent in our dealings, we have nothing to hide. Nothing to hide at all.

Mr. Speaker, the concern that is being raised by the other side, is being raised because I feel that they are thinking this is something to be able to make candidates not able to stand in the elections. It is not so. It is about transparency.

Mr. Speaker, Sir, I support the motion before the House.

HON. V.R. GAVOKA.- Mr. Speaker, as we highlighted on Monday that this Bill should have come through the committees but as I said, it is a forlorn hope for us when you come up with some comments like that because we are talking to a wall; having dialogue with the deaf, setting their ways on how to make laws in this country. We now hear a lot of concern about this Bill and it would have been better if it had gone into committee, Mr. Speaker.

Here we have this Bill, a draft of the law, brought in on Monday and to be made law today, Thursday and the sad part about it is that, we have grown accustomed to this and we have come to accept it as the way to create legislation in this country. But thankfully for the people of this country, it will be ending very soon. There will be elections very soon and people will put in place a government that respects them, a government that place a law to them for their inputs because these are not laws about going to a picnic somewhere. These are laws that have huge repercussions to the people of this country, Mr. Speaker.

Mr. Speaker, I ask government. Have you carried out a survey on the impacts of the \$10,000 limit, requirements in terms of how it has encouraged the cash economy in this country because if the financial institutions are demanding this and they are reporting this \$10,000, human nature will say that people will revert to cash economy. Do we know the impact of the \$10,000; resulting in the cash economy, Mr. Speaker and a cash economy can be the black economy. You have not even carried out a study and here you are, you lower the threshold to \$5,000 and my colleague, honourable Kuridrani has highlighted a very important point here.

The perception to people and especially, Mr. Speaker, if I go on to politics or political parties, we all know, Mr. Speaker, that parties like SODELPA do not have big money to support them internally in Fiji. We rely on the *lewenivanua* and we raise money through *roti* parcels, *lovo* packs and *kati* and we rely a great deal on our people overseas to fund our political campaign. By creating this perception, Mr. Speaker, that your \$5,000 is going to be reported, it will create doubt in the minds of our people overseas. All it needs, Mr. Speaker, is perception that they can be taken up for money laundering and the like.

HON. F.S. KOYA.- How!

MR. SPEAKER.- Order!

HON. V.R. GAVOKA.- Now, Mr. Speaker, Sir, they are asking how, unknown to the remitter (him or her) the transaction is going to be reported to FIU, unknown to him or her that it is going to be reported.

(Chorus of interjections)

MR. SPEAKER.- Order!

HON. V.R. GAVOKA.- Unknown to the person, so here you are the perception is there why should I send money to Fiji, to SODELPA because that will go to the FIU. Can you put a side window please, Mr. Speaker, Sir, the honourable Minister for Trade is saying “what are you trying to hide”. I am going to ask you a question, what are you trying to hide?

(Chorus of interjections)

MR. SPEAKER.- Order!

HON. V.R. GAVOKA.- You bring in something on Monday, you want it to be law on Thursday. What are you trying to hide? Take it out to Committees, let the people have a say on this and then you make it into law.

HON. F.S. KOYA.- We live in a digital world!

HON. V.R. GAVOKA.- So, do not ask us, what you are trying to hide, they are the ones who are hiding Mr. Speaker, Sir, they want to bring this legislation by ambush. We came here on Monday, we did not know about this and we were told this is it, it will be Standing Order 51, no committee, it will become law on Thursday. That is it, you should be ashamed of yourselves.

(Laughter)

But to the people of Fiji salvation is coming very, very soon. You know this, your salvation is near and you are going to get rid of these people and we will have a government that respects Parliamentary democracy, Mr. Speaker, Sir. I was thinking am I going to miss this Parliament? I am going to miss this, sitting across from these clowns for another four years, I do not think, I am going to miss them, there are some nice people there but they totally bereft. Totally bereft of any sense of decency, in terms of legislation.

Mr. Speaker, Sir, you talk about policy instability, if there is anything you want to say about this Government, it is a instability in their policies, that is why the economy is not firing, this Bainimarama Boom. This Bainimarama Boom was made possible by the public spending riding on huge borrowing, and that is it. Extra for the riches paid for by debts that the *lewenivanua* will pay to the next two or three generation. That is it, Mr. Speaker, Sir,

HON. A. SAYED-KHAIYUM.- Say it with tears! Say Fijians

MR. SPEAKER.- Order!

HON. V.R. GAVOKA.- Fijians are *lewenivanua*. That is it, they fund their tax-cuts through debt, basically that is it and who is benefitting? The big corporations can I name a few examples, yes, stamp duty. It used to be a source of livelihood since 1936 but this government repealed it two years ago. It used to bring an \$80 million for the rich. Who suffers? The *lewenivanua* because we want to go and borrow to run the affairs of the Government that is it, and I can name other track measures they have neglected and have repealed in this country, Mr. Speaker, Sir.

So, every time they borrow is because they are giving tax-cuts to their cronies in the business sector. So, Mr. Speaker, Sir, I would urge this Government to withdraw this Bill because you do not know how the economy is going to grow and the betterment of this country. By doing this, people will be suspicious, why would you put money in the financial system, it is going to end up being reported to the

Intelligence Unit. Why would you do that? So, what you do is you work within the cash economy of this country because it should have gone to the Committee for us to fully understand this the implications of this.

What will you do, Mr. Speaker, is to go back to the practice in the past; two story. I was a banker out of high school and I used to be a teller/cashier and one day, two of my indo-Fijian colleagues said, “Bill can you smell the money?” I said “I am an *itaukei*”. They said, “You know, Bill this is buried money, money that is used to be buried”. I said, “I do not know, I am a *itaukei*. I do not bury money, I spend it” but my indo-Fijian friends knew about it. In the past, they used to bury money. We will go back to burying cash now. You are frightening people from using the financial system, they will go back to bury money and work the cash economy.

It may be alright but let the voices of the people be heard. This is not something that can be revealed. You cannot just pass it. It is unfortunate that we continue to see this and as I said I am talking to the wall. You have been trying for four years, not one suggestion from this side of the House in the last four years has gone down well with these people. They would not even change a sentence or a clause in any law from this side of the House from the last four years.

So, Mr. Speaker, I can say to my honourable friends over here, your days are numbered, it will be over very soon and salvation will come to the people of Fiji, through a better Government that will come from this side.

HON. P.D. KUMAR.- Mr. Speaker, Sir, I rise to support this motion before Parliament. It is quite interesting listening to the Opposition. It shows how confused the Members are. In fact, this legislation was introduced in 2004 and the whole idea was to control illegal money transaction and this legislation is all about black money, white money, clean money or unclean money. That is the story. That is what it addresses.

The idea why we are reducing from \$10,000 to \$5,000, has been explained by the honourable Attorney-General twice. That 75 percent of our transactions are below \$5,000 and the purpose of this legislation is actually to address black economy. A true black economy Fiji is losing substantial tax revenue. Can you imagine through this legislation, if we are able to recover the tax revenue, we will be able to use that money for roads, education and for many other purposes? That is what this legislation is going to do.

Unfortunately, some of the Members are linking this legislation unnecessarily to Russia, to election and it has nothing to do with all that. It simply making sure that anyone who transfer money, that money is legal money in other words, one can send any amount of money, provided that you get all the approvals wherever required. Say, for example, from Reserve Bank of Fiji because they control the inflow and outflow of money.

So, if all the approvals are given as a consumer, there is no obligation on you, absolutely zero. You just go with your money and put it across. We have explained again that whatever is done, it is done by the banks and in fact, non-banks as well but nothing to do with the consumer, public or investors are not affected.

Mr. Speaker, Sir, I support the motion before the House.

HON. S.R. RASOVA.- I would like to contribute to the motion on Bill 48 of 2022, the Financial Transaction Reporting. It amazes me when the \$10,000 limit, has for now been decreased to \$5,000. Who sends \$10,000 that is now under microscope? They said here that it is 75 percent of the people sending money are under microscope. I will read it, and I quote:

“The revision of the threshold for cash transaction reports will result with the wider data set for intelligence purposes and will strengthen the ability of the Fiji Revenue Customs & Services (FRCS) and Fiji Intelligence Unit (FIU) to be more efficient in profiling and investigating tax evasions cases. This will result in an improvement in tax revenue collection and tax compliance.

Moreover, other law enforcement agencies such as Fiji Police Force and Fiji Independent Commission against Corruption (FICAC) will have access to more data on transactions which will be useful in financial investigation linked to money laundering, terrorist, financing and other criminal activities”.

That is the cleaning of money. She was saying “black money”, that is why the change. I just want to take us back, every time your loyal Opposition, Mr. Speaker, Sir, we see all the big finances, the big companies are being given tenders for these big works of Government; the capital grants and everything. We always say that it is always given to these people, now this Bill here is now going back to bite them. I think their expiry days has come during elections.

We can see who send this \$10,000? We just read the Fiji Bureau of Statistics on the poverty rate. We have about 28 percent poverty rate which now has been changed by the World Bank to 24 percent, but who is sending these money? These are the people that used to fund FijiFirst and it is coming back to bite them.

They want to see when the Government gives money to them, they want to track them down. Imagine the people in the stats of Fiji, there is about 190,000 immigrants that have arrived in Fiji. These are the people that are sending money overseas, the people that you have accepted to come and live in this country; foreigners who are immigrants and who are citizens now.

HON. A. SAYED-KHAIYUM.- No, they are not.

HON. S.R. RASOVA.- Yes, it is in the Bureau of Statistics.

MR. SPEAKER.- Do not carry out the conversation between you two. I told you that before.

HON. S.R. RASOVA.- He does that all the time, Mr. Speaker, Sir, you speak to him.

MR. SPEAKER.- Next time, you probably be doing it outside.

HON. S.R. RASOVA.- Those immigrants that are coming now, these are the people from Afghanistan, China, I mean without prejudice, saying where they are coming from they are part of Fiji now. They are the ones sending the money and now they are trying to track them down. These were the people that were funding FijiFirst Government. Now they are going back to bite them.

(Laughter)

MR. SPEAKER.- Order, order!

HON. S.R. RASOVA.- They have been attracted to females, Mr. Speaker, Sir. Anyway, the secrecy of this Bill, that is what the loyal Opposition always know everything in secret. Imagine the Revised Estimate Budget, since I came in here in 2019, there is four estimated Budget Estimates, whereby 20 Consequential Bills were passed.

Currently, right now, about 120 Consequential Bills have been changed now and it is coming

again. Sir, three Bills will be passed today by the majority, most of them do not even know, what is happening over here. They will raise their hand, without greeting, without knowing but only five of them will probably know. Mr. Speaker, Sir, that is how worst this legislature is because half of the people or even 19 percent do not even know what the Bill contains, what it is for. It is going to come back and bite you. Mr. Speaker, Sir, I do not support the motion. Thank you very much.

HON. J. USAMATE.- Mr. Speaker, Sir, I am constantly bemused. I feel almost a bit ashamed to listen to some of these drivel, the lack of awareness. Honourable Gavoka is a good friend mine, but he has been spewing the same things since 2014, over and over again. He is a friend of mine but he sounds like a broken record over and over again.

We have been hearing about change of Government since 2014, it has not happened.

HON. S. ADIMAITOGA.- Awwh, so desperate!

HON. J. USAMATE.- It is not going to happen. I am going to read again the bit that honourable Rasova was reading about why this Bill is here. The Act came into place in the year 2004. Why? I will read from the Explanatory Note that states, and I quote: “1.1 ...for the regulation and control of financial institutions...” Institutions, not the people who are sending the money and receiving, but the institutions in Fiji. Listen, this is why. I quote: “...to prevent and detect money laundering, terrorist financing and other serious criminal activities.”

This Bill is trying to stop those things, so if you are against this Bill, that means you are pro-money laundering and you pro-terrorist financing and you pro other serious criminal activities. Anyone sending money to this country which is clean and legal has nothing to worry about. If your political supporters in other countries want to send money to your party, they are free to do it, no one is going to stop them. No one is stopping them at all. Where is this intimidation?

Honourable Ro Tuisawau talked about intimidation, who are we are trying to intimidate? We are trying to intimidate people who do money laundering. We are trying to intimidate people who do all of these criminal activities. That is what this Bill is aimed at, not the people who live all around us.

Honourable Gavoka was talking about our taxation system. He asks, why did you take out this stamp duty? Why did you take out this direct taxation? Why did you take out this direct source of revenue? When you look at the revenue that comes to Government, you do not only look at the direct taxation. You look at the impact of the changes in the taxation system to the economy as a whole.

The honourable Attorney-General has been telling us that we have doubled our GDP, we have nine years of consecutive economic growth. How did we do it? We reduced our taxation rates, we reduced our personal income tax, we reduced company taxation return and as a result of that, what happened?

(Hon. V.R. Gavoka interjects)

MR. SPEAKER.- Order!

HON. J. USAMATE.- Sir, GDP went up to an extent in a way that we run our budget every year for a number of years, the amount of money that we used for our operational expenditure was completely covered by the revenue we raised and there was surplus that we used for capital expenditure. That is the Bainimarama Boom. That is the Boom that happened.

Mr. Speaker, Sir, as I have said, I am constantly bemused. It is amusing and I am almost a bit

ashamed to listen to this kind of comments that we have. I feel pity, listening to it. So, please, understand that. When you look under a cupboard and if it is dark, you need to shine a light on it to see what is there. This is what this Bill does, it shines the light in the dark corners to make sure that it comes to light. Do you want that darkness to stay there or you want us to be able to track the things that are happening in this country that are illegal?

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. J. USAMATE.- Come into the light! Let the light shine! Let those who are doing the wrong things in the country, that light will show them for who they are. Mr. Speaker, Sir, I fully support this Bill.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I would just like to say from the onset, and I have probably said this about half a dozen times since Monday, that all remittances prior to this Bill being tabled gets reported, irrespective of the amount. Here, they are saying that suddenly by lowering the threshold, remittances will now get reported. They have been reported from day one. Even if tomorrow my cousin sends me \$50 through M-PAiSA, it will get reported, not by him or by me, but the financial institution that is facilitating the transaction.

The Diplomat from UK is sitting in the gallery, in their country they do the same too. The honourable Minister for Commerce, Trade, Tourism and Transport highlighted all the other countries that do that, they all do that. So what they are saying is that, we should stop doing that, when we have been doing it since 2004. What La La Land are they living on? They believe that we live on some isolated island, that we have absolutely nothing to do with the rest of the world.

In order to have credibility with financial institutions, all remittances need to be reported and they have been reported. How many times do I have to tell honourable Qereqeretabua, honourable Tikoduadua, honourable Saukuru, honourable Tuisawau, honourable Rasova, honourable Gavoka and everyone else? Yesterday, only six of you were here at one stage.

Mr. Speaker, Sir, let me reiterate that. All remittances have always been reported, irrespective of the amount. So your theory or narrative is that, once this Act comes into play, all the people and Fijians living overseas will somehow or the other stop sending money. That is what they want to do. Absolutely nothing has changed for them! So there goes half of their theory.

Honourable Saukuru, again, went on about remittances, “now, people will stop it”, “we should facilitate”, we are facilitating it. As we have highlighted the other day, more people are sending remittances now into Fiji. Why? Because it is very easy. They can send it directly to the money wallets of their families, irrespective of where they live - through M-PAiSA and MyCash, because they have mobile phone connectivity.

Who did the mobile phone connectivity? Who did regulate the telecommunications industry? This man did it under the Bainimarama Government. We injected funds into the telecommunications sector. So 95 percent of all the Fijians today have mobile phone net connectivity. They do not acknowledge that.

Mr. Speaker, Sir, they said, “no consultations”. The people who actually do the reporting, as we have highlighted in the introduction, had all been consulted. The following are responses from financial institutions. I had highlighted them on Monday:

- Commercial Banks:
We are supportive of the changes (all banks).
- Foreign Exchange Dealers:
 1. We welcome the change which FIU is bringing.
 2. The proposed changes are fully supported by our business. Our internal monitoring threshold has been tagged at FJ\$5,000 for a few years now. These are foreign dealers, they are already doing it at \$5,000.
 3. Definition of cash and form changes are appreciated.
- Law Firms:
 1. We consider that the CTR threshold for financial institutions be reduced from the current \$10,000 to \$5,000 is a welcome move.
 2. We have no comments to the reporting requirements and are glad to see the changes proposed.
 3. Redefining cash reporting for professional bodies make sense and less information welcome.
 4. We also consider that the definition of 'cash' being narrowed to 'cash transactions' involves notes and coins only is a welcome move.
 5. No issue and no problem with the reduction of CTR threshold from \$10,000 to \$5,000, as long as the process of reporting is simple, clear and easy. Definition of 'cash' be defined as notes and coins only- agree.
- Insurance Firms:
 1. To narrow the definition of 'cash' to notes and coins will only ease the process.
 2. We concur with the proposal and believe the changes will further strengthen FIU's role.
 3. They are minimal to no transactions that are handled in \$5,000 and above in cash and notes, as an insurance company.
 4. The revision to the \$5,000 threshold is acceptable.
 5. Our company sees no issues with the proposed CTR threshold change and we welcome the other changes therein the letter.
- Real Estate Agents:
 1. Normally for any sale of properties, we hardly receive any form of cash above \$5,000. Most of our clients do bank transfers either in our trust account or solicitor's bank account.
- Finance Companies:
 1. We have no objections and support the change.
 2. Our team agrees for reporting CTR transactions over FJ\$5,000.
- Accounting Firms:
 1. Thank you for your comprehensive analysis and the request for comments by Fiji FIU. We appreciate the opportunity to give our views. We comment, as follows –
 - (a) We support the proposal to reduce the CTR threshold from \$10,000 to \$5,000.
 - (b) We support the new definition of cash to only include notes and coins.
 2. Based on our observation and findings on the Threshold Reporting Framework, we support the reduction of the current threshold of \$10,000 to \$5,000 involving notes

and coins for non-bank financial institutions.

Those are the people who do the reporting, they all agree.

Mr. Speaker, Sir, we have seen this continuously on the floor of this Parliament, they will, sometimes, have no objection, then they go back and I do not know what they do up there in the Opposition office perhaps, do a hurdle, and then come back two or three days later and suddenly metamorphosise. It is like a 'Jekyll and Hyde' situation. Monday – they are okay, Thursday – they are off.

Mr. Speaker, Sir, the other point I also wanted to make in response was this, they went on suddenly, I really believe that there is some psychological issue going on within the Opposition. They live in this conspiratorial world. Everything for them is a conspiracy.

Mr. Speaker, Sir, let me, again, just reiterate - the political party donation. This has got nothing to do with political parties. There is a separate law for that, and the law very simply says, "You can donate to a political party if you are a natural person", not a company but a natural person - a human being. "You can only give \$10,000 maximum every 12 months." You cannot give any more than that, you can give less than that. "You have to be a Fijian citizen or you were a former Fijian citizen." They are the people who can give. Mr. Speaker, Sir, obviously, we need a name to the person who gives the donation. That is all there is.

We have had people turn up to Brown Street, our head office, giving \$5. They give \$5. You sit there outside and monitor it. Do you? They give \$5, we give them a receipt. We take their name, we take their address. What is wrong with that? We have had people giving \$10,000. What is wrong with that? That is their right to do that.

When we had our list of donors published, the NFP berated them. They made fun of them. They trolled them. They harass them. Individually, people were harassed by their supporters. That is affecting their right. We have the list of people who gave money to the other Parties, we do not harass them. That is their right. Absolute right! Please do it. Go ahead and get it, but just be accountable. That is the law.

The other point we wish to make, Mr. Speaker, Sir, they forget that this \$10,000 threshold was put in place by the Rabuka Government. Honourable Tuisawau, honourable Kuridrani and honourable Saukuru, he is your leader. Their government did it, the \$10,000 threshold. Honourable Rasova was signalling to me from there, "Make it \$20,000." So, therefore, in the end, you lose your credibility with international organisations and banking institutions. Can you imagine, Sir, if this kind of thinking is taking place, God forbid, if they ever were in government? God forbid, they will run this economy down.

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the other point I wish to make is that, recently, honourable Gavoka has obviously acquired the services of some former booted-out FRCS staff, but whether he has paid for it or not, I am not sure. He is only now talking about taxes. He never talked about it before, but suddenly he is talking about taxes. He says that all the tax cuts have been done Fiji, only for business people.

HON. V.R. GAVOKA.- Absolutely, absolutely!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, let me remind him. Please, do not embarrass

yourself. I do not want to see you embarrassed.

(Chorus of interjections)

MR. SPEAKER.- Order, order!

(Hon. V.R. Gavoka interjects)

HON. A. SAYED-KHAIYUM.- But you embarrass me.

(Laughter)

MR. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the income tax threshold for a Fijian citizen in Fiji used to be \$8,600.

HON. F.S. KOYA.- Listen, listen!

HON. V.R. GAVOKA.- That's hogwash, honourable Prime Minister.

HON. S. ADIMAITOGA.- That's a fact.

MR. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the income tax threshold for an ordinary Fijian taxpayer in this country, an employee, not a servant but an employee, was \$8,600. When the honourable Prime Minister became Prime Minister, it went up to \$8,800. You can imagine in today's world, someone paying tax after earning \$8,600 A few years later Sir, \$16,000. Ordinary people who work jobs in retail shops, in the hotels - all the hotel workers, they pay taxes. We increased the income tax threshold to \$16,000. That means, anyone earning less than \$16,000 did not pay a single cent of tax. The entire \$16,000 went in their pocket.

HON. J.V. BAINIMARAMA.- Do you hear that?

(Hon. V.R. Gavoka interjects)

MR. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, and if there was a husband and wife, if they were in a *de facto* relationship or legally married, if they both earn \$16,000, neither one of them pays taxes - it was on individuals. So, \$32,000 income for that household, whereas before they pay taxes if they earn more than \$8,600.

Then, Mr. Speaker, Sir, a few years later, the income tax threshold went from \$16,000 to \$30,000.

(Chorus of interjections)

MR. SPEAKER.- Order!

HON. A. SAYED-KHAIYUM.- Guess what, Mr. Speaker, Sir? The bulk of the taxpayers in Fiji used to earn less than \$30,000 a year and today, the bulk of them do not pay PAYE.

Then what happens also, Sir, whilst they pay no taxes, their children got free education, subsidised bus fare. If you earn less than \$30,000 a year, Sir, you pay 50 percent less on your electricity rate, we subsidise it. Water, again, we subsidise it. Those were all the benefits and they say that every entire taxation reduction that we have done is only for businesses.

Mr. Speaker, Sir, the other point I also wish to make is that, the businesses that have a tax cut from 20 percent to 28 percent Sir, there was a World Bank Report back in 2006 that said that “one-third of the Fijian economy was in the black”, in other words 33.3 percent was in the black. In other words, they were not detected, they were not paying taxes. They were under the table, as they say, Mr. Speaker, Sir.

HON. J.V. BAINIMARAMA.- In the cupboard.

HON. A. SAYED-KHAIYUM.- In the cupboard, under the cupboard, everywhere, on top of the cupboard too.

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, any person that knows a little bit about taxation, the philosophy around taxation is that, if you achieve a rate of taxation where both parties are actually in agreement (I am not saying there needs to be a formal agreement) where they all feel comfortable, your collection rate will increase significantly. And this is why the Fijian taxation collection rate, percentage of GDP, became a lot higher. They do not talk about that, they do not understand that. So, it is so completely an abomination for someone to stand on the floor of this Parliament to say that all tax cuts, in fact, have only been done for the rich people in this country.

Mr. Speaker, Sir, they also do not talk about the fact that when we try to make things easy for the people, for example, when we said, “Let us increase the tobacco licence from one year to five years, increase the liquor licence from one year to five years, hotel licence from one year to five years, they objected to it. What is that doing? Making people’s lives easier, the ordinary Fijians, people who work in those premises and people who want to carry out business, Sir. There is no more business licence requirements. You do not need a business licence. If tomorrow someone wish to go and start open a shop to sell clothes they do not need a business licence - they do not talk about that.

The other point that I also wish to make, Sir, is that they have talked - honourable Bulanauca I think a couple of times this week talked about the danger of drugs. I think someone else talked about it. People who sell drugs, engage in drugs; it is illicit gains so you have to track the money - they forget about it but they went on about terrorism and all that. Drug peddling is enormous business. The gains from that needs to be detected. Prostitution, international human trafficking we have seen recent cases in Fiji. People get money from that - they need to hide that money, so we need to track that money. FIU does that.

Honourable Gavoka and various others have sent praises of FIU when they were appeared before them. They are saying they are doing a fantastic job. Here they are working with their partners in Australia, New Zealand, USA, Britain, Japan everywhere else to make sure that all of us are on the same page to ensure that we capture these illegal transactions. It creates a lot more confidence. It does not undermine confidence because legitimate businesses will know that they will not be competing with illegitimate businesses. That’s what gives them confidence. If they know there is a country that adheres to international standards that is going one step further to comply with international standards, it actually secures a lot more confidence in the economy and that is precisely what we are doing, Mr. Speaker, Sir.

I would like to thank all the financial institutions actually who saw the wisdom of course to be able to participate with FIU and also to be able to ensure that we comply with international standards, Sir. There are a couple of points I wish to make. Normally when these amendments are made to the laws there are regulations that are put in place. So, once the actual Act gets approved then we put in place the regulations to help the practical implementation of the law itself.

Last one I wish to make, honourable Gavoka again got it all wrong. He said that because we changed laws therefore there is no policy stability. Again, policies are different to laws. Laws in many times in many countries are behind changes that are taking place in society.

If there is a policy that has been put in place to ensure that we respond to contemporary issues, you actually have to amend the laws to ensure that the laws actually catch up with the new policy initiatives and that the law actually catches up with what is happening in the contemporary situation. The simple example I gave was that we amended the law from Workmen's Compensation to Workers Compensation. Is that policy instability when we actually recognise that we need to take into account the gender issues? Is that policy instability? Is it policy instability to change the word servant to employees?

It is not policy instability. That is in fact re-enforcing the policy that we have. We have a policy regarding gender equality, equality of opportunity but they are only obsessed with ethnicity. We have also taken into account things like gender, age, ability, disability, geographical location. So, there is a world of difference between policy and laws. Amendment to laws does not mean there is policy instability.

I would like to thank all the members who have contributed to this particular amendment and the motion. Last point I want to make which I picked up when honourable Usamate made a point and honourable Gavoka berated him for that - in the nine years of growth (if you look at the statistics properly) there was an increase in private sector participation in the economy. It was increasing year on year out and he is absolutely correct. We had operating surplus.

Operating surplus does not take into account any loans you take. Operating surplus basically means the amount of revenue you collect and the amount of operating expenditure you have. If you minus that, if you have anything left with the positive, that is operating surplus. When you have operating surplus, Sir, you can then get loans to further the amount that you can put in, to capital investment. So, we used operating surplus to invest in capital expenditure and we borrowed money to invest. Honourable Gavoka, unfortunately I understand he was at a funeral yesterday and he was not here when we actually discussed, where in the Local Government issue, about how capital projects can become delayed or monies are diverted because of climatic events and how we do need to borrow money.

We have had 14 cyclones - 225 schools got damaged, most of them are privately owned but who rebuilds them? Government. We spent over \$200 million just to rebuild schools, is she saying that we should not borrow money to rebuild those schools? When the highway in Kabisi went away, we got a big hole in the ground, we do not repair that? We have to divert funds, we have to borrow money to do those things. We have to borrow money to build bridges, a lot of the bridges were failing because they were not built properly in the first place, some of them are getting old.

We have got a huge load factor now. There were very few vehicles in Fiji before, but now there are a number of vehicles in Fiji. All of these things, they do not take into account. You cannot do analysis of the economy, analysis of finance, analysis of policy, in silos. You need to take a holistic approach that is what government and government running is all about. Unfortunately, none of the Opposition have the qualities to be able to run Government. Thank you Mr. Speaker, Sir.

Question put.

Votes cast

| | | |
|------------|---|----|
| Ayes | - | 26 |
| Nays | - | 13 |
| Not voted | - | 9 |
| Abstention | - | 1 |

Motion agreed to.

[A Bill for an Act to Amend the Financial Transactions Reporting Act 2004 moved under Standing Order 51 passed and enacted by the Parliament of the Republic of Fiji. (Act No. of 2022)]

ELECTORAL (AMENDMENT) BILL 2022

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, pursuant to resolution of Parliament on Monday 29th August, 2022, I move:

That the Electoral (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 was a motion under SO51 and was talked about quite a lot also where some of the issues were highlighted by Members of the Opposition, indeed their opposition to it.

Mr. Speaker, Sir, it would appear to this particular Bill was in respect of Clause 3 of the Bill itself which is section 6 dealing with the powers of the Supervisor of Elections.

Mr. Speaker, Sir, I wish to highlight a couple of matters in respect of this. I would also like to take this opportunity to raise or respond to the press statement that was issued by the Fiji Law Society in respect of this particular Bill itself; and how NFP has also come out endorsing the Law Society's analysis of it. Obviously they are both endorsing each other - Law Society obviously endorsing NFP it would appear.

Before I do that, Sir, I wish to highlight a couple of points that the Bill is not only about the powers of the Supervisor of Elections. It is also about, very practically and that is why there is an urgency for it, it is to do with how do we deal with the ballot papers given the fact that there is a possibility of 10 registered political parties and the very practical issues regarding that, Sir. Also it is about the opinion polls. Sir, if you could allow me please, to just get the sample from there because I brought this here just to demonstrate to Members of Parliament regarding this.

Mr. Speaker, Sir, this was the ballot paper that was used in 2018 General Elections when we had that many political parties and the numbers that were printed. This is why the citizens have to go and choose a number. If we have given a change of political parties, if we have 300 candidates, this will be the size of the ballot paper. If we have 320 candidates this will be the size of the ballot paper.

Now there are batches of 13, so 13 would weigh 7.6 kilogrammes. If we have 420 candidates this will be the size of the ballot paper and it would weigh 9.8 kilogrammes, if we have 495 candidates this will be size of the ballot paper and it would weigh 11.4 kilogrammes. Sir, this weighs 12.6 kilogrammes, batch of 13 and this would be the size of the ballot paper with 550 candidates, 10 political parties all of them nominating 55 candidates with 55 seats this will be size of the ballot paper and this would be weight. This law amendment is to deal with such things, so the Law Society, the NFP and all of you, who are

saying get rid of this Bill are actually saying ‘let us not deal with the situation’.

Mr. Speaker, Sir, the difference in the ballot papers and this is where you slot it through, so you can imagine the practical issues we will have. I just wanted to highlight this and I asked the Supervisor of Elections to provide this to demonstrate to you the practical issues regarding this particular Bill. And all the shenanigans we have heard publicly since Monday, none of them have focused on this.

Mr. Speaker, Sir, if you look at section 2 of the Bill it simply says “definition of a person now is a national or legal person’ all the other laws have it. Honourable Tuisawau went on a conspiracy crusade - I do not know whether he took us to Russia or not. Mr. Speaker, Sir, then the rest of course, is the amendment of section 100, which is Clause 5:

“The Electoral Commission must approve the method of packing, the unused, used and spoiled ballot papers after the count of the ballot papers.”

Clause 3(1B) in particular:

“Notwithstanding the generality of subsection (1A), if the Supervisor has reason to believe that a person has information or documents relevant to or required by the Supervisor for the performance of his or her functions under this Act, the Supervisor must, by notice in writing, direct the person to furnish such information or documents to the Supervisor.”

Look at the Law Society’s spiel. It says here that:

“The amendment would give the Supervisor of Elections power to compel any person to provide to him all the information or documents on virtually any pretext.”

In other words what they are saying is that now with this amendment, the Supervisor of Elections can actually ask for information as to where honourable Tikoduadua went last night. It does not have anything to with this particular amendment, it does not have anything to do with this particular Act - again he is wrong. This is the pedestrian analysis of the Law Society.

That is why I keep on saying the Law Society now is just a mouthpiece of a cabal of people in this country. There is already a law, you see they have not ticked on to this. The Law Society even supposedly representing these great legal minds. There is already a provision under the Political Parties Registration Act with exactly the same provision.

Section 26A(2):

“Notwithstanding the generality of subsection 1 if the Registrar has reason to believe that a person has information or documents relevant to or required by the Registrar for the performance of his or her duties under this Act, the Registrar may by notice in writing”

It is already there - NFP, SODELPA and all the other people did not object to this particular provision. It is there. Similar provision, verbatim, word for word, verbatim means word for word – it is there, no objection to it, but only now they are objecting to it. Why? Because they have read too many conspiracy books. There are other laws, I brought them all here. Let me read them out to you.

Under the Fiji National Provident Fund Act, section 99:

“Any inspector may exercise any power set out in subsection 2 for any of the following purposes -

- a) To find out whether this Act or the former law has been complied with; and
- b) To assess the correctness of information provided under this Act or the former law.

The powers are to -

- a) Enter any place where persons are believed to be engaged employees;
- b) Enter at any reasonable time, any premises used or apparently used by a relevant person ...;
- c) Take photographs, make videos

It is all there under the FNPF Act.

Under the Fiji Competition and Consumer Commission Act, a similar provision - Section 119:

“In relation to any matter relevant to the operation or enforcement of this Act, an officer of the Commission may require a person (either by oral or written requisition) to furnish –

- a) any information;
- b) any records or a copy thereof,”

to ensure there is compliance with this particular Act.

There is another similar provision under FICAC Act – there is a requirement for divulging official information. That has to be provided to them too for the enforcement of the actual Act itself. There is a provision again, Mr. Speaker, Sir, under the Immigration Act - Powers of immigration officers:

“For the purpose of exercising powers, performing functions or carrying out duties under this Act, an immigration officer may –

- (a) without a search warrant, enter and search any ship, aircraft, vehicle, premises or place;
- (b) question any person-
 - (i) who desires to enter or to leave the Fiji Islands;
 - (ii) whom the officer has reasonable grounds for believing to be a prohibited immigrant;
 - (iii) who is applying for extension or variation of a permit or for exemption;

All of these powers exist for these different agencies. None of them - the Law Society has not raised an issue of privilege. They are saying it breaches privilege. How does it breach privilege? Another provision, Financial Transaction Reporting Act, the one we have just been through.

Again, for the purpose of complying with this particular law. To be able to enforce the provision on this Act, they can go and access all this information. I am going to read to read it out to all of them. Please note it, go and read it. All of these provisions already exist and that seems to be the entire thesis of the objection to this particular amendment, Mr. Speaker, Sir.

What it has done, Mr. Speaker, Sir, unfortunately and I have known him for a number of years, Wylie Clarke has put his name to this, selling his name again - “The proposed amendments necessarily extend the powers of the Supervisor of Elections beyond those necessary to fulfil its duty and power under the Electoral Act.” The amendment says under the Act; whatever is required to do under the Act, he will do it.

There is a provision in the Act itself. They can appeal to the Electoral Commission, they say there is no right of appeal. There is also provision in the law to say that if anyone is dissatisfied with the law, they can take it to the courts. They have not analysed any of that. There is absolutely no provision for them saying this and then of course, and I want to bring these people in, the Law Council of Australia has now issued a statement just today saying whatever the Law Society has said is correct.

Of course, Communications Fiji Limited, the little sounding board of theirs, went and did a story on it, saying that Law Council of Australia is doing it. Where was the Law Council of Australia when all the shenanigans were taking place in Fiji before? Where were they, Mr. Speaker, Sir, when we had an electoral system

(Honourable Members interject)

MR. SPEAKER.- Order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, honourable Gavoka loves Australia so much, if you say Law Council of Australia, you say Qantas, must be right.

(Honourable Members interject)

MR. SPEAKER.- Order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, honourable Gavoka said, “oh, it is like talking to a wall.” Despite me reading about all these legal provisions which have been in existence in law in Fiji for a number of years, despite them having similar provisions, he just completely tuned off. This is a serious issue. So he has already drawn a solution or conclusion, so no matter what we say, no matter the facts staring in their face, they will still object to this. The reality is, Mr. Speaker, Sir, this amendment simply allows for the Supervisor of Elections to carry out his job under this Act.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- As soon as I said, “Law Council of Australia”, he said different story now and if you read the analysis, Mr. Speaker, Sir, it is really interesting. They say here, and I quote: “The Law Council has taken the view, that the use of such powers is justified only when necessary to achieve a legitimate purpose.” What is the legitimate purpose? To have an election that is credible, that is a legitimate purpose. So they are indirectly saying, if you read it carefully, that if it is for a legitimate purpose, it is okay. The Immigration Act is a legitimate purpose, FNPF is a legitimate purpose, tax is a legitimate purpose, FICAC is a legitimate purpose; all of them are a legitimate purpose. Conducting an election through a proper transparent means and having it effectively monitored, having it effectively enforced the laws is a legitimate purpose.

So, Mr. Speaker, Sir, I will constrain myself to those introductory remarks as highlighted and I would like to, of course, reserve my other comments when the Opposition will come back with their retort, then I could further elucidate and go deeper into what some of the comments that have been made both by the various organisations including the Members of the other side.

MR. SPEAKER.- Honourable Members, time moves on. We will now suspend proceedings for lunch and will resume and continue with the debate.

The Parliament adjourned at 12.40 p.m.

The Parliament resumed at 2.46 p.m.

MR. SPEAKER.- Honourable Members we will continue with the debate.

HON. RATU N.T. LALABALAVU.- Mr. Speaker, Sir, I rise to also make a few contributions in relation to Bill No. 49 that is before this august Parliament. In doing so, I would like to raise some salient features of the Bill that we on this side of Parliament have observed that is being brought in with this Bill, Sir, especially on section 2 of the Principal Act which has been amended to include incorporated bodies and unincorporated bodies, Government departments, NGOs, statutory or other authorities as provided for in the definition of a person.

While still on that, we feel, Sir, the amendment is unnecessary. The interpretation Act already includes corporate and unincorporated bodies in the definition of “persons”. Further, this is a settled law where corporate bodies have legal personalities in other words corporate bodies are regarded as an entity in itself. It is like a person, it can be served a notice and taken to court as well. We feel, Sir, that this is just another simple intimidation and power trip of the learned Attorney-General especially in trying to accommodate his lackey or the Supervisor of Elections.

The other observation that we have made, Sir, is regarding Section 6 of the Principal Act and which is amended to augment the powers of the Supervisor of Elections, that is, to have power to demand any information from any person notwithstanding any law, privacy, confidentiality or privilege that binds the person. This would include FRCS, legally privileged information, banks and arguably even national security confidentiality on the penalty of \$50,000 fine for a natural person and up to \$500,000 for organisation and corporate and unincorporated.

Our view of this particular amendment to section 6 take gross over rates intrusion as it breaches other laws, settled practice for professionals such as lawyers who have the assurance of privilege communications with their clients in the interest of justice and as a pillar of the rule of law. No wonder the learned honourable Attorney-General have highlighted the response from the Fiji Law Society and that of their Australian counterparts because this is the very thing that I have just highlighted.

It is a power that does not exist anywhere else in the world, not even in anti-terrorism efforts where life is at stake; is the right to legal privilege denied, eroded as is being done through this law? It is a worrying signal of the desperation of the regime to stay in power and evidence that will use all tools at its disposal including unethical and dictatorial laws, as they are being fast-tracked under Standing Order 51 to satisfy the egos of the honourable Attorney-General and the Supervisor of Elections and intimidate candidates, donors and political parties who all have a right to participate in the electoral process.

Again, the FijiFirst Party is showing its dictatorial policies where it is abusing parliamentary process under Standing Order 51 which is intended for emergency and riding roughshod over individual human rights to privacy communications and even privileged communications with their lawyers is being eroded in this way. For us it is a sign of a Government that is unstable in bringing constant piecemeal poorly considered amendments that result in bad law, bad processes and even less fair and less credible elections.

We, on this side would like to even ponder to ask, why has the Government not invited a Multinational Observer Group for the 2022 Elections? All evidence of the intent to rig and win by hook or by crook just as they legislate by ambush as highlighted by the Leader of the SODELPA Party, I mean denying the people to have their say on their shoddy and poor law making process that makes life harder for everyone rather than making it easier which is the responsibility of every government than taxes people and governance by law. As this is another unjust law, laws should be just, it is not to be unjust.

In 2014 and 2018, the FijiFirst Party was perfectly happy with the *Fiji Sun* polls that gave it very high poll rating yet suddenly in 2022, *Fiji Sun*'s poll is not credible. *Fiji Sun* has been referred to FICAC and the Electoral Commission, another lackey institution under the thumb of the honourable Attorney-General has ruled *Fiji Sun* is in breach of the poll guidelines. There is no honour amongst thieves, Sir and one can almost feel sorry for *Fiji Sun*.

HON. DR. M. REDDY.- Mr. Speaker, Sir, I rise to make a short contribution to the motion on the floor on the amendment to the Electoral Act in support of the amendment to the Electoral Act. The amendment proposed in the Act is not about intimidating anyone (the voters or the candidates or the political parties). The amendment in the Electoral Act is not about being dictatorial, the amendment to the Electoral Act suggested is not about giving excessive powers to the Supervisor of Elections.

Mr. Speaker, Sir, the contributions from the other side demonstrates to me in particular that they do not understand the role of Government in Parliament.

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. DR. M. REDDY.- Mr. Speaker, Sir, when laws are made, the laws over time needs to be revised or new laws need to be developed, who does it? We bring it into Parliament for debate and adoption. I want to give an example, a few years back I was charged by FICAC on an issue regarding breach of the Electoral Act. My lawyers argued that that was not a campaign period and then he took it to the Electoral Act to see the definition of "campaign period" and we found that the Electoral Act did not define "campaign period". In other jurisdictions, the Electoral Act define campaign period, subsequently the Electoral Act was amended to include a definition of "campaign period".

Mr. Speaker, Sir, over time amendments are made to laws to deal with any gaps to fix those gaps. Those gaps are found over time with application of the laws. Secondly, over time, circumstances change and therefore the law needs to be changed to deal with that contemporary situations. The honourable Attorney-General showed us this morning about how to deal with a case of large ballot papers because now we will see more than five, six and seven parties competing. If they feel the full 55 candidates then we will be faced with how to deal with these large ballot papers.

The current law does not allow the Supervisor of Elections to deal with the ballot papers, once the ballot papers are casted, deal with the ballot boxes, et cetera. It is a normal process to make amendments to existing laws so that it is able to deal with contemporary situations and that is exactly what this amendment is doing.

Mr. Speaker, Sir, I beg the honourable Members of the other side to see through rather than taking the position of being an Opposition and therefore oppose everything that the Government proposes. Mr. Speaker, Sir, I support the motion on the floor.

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, I rise to say very clearly that the NFP rejects this Bill and we condemn it in the strongest possible terms.

(Chorus of interjections)

HON. L.S. QEREQERETABUA.- Please allow me to elaborate, honourable Members. Firstly, it is against so underhanded and conniving in true FijiFirst fashion for them to bulldoze through Standing Order 51, whatever bright spark comes to mind from the big thinkers of their backroom click of minions. That is why this Parliament has seen the same Electoral Act revised several times within this 2018 Parliamentary term. That could be why that suddenly all this hypothetical alarm scenarios being painted to give a fake impression that the upcoming Elections is intended to be fair and free.

On the proposed section 100 tabled here, Mr. Saneem took great pains on FBC yesterday to detail why 13 books (the maximum number that can go to a polling station) are heavy. Then he singles out a Nasoavakarua Polling venue. Here is where the problems begin, Mr. Speaker, Sir - there is no Nasoavakarua Polling venue. There are polling venues namely Naisogo Settlement ground (FEO shed), there is a Naisogovau Community Hall, and there is a Naisogowaluvu Community Hall but no Nasoavakarua.

Sir, here is the second problem - Mr. Saneem paints such a dire scenario of 13 heavy books requiring practicality because the ballot boxes need to be carried to the river at least three times climbing mountains, going down the hills to reach the village after an hour and a half plus hiking.

The main point here carried much lower down in the FBC story is that only four books will go to this supposed Nasoavakarua place because it means there are only 200 people registered to vote there and therefore only 200 ballot papers to be taken there, that would not be heavy at all. Then Mr. Saneem goes on to say that "because the ballot books will be much bigger because there will be more candidates (maybe 550 in all as we have heard today), it requires the Electoral Commission to approve a new method of packing unused, used, spoilt ballot papers after the count of the ballot papers". Why such a hue and cry about this now? Just simply purchased 2,000 or so new and bigger ballot boxes for every polling station with all the millions of public funds that have been allocated over two financial years to run the Elections so that there is no tampering with sealed boxes after votes have been counted.

Why have all these afterthoughts being tabled now for law changes and not shared with political parties who may have been able to provide some solutions. Mr. Saneem just had a meeting with parties via zoom on the nomination process and he said nothing about these law changes. Did he not think that parties should be as concerned? Let us be absolutely clear right here and right now, Mr. Speaker, Sir, the Election laws are already in favour of the FijiFirst Government. The Chief Legal Advisor to Government no matter what he says and how hard he pontificates in this Parliament enables that every time they pushed through laws that benefit them. If these laws about Elections were about a level playing field they would have allowed for first, second and third readings of this Bill to ensure the full participation of the people, the voters and the taxpayers who pay us, who these laws most affect.

The new and emerging rules, hurdles, and changes of goal posts that do not affect the ruling party or even possibly plan with them is already in progress. That is why, Mr Speaker, Sir, we have absolutely no trust or confidence in either the Fiji Elections Office or the Electoral Commission, they simply have not earned it. But Mr. Speaker, Sir, we do trust the people of this country. We trust their wisdom and overwhelming flood like desire to express their will in voter turnout numbers that will astound and shock and end the 16 year dictatorship at the ballot box.

We do not say this lightly, Mr. Speaker, Sir. Just look at the number of times that the FEO and the Electoral Commission joint reports tabled in Parliament after the 2014 and 2018 General Elections received complaints about FijiFirst. How many actually were acted upon compared to Opposition Parties? The facts are all written in black and white in the reports and how many times has FijiFirst been investigated by FICAC all the way through comparatively all this time. FijiFirst is no clean player, Mr. Speaker, Sir, that they can claim to be fully wholly pure and without transgression where electoral violations are concerned.

Their own shameful actions of running for cover at Level 9 with mattresses, suitcases and food delivery simply to evade things served Court documents after the 2018 General Elections is still fresh in people's minds. We all remember how cowardly and stupid they all looked in the *Fiji Times* walking and driving out than being frog marched to court to face up to a Court of Disputed Returns Petition. What is worse, Mr. Speaker, Sir, is that Mr. Saneem himself was caught in pictures huddling late at night with these evaders of court document servicing. He is supposed to represent all political parties but there he

was clearly taking sides late at night. He never offered any such support to NFP and SODELPA as we were preparing our paperwork. And guess what? We know exactly what was happening at level nine. Those of the silent 25 sitting here today were up there playing cards and drinking *yagona* and passing time to evade servicing and then in the next minute post photographs in suits because they were, “workshopping about low hanging fruits.”

Mr. Speaker, Sir Saneem himself knows very well the case of honourable Joseph Nitya Nand, at two polling venues namely: Nadroga Arya College and Tuva Primary School where he and his wife were openly campaigning to voters who were lining up to vote on the main polling day. A long time NFP Member and another party stalwart saw this happening, took photos and sent them to us. We sent these photos to Mr. Saneem through viber in protest.

HON. J.N. NAND.- A Point of Order! Mr. Speaker, Sir, that case is clear. I cannot understand why the honourable Member is bringing me into her discussion. She should withdraw that.

MR. SPEAKER.- Honourable Member please take note of that Point of Order.

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, when nothing was done we included this incident as a gross breach of electoral laws in a Court of Disputed Returns Petition. Then what happened?

The courts decided to choose our witness for our Court of Disputed Returns Petition. Right there, we realised what our fate would be. This man is not worthy of any one’s trust but we are not very worried. We are preparing to guard our votes and no matter how high the hurdles come we have the voices and the prayers of change behind us pushing us forward. We already know how they did things in 2014 and 2018, especially during the blackout period. People who are intimately involved in their plots have told us everything. Even their moles that they sent to sit amongst us have been dealt with tactically.

This week the Supervisor of Elections who now claims on FBC to have sponsored these new ideas, has been very busy responding to our interventions in Parliament through the media. His fragility is on over drive but Mr. Speaker, Sir, who is he to this Parliament? He bows at the feet of Parliament and is accountable to all of us despite the other side trying to protect him. We are elected Members of Parliament with our rights and privileges and we will use them to the fullest extent that that affords. We will not bow down to that infantile want to be smart alec of a civil servant who has one job to ensure that people register and vote. Even that he fails at miserably. Just look at his low voter turnout statistics from 2014 and 2018. The 2014 General Elections, 91,023 of our people who were supposed to vote, did not. In the 2018 General Elections 178 995 of our people who were supposed to vote, did not.

Despite this poor performance output, his contract to oversee the 2022 General Elections was renewed by the government majority members of the Constitutional Offices Commission. Did he even make the Minimum Qualification Requirements (MQR) for this role which required certain years of senior legal experience at that precise and initial time of appointment? Any other civil servant with these appalling results would have been sacked in a heartbeat.

Let us not forget that in 2014, Mr. Saneem’s own Electoral Commission had to take into court on the eve of the 2014 General Elections because he did not listen to instructions, he forgot his own standing in the hierarchy of ranking and thought this Electoral Commission would listen to him. That legal exercise again cost taxpayers’ money. All this is also in black and white in the 2014 Joint Report of the FEO and Electoral Commission.

But of course, he is going to act that way when he has a sponsor sitting in this room egging him on quietly from the back. Who can forget how in July, 2021, Mr. Saneem starts a crusade to retrospectively remove a sitting Member the former honourable Niko Nawaikula from the National

Register of Voters because of his wrong name debacle even though Mr. Saneem registered him as a candidate for two Elections. It took him seven years to realise that mistake was made. This person should be sacked for such poor oversight skills.

Of course, that sorry debacle honourable Niko Nawaikula led to a new stage of drama intended to cause confusion about all voters needing to update their voter registration using birth certificate names. Some women voters challenged this in court and while it is sub judice it would not surprise me in the slightest that even if the writ were to be issued on Monday, these women would still not have closure.

Mr. Saneem knows very well that this law is clear and that everyone already on the 2014 register of voters cannot be struck off the voter roll unless they die or have a mental disorder or illness or commit a jailable offence or cease to be a Fiji citizen, Mr. Speaker. It is all here in black and white in Section 51 of the current Electoral Act. If they are on the voter roll, they must vote and not be sent all over the countryside with wrong polling venue assignments as we told Mr. Saneem was a risk before the 2018 Elections.

Mr. Jale Baba of SODELPA was taken to court for publicly raising his concern about this but he may have been right. The low voter turnout statistics vindicating. This just goes to show the extent of idiotic and kneejerk ideas coming from those big thinkers of the FijiFirst backroom clique of minions. We all know who they are. Those big thinkers, brain trust so smart that they want to tinker and remove the word servant from the FDB Act that has also been before us, yet they are quite happy to suggest that servants exist in political parties. Why did they not amend the same archaic and colonial words in the Political Parties (Registration, Conduct, Funding and Disclosures) Act?

If they are so smart, why did they not put into law that the FEO will provide free bus transport to voters on polling day to ensure higher voter turnout for these Elections and every election thereafter. If they are so smart, why do they think they have the competence to judge what good public opinion poll should look like and not just get their feathers ruffled about the *Fiji Sun* just because the minister responsible for Elections complained about them. The proof of this elaborate drama will be in the pudding, Mr. Speaker. Mr. Saneem is always very particular in his press releases to say he is referring one of his targets to FICAC for investigation. But he did not say that about *Fiji Sun* so what is happening. Will he refer the FijiFirst Party newspaper to FICAC?

Mr. Speaker, all that I have said about the current SoE, who is also the Registrar of Political Parties and who is also the Secretary to the Electoral Commission validates my concerns about the power he now wants to have under the proposed Section 6.

HON. DR. M. REDDY.- Who wrote that speech?

HON. L.S. QEREQERETABUA.- Now he wants wide powers to demand any information from anyone at any time simply based on having reasons to believe that a person has information or documents relevant to or required by him to do his job. Why does he want all these files, Mr. Speaker? Why would he not even recognise and respect legal privilege? The FLS has already criticised the breadth of these powers and their implications on human rights and I quote:

“The proposed changes are inconsistent with the international core values and principles to which Fiji has committed itself including long-established legal principles on legal professional privilege. They erode civil rights protections long protected by the law. The proposed amendments unnecessarily extend the powers of the SoE beyond those necessary to fulfil his duties and powers under the Electoral Act. They encroach on and duplicate powers of investigation that are already invested in the FICAC. If the SoE reasonably suspects that an offence has been committed under the Electoral Act, he can, as he has done many times

already, report the matter to FICAC which will then exercise its powers on investigation ...”
It carries on.

The attack on professional privilege is particularly serious. The reason the privilege exists is to enable people to take legal advice on any action they wish to take or not to take in the knowledge that in doing so, they have protection. The privilege means that no one in authority can use their questions or the advice they receive as evidence against them of some improper or unlawful intent. If this privilege is taken away, people cannot take advice on their legal rights and cannot exercise them to the fullest extent, so they may end up breaching laws. Encouraging compliance with the law is the practice of democratic countries which support the rule of law.

The Bill provides no protection or safeguards for the information in terms of how it will be used or kept. The SoE is not required to maintain confidentiality or secrecy in relation to the information and it appears such information can be used for any purpose the SoE chooses.”

Mr. Speaker, even the Law Council of Australia has spoken up in similar terms and I quote the Law Council:

“The Law Council has taken the view that the use of such powers is justified only when necessary to achieve a legitimate purpose and only when accompanied by sufficient protections against overuse or misuse and by provisions to mitigate the adverse impact on individual rights. It is essential that the public has a credible basis upon which to be satisfied that these powers are necessary in response to legitimate evidence on the Fijian national process, in this case no such justification appears to have been made and the necessity of the proposed powers does not appear to have been clearly or adequately established.”

Mr. Speaker, Sir, does the Supervisor of Elections think perhaps that he will now demand information from journalists to tell them to disclose to him their sources. Is it because FICAC investigative processes take too long for him and he needs to act swiftly with unfettered and sweeping power? He forgets Mr. Speaker, Sir, that he is not a one man army and he needs people to help him execute commands whether or not he can rally willing accomplices to help him, is another question.

No one person (present company of one and a half excluded) should be given that width and breadth of power when he has consistently shown over the years that he cannot manage this power responsibly, wisely nor fairly. It is said he had resigned but was discouraged from doing so? If so what changed his mind - quid pro quo pro ...

HON. MEMBER.- Why you want to know?

HON. L.S. QEREQERETABUA.- Hush-ups? Well, we know Mr Speaker.

Mr. Speaker, Sir, in closing, let me urge the people of Fiji listening and watching, go and register and get ready to vote to sweep these people out, and usher in a new dawn for us all. Thank you Mr. Speaker, Sir.

HON. I. KURIDRANI.- Thank you Mr. Speaker, Sir. I will be very brief Sir. Considering the timing of these two Bills: Bill No. 48 of 2022 and Bill No. 49 of 2022, the timing of this inflation mitigation package does not take a genius to figure out the hidden agenda, the reason behind all these. The reason is because they have the fear of losing this Elections. They are panic, discomfort and desperate of losing the Elections.

Mr. Speaker, Sir, I see the Bill that it gives more power to the Supervisor of Elections to collect any information or data from everyone else. Mr. Speaker, Sir, I believe they should also present another Bill whereby to change the name of the Supervisor of Elections to be a moving election court house because he has everything. What will the police do? What is the role of the police? What is the role of the FICAC? And here again they want to establish a moving election court house - who will be the prosecutor the jury and the judge.

The whole reason for this is because they are afraid to face their consequences, their mismanagement for the last 16 years. They have been talking here about economic growth, where is the economic growth? Look at the reality on the ground, the high poverty, look at the condition of our hospitals the CWM hospital these are the indicators, realities that should prove the nine years of economic growth but no, look at the minimum wage rate, look at the level of unemployment, everything is breakdown so where is the economic growth? So they are afraid Sir, this Bill confirms their fear that they are desperate because their mismanagement will be revealed, they are afraid of the consequences of their actions. Sir, I do not support this Bill.

HON. V.R. GAVOKA.- Mr. Speaker, Sir, much has been said about this Bill by my colleagues; the honourable Leader of the Opposition, the honourable Qereqeretabua and the honourable Kuridrani.

I just need to ask a few question, we did not need this in 2014 and 2018, why now? As we had expressed on Monday, we are on the eve of the General Elections. Why bringing in this amendments to this Parliament? We were given all sorts of reasons but only now is the concern expressed by the Fiji Law Society and the Law Council of Australia. And as much as we love our honourable Attorney-General, I think he is beaten more than he can chew on this, Mr. Speaker, because some very serious concern are being expressed here by credible organisations in Fiji and Australia.

If I can just read, Mr. Speaker, the opening statement from the Law Council of Australia, this is what they say, and I quote:

“The Law Council of Australia has today backed calls about the Fiji Law Society for the Fiji Parliament to take more time to consider and consult on the proposed Electoral (Amendment) Bill No. 49 in order to ensure it does not unnecessarily erodes Citizens right to privacy”.

Mr. Speaker, did we consider this when we draw up this Bill?

HON. A. SAYED-KHAIYUM.- Yes.

HON. V.R. GAVOKA.- And you know in the words of other legal minds, they say, and I quote: “a fundamental attack on civil liberties”.

There are people asking us, if the silent 25 on the other side can stand up, have the courage to stand up and say to the top two, this will not happen in our watch. You cannot sit there and see your Nos. 1 and 2 attack the civil liberties of this country.

(Chorus of interjections)

HON. V.R. GAVOKA.- Everyone on this side will vote against it. We need you on the other side to stand up now and be counted.

As I have said the other day, the only voice I hear from the other side is honourable Adimaitoga. Everyone else is silent. She is now wearing the pants, Mr. Speaker.

(Chorus of interjections)

HON. V.R. GAVOKA.- Do they realise that this Bill confers on the Supervisor of Elections power that would be greater than any Royal Commission in the Commonwealth or the grand jury in the United States. We are now giving power to the SOE greater than any Royal Commission in the Commonwealth or the grand jury in the US.

At least, in the USA the Americans have the amendment. They can bring the amendment not to answer anything. In this case do we have anything here that we can say to the SOE my right to privacy is being abuse here, I will not answer to this. The way this is worded, he can demand information under any pretext.

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

HON. A. SAYED-KHAIYUM.- Sir, this is getting ridiculous, he is saying that he can demand any information under any pretext. He is just mouthing what the Fiji Law Society got fundamentally wrong. I just read out the provision in the law, which is to do with any information pertaining to him performing his operations under the Act. There are similar provision, Sir, in various other laws that I have just sighted. They are completely forgetting that and he is misleading Parliament, he is misleading the public of Fiji.

MR. SPEAKER.- Honourable Member, take note of that.

HON. V.R. GAVOKA.- Mr. Speaker, Sir, we are having all this debate. What we have here is a Bill of this magnitude that came to this floor on Monday and we have to make it a law today. Listen to the uproar, listen to the concern of the people not only in Fiji but our colleagues in Australia. Here they are, it is quite already.

(Chorus of interjections)

Who are they? We are part of a global community, Mr. Speaker, Sir. They are saying who are they? This party still believe that they can manufacture the trees in Fiji and that everyone in the world would tolerate. They still believe in that, that is what they did when they were in the regime. This is a Bill that should not be entertained in this Parliament and we agree with the Fiji Law Society that it should be withdrawn, taken back, brought in the proper way, have the Committee to hold consultations around the country because the ramifications are quite significant and serious for the people of this country.

What will happen to our rights to privacy under this Bill? The legal brains are now asking that our rights to privacy is being compromised.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, a Point of Order again. The honourable Member is like a punch drunk boxer, who does not know when to stop.

Mr. Speaker, Sir, there are existing laws here that actually has the same provision and suddenly this amendment will breach our privacy, these existing laws here, ask the lawyer behind you, he will tell you. These laws in no way, breached the privacy but these laws are in place to ensure that whoever is the office holder of the independent organisation or entities that is entrusted to enforce the laws are able to obtain the information.

They are misguided by saying this is to do with the criminal nature. It is nothing to do with the criminal nature. Honourable Lenora Qereqeretabua has run away, but it has got nothing to do with privilege *per se*. They know that, he is following the Fiji Law Society statement.

HON. V.R. GAVOKA.- Mr. Speaker, Sir, the best way to do this is for the honourable Attorney-General not to pontificate, his usual way and take this out of Parliament and give it to a Committee. That is the best way of doing it, Mr. Speaker, Sir, and he is being known for his mistakes. He has changed many laws in this country because he pushes them through the emergency pathway.

Mr. Speaker, Sir, I think for the sake of this country, for our people, we take this Bill back to the Committee and let it come through the proper path.

HON. LT. COL. P.TIKODUADUA.- Mr. Speaker, Sir, I rise to add some brief thoughts on this Electoral Act (Amendment) Bill, in support of NFP's completely rejection of it by my colleague, honourable Lenora Qereqeretabua.

By the way, Mr. Speaker, Sir, I marvelled when the Financial Transaction Reporting Bill was tabled on Monday. I marvelled at such and elaborate concussion or panic around preventing and detecting money laundering, terrorist financing and other serious criminal activities, as is the role of Financial Intelligence Unit. A marvel at the grant tails fund around evil people with evil intentions, wanting to effect Fiji's inbound money posts with their attempted money.

The intentional disregard of the thought about money laundering, terrorist financing and other serious criminal activities that is already following through our domestic money systems. A marvel at how naive responses of that law think that we are, if we were to think that this classification of people in money laundering and terrorist financing, et cetera would be bothered about pittance sums like \$10,000 or \$5,000 transactions into the country. When it is a no-brainer that higher rollers like that have the means to charter planes, yachts, speed boats and helicopters to dump serious dirty money into the country in collaboration with their domestic allies.

Mr. Speaker, Sir, coupled with this Electoral Act (Amendment) is about Elections. It is about political party fundraising and support from our people abroad were sent in what little they can as former residence and there has a lost permit to support political candidates as relatives or acquaintances or political parties.

One thing we can count on from the FijiFirst Government and the minions its predictability. Whenever they conduct meetings with political parties, whatever falls out of their mouths, foreshadows what is coming. The FIU Director, Mr. Razim Buksh and the Supervisor of Elections, Mr. Mohammed Saneem, had a meeting with political parties a couple of months ago. The subject of that meeting was fundraising by political parties, especially those done abroad and what political parties need to be mindful of when filing discloses, as all parties were politically exposed persons, as currently defined in this same Act before us and that financial institutions know them.

Mr Speaker, Sir, the issues raised at that meeting were about ensuring how to ensure that receipting by political parties was done as per legal requirements from point of origin, as well as from point of receipt. Mr. Saneem told political parties present of an incident where he apparently met someone aboard who had disclosed to him that he had donated some money to a party but still had not received a receipt, he can go and check with the video recording of that meeting. But when Mr. Saneem feels greedy about practising to the media about us political parties and our knowledge of the law, he should not show his incompetence and be deliberately up to suggest that we try to ask the FIU, to do something not required by law at that meeting.

Mr. Speaker, Sir, NFP is quite competent in the English language. Mr. Saneem can check his video recording and aired that whole conversation of that meeting to the media. What NFP asked the FIU for help in the nomination process, so that there would be no towing and following at that critical time that only has a two weak window from when the Writ is issued. The NFP asked FIU, if it was

possible for them to vet their candidates so that it is one major hurdle dash for FEO to manage during the nomination process because FEO may have up to 550 candidates within two weeks to vet and hopefully, at the same consistent level of attention for all.

The reason why NFP asked FIU about this in the presence of Mr. Saneem is because Mr. Saneem has almost flippantly boasted to parties that during nomination, if any candidate fails to disclose cash or in kind donations with the receipts, the Party will be deregistered. It is all regulate out in the law at Section 191(c) of the Political Parties Registration Code, Funding and Disclosure Act. So all these legal loses that this Bill and the amendment to this Electoral Act will work in tandem to administratively strike political Opposition out at the last minute.

We know this, Mr. Speaker, Sir, and we are prepared for it, time will be my witness we challenged the government to prove us wrong with all that we are saying and to the people of Fiji are saying, go register, go vote, talk to each other, mobilise to support your candidates and parties, urge your families and friends, village and communities and let us bring Fiji back to a nation of freedom, hope and glory at the ballot box. Mr. Speaker, Sir, I do not support the Electoral Act amendment.

HON. F.S. KOYA.- Mr. Speaker, Sir, at the outset, I rise to support the Electoral (Amendment) Act, 2022, Bill No. 49 of 2022, that is before Parliament. Sir, I am lost for words, but let me put it this way, the level of buffoonery on this particular topic is absolutely amazing and outstanding. It has actually become laughable, those in the public gallery are laughing, at the level of buffoonery that comes inside this Parliament and outside with respect to this particular kind of statements that have been made. They are actually even resorting to lies, it amazing, it is quite ridiculous.

They talk about this Bill, they talk about too much powers being given to the Supervisor of Elections, they forget that this morning they were given a lesson in law 101, from the honourable Attorney-General. He explained to them that one, two and three pieces of legislation in there that have exactly the same issues that are being raised, that are being dealt with it. Not a word was said about it by the other side. Not a single word, they have actually got lawyers on the other side, they could have done the same thing.

Let me add some salt to the wound here, this is something with my Ministry, that Trade, Standards and Quality Control Act, 1992, has the same powers in it. So, what are they talking about? Why do you not go and do some research before you come here and mislead the public of Fiji? It is actually quite ridiculous. This is why I say that side and this side, buffoonery, absolute buffoonery when coming into Parliament and making accusations and allegations like this. Not even thinking about it remotely.

Mr. Speaker, Sir, let me just raise this. This law that is being passed is not just for us, it is for the whole of Parliament, it is for their political parties also, it is for them also to see that where they are being transparent. It is for them too, it is not for us. They forget, this is not being passed for us. If God forbids tomorrow, we were not here, this country would actually literally go to the dogs, because the way they would change things would be we go back to completely not being answerable for anything.

It is actually again back to the same word, buffoonery, starting with. Honourable Leader on that particular side is not here today but now, suddenly today also there is a parrot on this side who is using the same words and talking about this in the same manner and tone that he does. This particular leader sitting on the other side of Parliament. He is also now become a parrot for the NFP because they cannot speak up, because they are led by PAP; unbelievable!

Mr. Speaker, Sir, it is actually quite ridiculous the way these people actually conduct themselves in Parliament. Get the facts correct, do not just jump on Australia bandwagon, get your facts correct. Do not just jump on the Law Society bandwagon, get your own legal fortunes, find out, do the research. The

honourable Attorney-General gave a proper explanation this morning, but once again, they decide to turn a blind eye to the truth, because that is not what they believe in. They paddle lies on a daily basis, when they come to Parliament, they paddle lies and try to misinform the public all the time. If they think this is too much power, go read the other piece of law. Why was it that they have not raised something in the last two Parliaments we have been here, almost eight years? Not a day, not one day did they raise anything out of those laws. Where was the FLS then?

HON. S.R. RASOVA.- Why now? Why did you do it now?

HON. S. ADIMAITOGA.- Hey listen!

HON. F.S. KOYA.- Why are we doing it now? Evolution, my friend. Evolution!

Mr. Speaker, let me go through this once again. Hence, we have all the time in a day from what I understand. The Bill seeks to amend five provisions of the current Electoral Act, whilst streamlining processes and ensuring that the work of the SoE and the Office are practical.

Section 2 of the Act amends the definition of a person, which we all know, we all got lessons this morning and before, and this new definition deletes the current definition and expounds clearly the definition of a person. It is more clear, leaving no gap or no ambiguity, leaving no limitations to the definition of a person. It is quite simple. Why would you object to it?

Mr. Speaker, Sir, to put the definition into context, the word ‘person’ is used next, after the definition in section 4(1) which deals with the independence of the Electoral Commission. The section states, and I quote:

“In the performance of its functions and exercise of its powers, the Electoral Commission is not subject to the direction or control of any person or authority ...”

That, Mr. Speaker, Sir, refers to the independence of the Electoral Commission and no natural person or legal person or company or association or body of persons or unincorporated, government department, non-government organisation, statutory authority or any other entity can direct or control the Electoral Commission because it is independently legislated to carry out its functions and exercise its powers.

The amendments to Section 6, Mr. Speaker, includes additional subsections – (1A), (1B), (1C), and it generally illustrates and extends the duties and powers of the SoE, particularly with the direction to disclose information. Why would you object to that? That is what befuddles me and my mind just goes crazy. Why would you object to that - any obligation to provide such information?

Mr. Speaker, if such direction is involved and information is not provided, then the person is committing an offence and is liable to a penalty upon conviction. These powers are important for the SoE, similar to the powers that have been handed out to all these other institutions that we have.

Mr. Speaker, it is actually critical for a SoE to have these relevant powers to obtain information from any person for the purposes of carrying out his or her duty. Now, I will say it again. It is not just for our benefit, it is for their benefit. All political parties benefit out of this, Mr. Speaker. If we did something untoward, we would also be taken to task. It is not about us.

The SoE’s duty is to ensure that all persons wanting to represent the people of Fiji are able to do so. It is the SoE’s duty to ensure that the elections are free and fair, and let me say this quite categorically, Mr. Speaker, the freest and fairest elections have been held under this Government – 2014 and 2018

General Elections. The fairest and freest elections in our history has been the 2014 and 2018 General Elections under this Government and under the leadership of our honourable Prime Minister, Mr. Speaker.

Mr. Speaker, once again also, they went off on some diatribe about the silent 25. You know nothing about how our Party operates! You know absolutely nothing! Look at all you lot, you are befuddled lost bunch of people who have no rudder in your ship, you do not even have a captain left anymore. There is five, six, seven different captains, ten different leaders, people saying different things from different directions, no idea!

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. F.S. KOYA.- And the best part of this all, Mr. Speaker, they want to become the next government. Oh! I feel sorry for our Fijian people if they ever came and sat on this side, they would not know Arthur from Martha. Tuesday to Sunday – they would not know the difference, Mr. Speaker.

What is so draconian, Mr. Speaker, about these particular things that we need to do. The outburst by the Opposition and their merry men outside the House is actually uncalled for. We, on this side of Parliament, Mr. Speaker, have no issues with providing information that is relevant for the SoE to carry out his or her duties - none whatsoever.

The objections and call for the withdrawal of this Bill by the Opposition is simple and clear indication that they probably have information to hide. That is why they do not want it. Honourable Professor Prasad, who is not here, seems to make and calls everyone godlike. Again, he should check before he says things, Sir. There is nothing godlike, only because an agency is being given additional responsibility to obtain better information. This actually shows the lack of respect that the honourable Member has for religion and God, if you are going to mention God like that, Mr. Speaker, Sir.

The removal of subsection (7) from section 36 is important, as this deletion anticipates what may possibly happen during an election. It is anticipated that the series or numbers from previous elections may occur, and having that provision puts the validity of election at stake. That is why the honourable Attorney-General went through a very lucid explanation on all of that this morning for all of us to see and you should understand it. Look at the general public, they would have understood all of that. I cannot understand why they cannot.

Mr. Speaker, Sir, in the event that there are repetition of numbers that occur during the General Elections, there is no breach to any provision and the process of the Election continues.

Mr. Speaker, Sir, the amendments in the Bill to section 100 with respect to packaging, transfer of ballot papers and other election materials after count also enables the Electoral Commission to approve the method of packing for ballot papers that are unused but spoiled. Practically, I am reiterating the Supervisor of Elections, Mr. Speaker, Sir.

The Election Office will be required to send a certain number of books to every polling station with a maximum number of candidates and the same number of books containing 50 ballot papers will be required to be sent to a polling station, and if there are lesser candidates in a polling station, then there needs to be a method of packing which is approved by law.

Mr. Speaker, Sir, these are practical measures of operations for the FEO. We want to make our elections fair and free and make sure that these practical measures are actually put in place so that they

can be done in a swift manner.

Section 110 provides also for restriction on opinion polls. Very simply put. So the amendments and inclusions of a new subsection 110, with its subsections 1 and A, make it mandatory for the Electoral Commission to adopt and publish guidelines on opinion polls, surveys or research related to ensure the orderly conduct of free and fair elections.

We can request information and that person must disclose information, particularly if there is inconsistency to those particular adopted guidelines. He is also obligated to direct the removal or correct any published information which must be adhered to by those directed. Failing to do so, again, is an offence.

Mr. Speaker, Sir, setting guidelines for opinion polls for consistent and clear information being conveyed to the people of Fiji, especially voters, so the methodology of this particular polls can also be questioned to ensure that it is really what is claimed to be the opinion of people, not the wish of the entity or the person publishing the polls.

Again, this applies to both sides of Parliament - we cannot and must not ever have our people, our Fijian people, misled and misguided in the choices that they make. Misleading and misguidance has become a trait on the other side, Sir, and I have witnessed it right through from 2014.

The amendments also provide for an appeal if a person is aggrieved but the decision of the SoE. Appeal must be made to the Electoral Commission within 14 days from the decision date of that SoE. There are very practical amendments to the Electoral Act, particularly in the operations of the FEO.

Mr. Speaker, Sir, with those few words, I wholehearted support Bill No. 49 of 2022 to amend the Electoral Act 2014 before this august Parliament.

HON. RO F. TUISAWAU.- Mr. Speaker, Sir, I rise to contribute to the motion in front of us on the Electoral Amendment Bill, Bill No. 49 of 2022. Sir, we have a big problem. As we reach this juncture in our history, in our preparation for the Elections, we have a big issue.

We had touched on the statement by the Fiji Law Society and the Australian Law Council and honourable Attorney-General has mentioned some issues with that and Australia Law Council, the Honourable Attorney-General has mentioned some of the his issues with that. So, the question here is, who do we believe? That is also for the public. Who does the public believe? Do we believe the honourable Attorney-General or the Law Societies?

HON. J. USAMATE.- We need the facts.

HON. RO F. TUISAWAU.- Because, obviously, they made this statement based on their analysis of the legislation. They would not be making these statements out of thin air. They have explained the legislation, we do acknowledge that, but they have also made the statements accordingly to the reading of the legislation. That is the fundamental question we face. For me, I believe the Law Societies.

HON. J. USAMATE.- We need the facts.

HON. RO F. TUISAWAU.- Not only myself but also the majority of the people of this nation. Why would the Law Council of Australia and Fiji Law Society put their credibility on the line if they do it and knowing that it is misleading or false? Why would they do such a thing they would not?

We have the Government paying their Public Relations Consultants - Qorvis. Why do they not

do a survey and ask that question, who do you believe the Law Societies or the honourable Attorney-General?

HON. S. ADIMAITOGA.- We believe in facts.

HON. RO. F. TUISAWAU.- Well, believe the facts but the facts according to who? That is what we are trying to determine here because the facts are not according to the Government nor to the honourable Attorney-General, it is according to neutral analysis and that is what the Law Societies are providing. Going back to my original question, do we have a big problem right now?

HON. A. SAYED-KHAIYUM.- No.

HON. RO F. TUISAWAU.- Who is the problem?

From 2006 up to now with the political constitutional framework that was have imposed by your Government - the FijiFirst Government and is what we are working under now, that is the fundamental problem that we are facing today.

In the discussions that we are having today, the problem identified is the SoE. That is the main problem.

HON. DR. I. WAQAINABETE.- You are the problem.

HON. RO F. TUISAWAU.- If the political parties do not have confidence in him, how can we have a free and fair elections? That is the question we have right now. It is an issue of confidence from the political parties with the SoE and we need to deal with that issue. It cannot be swept under the carpet.

Yesterday, I saw him talking on the television and he was talking like a Member of Parliament at our level. He is unelected but he is talking like that. Who is giving him the confidence to do that? The honourable Attorney-General.

The FijiFirst Government must first address and resolve the controversial and scandalous reappointment of the incumbent SoE, Mr. Mohammed Saneem, who will have the final responsibility of administrating these proposed amendments and the country's electoral roll as a whole, particularly in view of his conviction by the High Court for gross insubordination associated with his conduct and management of the 2014 General Elections. His conduct and unsatisfactory performance has, again, come under the spotlight in relation to the former Member of Parliament, Mr. Niko Nawaikula's court case, and he is also implicated in a case involving the Solicitor-General.

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

MR. SPEAKER.- Point of Order.

HON. RO F. TUISAWAU.- Mr. Speaker, Sir, the honourable Member is, again, reading from someone's statement. The SoE is never convicted by a Court of Law. He must know what he is reading. He is not convicted and I challenge you to read it outside Parliament. Do not hide behind Parliament Privilege and say that he was convicted by a Court of Law. Please, say that outside.

MR. SPEAKER.- Honourable Member, take note of that.

HON. RO F. TUISAWAU.- Given his gross subordination, the Attorney-General's Office has not taken any action. An appeal was supposed to have been made, lodged, but nothing. So, that is the

issue and it is evidently clear that the incumbent SoE is being given preferential treatment by the honourable Attorney-General, compared to the CEO of the Bureau of Statisticians who was given the marching orders for revealing the truth on ethnic data. The people are owed an urgent explanation of this scandalous situation and appointment, and given the lack of confidence, we are calling for his removal so that we have a free and fair election. That is what we are insisting.

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. RO. F. TUISAWAU.- When we look at the amendments here, there is an issue about the ballot paper, they lifted it up today, they carried it in unceremonious manner as usual. So, the question is, why allow so many political parties? What is the motive behind that? Is it a deliberate ploy by the SoE and the honourable Attorney-General to create so many political parties and divert votes away? That is an issue, so we question the motives of all these things.

What we have heard from the other side is conspiracy. They accuse us of being conspiracy theorists all the time and he is labelling the Law Societies as a cabal of people, doing the assessment and making these releases. I mean, that is also a mind which is thinking of others as conspiring against him. No one is conspiring against him, they are making their own professional assessments.

The honourable Attorney-General seems to be offended by the word '*lewenivanua*' as used by honourable Gavoka. I wonder why he is opposed to the use of that indigenous word? That is part and partial of our discourse, so do not be offended or be opposed to such words.

The honourable Minister for Commerce, Trade, Tourism and Transport mentioned that these Elections - 2014 and 2018, are the most freest and most democratic. Come on, he must be joking because the elections methodology in the Constitution is imposed by the 2013 Constitution which no one approved. The people did not approve it. There was no Constitutional Review Commission. It was just formulated by a few people, we do not know who. That was imposed on the nation. How can that be free and democratic when the free and democratic methodology of elections in the 1997 Constitution was the one which was the product of a Constitution Review Commission where all the people participated? However, this Constitution is the total opposite. So, you cannot say that, honourable Minister.

The honourable Minister also labelled this side of Parliament as "parrots". Parrots are known for repeating whatever the owner is saying. If you compare this side of Parliament and that side, which side has more parrots, this side or that side? The answer is obvious, and the people know the answer to that.

Again, the election methodology that is the most free and democratic election. Honourable Members on that side of the Parliament should not say that because the honourable Prime Minister carried a lot of them in.

HON. M. BULANAUCA.- Mr. Speaker, Sir, I will be brief. Firstly, this Bill shows desperateness. It may boil down to the SoE's decision. I will come to that later on. This Bills here shows to win by hook or by crook. We must watch and be aware of that. It is a draconian law, similar to those 22 draconian Decrees. It strangles the individuals, it strangles the public, it strangles the political parties (I will come back to that later). We will do it, we will do it.

Mr. Speaker, Sir, this should be referred to the Committee for consultation and full discussion with all concerned. Let the people decide. This boils down to who will win, by SOE's decision in the next election because the wellbeing of the people should rest with the people in election; not with the Military but in the Constitution.

(Chorus of interjections)

HON. M. BULANAUCA.- I know that, I am telling you. The wellbeing is in the Military but in reality it should be with the people through election. Mr. Speaker, Sir, on the eve of elections, it is still going on – the amendments to the electoral roll. It happened in 2018 – they were still busy doing this and that, they forgot to get all the rolls to the polling venues. Mr. Speaker, Sir, it is getting worse. I refer to 3(6) of the Principal Act (1C)(a):

“In the case of a natural person, to a fine not exceeding \$50,000 or a term of imprisonment not exceeding 5 years or both”.

Mr. Speaker, Sir, to me the \$50,000 is too much for a person. The laws we make should build people up, but here it condemns people. Also for the other legal entities of \$500,000 for political party - that will kill that political party. It is important that the laws that we make and the penalties that we put in place should build people up rather than condemn. This is one of the condemning legislations that come up here, Mr. Speaker, Sir.

Mr. Speaker, Sir, on 6 Principal Act, 110A (1):

“Pursuant to section 3(1)(h), the Electoral Commission must adopt and publish guidelines on opinion polls, surveys or research related to elections as it deems fit for the orderly conduct of free and fair elections”.

The people doing opinion polls are experts in that field and they know the periphery of how they should work and what they publish is the people’s opinion. It is just an opinion, it is not the truth. Maybe it will reflect the truth but it just an opinion and we should give them the liberty to do their work freely, Mr. Speaker, Sir. Here it says that the guidelines should be made by the Electoral Commission, where is the guideline?

That is why we are proposing that this goes to the Committee so they can get the guidelines there, and they can have a look at it and comment on the guidelines. Also it will strangle the opinion poll agencies, Mr. Speaker, Sir. It is important that the rules or laws that we make, builds things up rather than condemn. It is also talking about rules and the guidelines - that needs to be made clear.

Mr. Speaker Sir, 110A (7) “ The decision of the Electoral Commission on an appeal is final and is not subject to any further appeal to or review by any court, tribunal or other adjudicating body”, this is dangerous, Mr. Speaker, Sir. We have the Commission, we have the Minister for Election but he is the Minister for Economy in-charge of the Commission and should be independent, but he can impose his authority there, the Supervisor of Elections is the Secretary for the Commission, Mr. Speaker, Sir.

HON. A. SAYED-KHAIYUM.- Point of Order.

MR. SPEAKER.- Point of Order.

HON. A. SAYED-KHAIYUM.- Sir, the honourable Bulanauca obviously does not know what he is talking about. The Constitution says that the Electoral Commission is an independent body. Every single independent body, whether it is to do with the Rotuma Council, whether it is to do with any other DPP’s Office any independent body has what we call a line Minister. It does not mean that the Minister runs that particular organisation - it is for budgetary purposes. He knows that. He has been a Minister himself, one would think he has never been one but Electoral Commission’s independence is guaranteed under the Constitution, so is the Fijian Election Office. He should withdraw that comment.

MR. SPEAKER.- Honourable Member take note of that.

HON. M. BULANAUCA.- That may be withdrawn, but in practice that is what the public has seen. I am just saying what the public are saying. It is important, Mr. Speaker, Sir, to let me correct that...

HON. A. SAYED-KHAIYUM.- Point of Order! Mr. Speaker, Sir public has seen what? Seen? How has the Minister interfered with the independence with Electoral Commission? How has the Minister interfered with the independence of the Fijian Elections Office? What have they seen? Again he is going down that path, please.

MR. SPEAKER.- Honourable Member, take note of that.

HON. M. BULANAUCA.- It is important that the appeal should be heard by the court. That is what I am saying. Here, it says, the decision of Electoral Commission is final. It should be referred to a court. That is the independency of the judiciary - the separation of powers there - not under the same Commission and Minister for Election, supervisor being the secretary and the SOE again who has implemented all this and then making the final decision, so on and so forth. That is what my point is. For any decision made, the appellant should appeal to any court, outside the Electoral Commission. That is important, Mr. Speaker, Sir.

Here in 2.6 (5), it says: "...to consider the practicality of the operations in order to approve the best means for transparent, safe and variable mechanism to transport ballot material from polling stations." - the sample was seen here. That is common sense. If there is a change, you change the way you are transporting, boxing, parceling it and the way you take it away. As long as, none is lost along the way and reconciliation is carried out at the destination. It is important, Mr. Speaker, Sir, to note that.

Again, I will say that this is dictatorial governance - trying to control everything. It is important that the well-being of the people should only be left to the people rather than to the military under the Constitution, which we do not agree with. A Committee could discuss this with the public, the people and the stakeholders concerned like the Law Society. The individuals and so on who can be affected need to have their input into the Act.

This election should not be rigged - we are already rigging the process up to now including this Bill. We must warn that we must not rig this election, particularly in the counting, in the legal process. We must ensure that the counting place is forbidden from everyone else and I beg and plead with the police and the military to watch this, and ensure that no one interferes with the counting, particularly not to stop the counting every night, be it for six hours, eight hours or twelve hours - counting must be completed.

It is important and my plea to the police and the military, having the role of seeing to the well-being of the people here, to ensure that the counting is fair, the election is fair and that justice prevails. It is important to note that. As I said, this particular Bill strangles like the Surfing Decree, like the Mahogany Decree - it strangles the *iTaukei* people. Any decisions made, you cannot complain against. You can complain, but it will not be heard by any court of law. The Registrar will just take it and put it in the rubbish bin.

Here again, the same thing, I mean the Commission only. The court should be the final judge. Here again they are not only strangling the *iTaukei* people in the mahogany and the surfing areas (or the *qoliqoli* owners), they are strangling the public, the whole public of Fiji in the way they should operate. It is important to think properly and get them discussed widely first before bringing it here. We can pass it after it has gone around and the public have given their comments, Mr. Speaker, Sir.

As I mentioned the other day, Mr. Speaker, Sir, to conclude - life after electricity is good because darkness will be gone. You can see clearly what we could not see, what had been hidden. Life after elections will be the same. The dark motives (the spots) will go away and any hidden thing will be revealed. The truth will come out and we will be there. Mr. Speaker, Sir, I do not support the Bill.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I would just want to reiterate, again, for the benefit of Members of the other side, the exact provision in the amendment that they are objecting to, has been in the Political Parties (Registration, Conduct, Funding and Disclosures) Act since 2013. Exactly the same provision and I wish to read it out again. Under Section 26A, it says:

“Notwithstanding the generality of subsection (1), if the Registrar has reason to believe that a person has information or relevant document to or required by the Registrar for the performance of his or her duties under this Act, the Registrar may by notice in writing, direct the person to furnish such information or documents to the Registrar.”

Exactly the same provision. The Registrar in this case is also the Supervisor of Elections. It has been nine years since this provision has been put in place. Did the FLS ever come up and say this is affecting privilege? Did the Law Council of Australia come up and say it is affecting the civil rights of people? Did SODELPA come up and say it is affecting the rights of the people of this country? Did NFP come up and say that? It has been there for nine years. Exactly the same provision. What is the difference between that provision and this provision? None!

The only difference is this, it is that the Opposition is now trying to make this into a political issue. They know full well, Sir, that they will lose at the next elections and they are trying to make excuses to say it is not free and fair and credible. Fundamentally that is what it is because from a purely legal perspective, there is no difference. Nobody, no lawyers' rights regarding privilege has been affected. No one's privacy has been affected, Mr. Speaker, Sir. None whatsoever. Same provision, so how come they have suddenly woken up. But even if they woke up, which they have not, but even if they woke up for example, it does not make any difference. You cannot answer that. This is why the FLS analysis is shambolic. It should be put in the rubbish tin because they exactly have not covered that ground.

They have not referred to all the other laws that exist and this is why we are saying, if they talk about accountability - I would love to find out how many people did Wylie Clarke consult in putting out this statement. You can go and ask the lawyers in the Western Division. Remember one thing, not all the lawyers in Fiji are members of the FLS. It is a choice. They can join or not join. And the Law Council of Australia, if you read their words too, Mr. Speaker, Sir (the Opposition does not know how to read), they have said if this has happened then it may be this way.

It would appear, it would appear, is it not. Is it yes or no? It would appear because they are just simply piggybacking on what the Law Society has said. There is no right of appeal against the decision by the SoE other than that to the Fiji Electoral Commission which is final and cannot be further appealed or reviewed by an Act.

Let me give you another revelation honourable Members from the other side. Did you bother to read the Act, did Wylie Clark bother to read the Act. I have got the Electoral Act here, it says on Section 8 honourable Gavoka, read this,

“In the performance of his or her functions and the exercise of his or her powers, the Supervisor is not subject to the direction or control by any person, except that he or she must comply with—

- (a) the directions or instructions that the Electoral Commission gives him or her concerning the performance of his or her functions; and
- (b) a decision of a court of law exercising its jurisdiction in relation to a question on whether he or she has performed the functions or exercised the powers in accordance with the Constitution and the law (which is this law and he can only act within the confines of this of this law), or whether he or she should or should not perform those functions or exercise those powers.”

What it simply means Sir, is that if the Supervisor of Elections goes outside the ambit of the law, if he decides tomorrow to follow honourable Lalabalavu and find out which places in Suva he visits at night, that is going outside of the ambit of the law. That is affecting his privacy, who he is meeting not meeting, that is affecting his privacy. That is not within the ambit of the law. So he can challenge that, he is saying he can take him to a court of law and say “you are acting outside the ambit of the law”.

The Law Society does not even mention Section 8. The Law Council of Australia did not not even look at Section 8. SODELPA did not look at section 8, honourable Members of NFP did not look at section 8. So how can you trust any sort of analysis by these organisations. The entire thesis of SODELPA and NFP has been reliance on the FLS assessment.

Mr. Speaker, Sir, I find it quite incredible as we have said before on several occasions, the honourable Members and someone said from outside also, I cannot remember which honourable Member has said, that they feel they have to object to everything just because we have said it.

For the sake of rejection, honourable Tuisawau who has been here for nearly four years, whenever he feels like it, he says this Constitution is illegal - if he is a man of principal and indeed an honourable Member he would leave Parliament. He would leave Parliament because it is under this very Constitution, under this very electoral system that he is sitting where he is sitting today. If he is so principally aggrieved by it, he should not have ever participated in that. That goes to show that he is not a person of principal, because if he is saying that this is illegal you should be thrown out, he should not have come under this system into this Parliament.

HON. RO F. TUISAWAU.- Point of Order, Sir.

MR. SPEAKER.- A Point of Order!

HON. RO F. TUISAWAU.- I think he needs to be clear, he is mixing the issues. We came into the Parliament through the election system in the Constitution that is fine, but while in the House, I do not have to agree with Constitution so it does not mean that I have to go out because you did not bring me here, I was elected by my voters.

(Chorus of interjections)

HON. RO F. TUISAWAU.- So, you have no right to tell me to go out. If you want to go out, you go out yourself because you cannot tell me to go out because you did not put me here. You were put there by your voters and I was put here by the voters so that is it.

HON. A. SAYED-KHAIYUM.- Sir, this is the level of understanding this honourable Member has, that is my point. I am not going to go because I believe in this electoral system, you do not but you missed the point. The voters only voted for you under this system, under this Constitution. That is the point. He missed it but obviously we cannot go on about that because obviously we have to recognise everyone’s limitations Sir.

But the other point that really flabbergasted me Sir, and I do not use the word lightly, the honourable Member in his desperation berated this, “oh, why is the ballot paper so big? Why have so many candidates?” He said, “Why did you not stop?” All these political parties are being formed?

Sir, under Section 23 of the Constitution it says:

“23. (1) Every citizen has the freedom to make political choices, and the right to:

- (a) form or join a political party;
- (b) participate in the activities of, or recruit members for, a political party; and
- (c) campaign for a political party candidate or cause.”

Every citizen has a right to form a political party. That is their political right. It is a fundamental political right. The International Conventional of Civil and Political Rights (ICCPR) assures every citizen of the right to form a political party and today just to suit his narrative, he is saying we should stop people from forming political parties. Why should we? Because they are frightened of their votes been taken away?

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- They are saying, “yeah”. Why? That is your tough luck. You want the vote, you go and campaign. You have policies that will appeal to people. We cannot therefore stop anyone from forming a political party. If there are 10 political parties being formed, if tomorrow there will be 20, the day after that may be five, that is the choice of the Fijian people and here they are, they stand up and talk about the lack of democracy when they are fundamentally undermining a basic principle of democracy.

HON. J. USAMATE.- Very poor.

HON. A. SAYED-KHAIYUM.- Fundamentally, Mr. Speaker, Sir.

Section 24 of the Constitution says and I quote:

“24. (1) Every person has the right to personal privacy, which includes the right to:

- (a) confidentiality of their personal information;
- (b) confidentiality of their communications; and
- (c) respect for the private and family life.”

We know how they treat private and family life, what they do on social media. Mr. Speaker, Sir, to the extent that it is necessary, a law may limit or may authorised the limitation or the right set out in subsection (1).

The other provision, Mr. Speaker, Sir, I would like to also read out in the Constitution which is what we are following, it says and this is why I object to what honourable Gavoka always goes on about and honourable Tuisawau on those rare occasions actually supporting honourable Gavoka, it says, “All citizens of Fiji shall be known as Fijians” - that is why we say that. It is there in the Constitution, Section 5(1).

The other issue that we like to highlight also, Sir, honourable Qereqeretabua in the usual NFP style makes comments and then disappears. She said and I want to correct her factually and I hope all of you have the Fijian Elections Office application, have it on your phones rather than *Facebook*. You will

see, Sir, that Nasauvakarua is actually a polling station. The people of Nasauvakarua vote in the Nasauvakarua Community Hall. The code of the polling venue is W2299019.

HON. J. USAMATE.- Another lie.

HON. A. SAYED-KHAIYUM.- She stood up and said that there is no polling venue. The community hall is the polling venue for the people of Nasauvakarua. Unfortunately she has disappeared. Hopefully she is watching from somewhere.

She also mentioned that we should have passed a law to say that the bus fare will be free on the day of elections. You do not need a law to say that. The Elections Office are already working with the bus companies. There are already discussions. You do not need the law to come to Parliament to say to make it free.

They went on about political party donations. New Zealand is already in the process of amending its laws to tighten donation laws. They want to make their amount smaller. They want to restrict the amounts of money coming from overseas. Honourable Seruiratu already has this article if you want to see it afterwards. It was published in the newspapers.

Mr. Speaker, Sir, I also was very taken aback, honourable Qereqeretabua who is not here again, a couple of fallacies, and I wish she says this outside Parliament. She said that the bench chose witnesses in one of the cases, that the Judges chose the witnesses. That is actually contempt. She also said that in regards to some people who have taken the matter to the court about the name change, she said the matter is the name change, she said the matter is *sub judice*, but even if the Writ is issued, the seven women plaintiffs will not receive justice. Who is she to say that? She is basically saying that the Judiciary in Fiji is corrupt and I challenge her, Sir, do not hide between Parliamentary privilege, to please make those comments outside Parliament because we have to protect the Judiciary.

The three arms of the State have to be protected in the same way we protect the Legislature, in the same way we protect the Executive, we will protect the Judiciary also. They come here and make these fallacious comments in their political desperation. We have said this continuously. For political mileage, they have continuously sought to undermine institutions whenever they feel like it. That is not very leadership like, that is not very statesmen, stateswomen like, only for your political ascendancy you want to do that, Sir.

Mr. Speaker, Sir, they also went to say, “FijiFirst has not been referred to FICAC.” We go to great lengths to ensure we comply with the laws, we go to great amounts of money we spend to make sure every single product of ours is labelled, all our advertisements are labelled, we follow the laws, we spend money and we spend hours to do that. If they cannot bother to do that, of course, they will be reported. Not to FICAC, we lodge a complaint with the Fijian Elections Office then they do their thing.

Honourable Lalabalavu, I understand said that we reported *Fiji Sun* to FICAC. We cannot report *Fiji Sun* to FICAC, we have complained about *Fiji Sun* to the Fijian Elections Office. What it does, they will do. We can only raise those matters with the authorities and the authority in this particular case is the Fijian Elections Office.

Mr. Speaker, Sir, they said because we do not like the polls. I know certain SODELPA Members including honourable Gavoka have been aggrieved by the poll results. Everyone has questioned the manner in which they have gone and ascertained that information, we are the only ones with the intestinal fortitude (guts) to be able to take these things up even though you call *Fiji Sun* our newspaper which is not, but we believe the law should apply to everyone. Everyone should adhere to the same standards. What is this law trying to do? It is saying that international standards of polling should be adhered to.

What is wrong with that?

The standards that the Electoral Commission has adopted is what is used in Europe and various other countries; what is wrong with that? It is not only about us, it is about all political parties as honourable Koya has said. We know some of you aggrieved, we know NFP is aggrieved by that but they do not have the intestinal fortitude to come out and say that. We have that and that is the difference between us and them.

Mr. Speaker, Sir, honourable Tuisawau again; his logic. He went on and said that because we do not like the Supervisor of Elections, therefore the elections will not be credible. What logic is that? Just because you do not like it as a political party therefore the election will not be credible? We have had two international observer groups for the past two elections, co-chaired by Australia, Indonesia, India, other countries were invited and they joined. I think about 13 or 14 countries had observers. They have all held the elections to be credible and fair. They have all recognised the enormous amount of work that has been carried out.

Honourable Qereqeretabua like the other day, she singled-out honourable Vijay Nath as the Chairman of the Committee (just personally attacked him), she today spent nearly three quarters of her submission, her statement attacking, calling the Supervisor of Elections all sorts of names (personally attacking him). Yet on the other hand, international organisations, our development partners is taking this man overseas saying, “use this what they have done in Fiji as an example to what you should do in your country.” They recently went to the Australian Elections; him and the Chairman of the Electoral Commission. They do not publicise these things. He has been used as an observer in other countries, they do not look at that. Where is the logic in this?

Mr. Speaker, Sir, I can go on about the 2006 Elections. I have said this in Parliament before. A voter turnout in Cakaudrove over 101 percent in the 2006 Elections; the European Union Report says that. In other words there were more votes in the ballot boxes than the number of voters in that constituency. That is credible elections.

Gerrymandering of constituencies, in the old constitution we had what we call “exclusive *iTaukei* seats”. In Namosi, 3,300 people elects one candidate, Nadroga with 19,000 people elects one candidate, where is the equality – no equality. That is what you call “gerrymandering”. In some countries it would be illegal, certain parts in Fiji, polling stations were not opened on time. The first day of the polls, the honourable Karavaki then or the Supervisor of Elections had disappeared, he was not there because he said, “I Sabbath on Saturday, I cannot be there” - so many irregularities. In those days we had three counting stations only in Fiji - Labasa College for the Northern Division, Lautoka for the Western Division and Suva Grammar School for the Central Division. What happened in 2006, the EU Report actually highlights that?

Normally if a ballot box, say for example, is coming from Naitasiri, the box will go in the truck with the Police, go all the way to Suva Grammar School and they empty the ballot papers there and they count it. Guess what happened in 2016? They had a half way clearing house in Flagstaff, I still know the property. They hired it for some odd reason where ballot boxes went to the half way clearing house, God knows that happened there and then they went to Suva Grammar School. Why did they need a half way cleaning house? Why do you need that? Where there were no polling agents available, there were no political party representatives available, they were not allowed there, they were only allowed at Suva Grammar School. There, the shenanigans took place, no such shenanigans took place in 2014 and 2018. They stand up here as if they have got some high moral ground; they have zero, no moral ground.

HON. OPPOSITION MEMBER.- Hogwash!

HON. S. ADIMAITOGA.- What hogwash? Listen!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, even if we threw all the facts in their face, they will still say “hogwash”. That is the level of desperation they have.

Mr. Speaker, Sir, the other point I wanted to make, honourable Gavoka said, “oh, we cannot rely on his analysis because it is known to be wrong, various laws”. No. There have been typos where we had the guts to come back to Parliament and say that the type setting errors have been taken into account, we want to amend it, but never anything wrong with the substantial law or the principal of the law. Honourable Gavoka that is a real cheap shot.

Mr. Speaker, Sir, last but not least, with alot has been said and I wanted to refer to the NFP post by honourable Professor Prasad. This is the level of desperation to justify his political machinations, his political choices using the late Jai Ram Reddy. He said, “The late Jai Ram Reddy understood the security of Indo-Fijians lay in a meaningful relationship with the indigenous people.” What a cheap shot.

Mr. Speaker, Sir, using Jai Ram Reddy to justify his alliance with Rabuka and everyone knows that under this Prime Minister, every citizen irrespective of ethnicity, irrespective of whether they live in maritime or rural areas , irrespective whether they live in Cakaudrove or live in Ba everyone has been treated equally.

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the other point I also wish to make and this is why I objected to certain stereotyping that takes place. When you lump people together in ethnicity, you do not recognise the injustices that take place within that group. With Indo-Fijians, with *iTaukei* if we are going to lump them together, within them there are differences; there are rich ones, there are poor ones, there are connected ones, there are women, there are disable people, there are maritime people, there are rural people, there are the youth. So as a good leader, as a good political party, you would recognise that. That is why we believe in common equal citizenry. This is going back to those days.

They talked about what Jai Ram Reddy did, I know Jai Ram Reddy, I know people who were involved in the Reeves Commission. The Reeves Commission, Mr. Speaker, Sir, said there should be more open seats, less communal seats but there is a Joint Parliamentary Select Committee in which Rabuka did not relent. He said “No, we must have more communal seats” and that is why we had the 1997 Constitution. Honourable Ratu Naiqama Lalabalavu may be aware of that. That man sitting in the gallery was part of the Joint Parliamentary Select Committee, I have the report myself where they were comprising. Therefore Jai Ram Reddy knew that there was no other way out.

He knew that because if you read all of Jai Ram Reddy’s literature, all his speeches, he always talked about common equal citizenry like A.D. Patel and Siddiq Koya did. But he saw that as a pathway of getting there, not to be caught in a time warp like what they are trying to do.

Last but not least, honourable Bulanauca was the one who called Jai Ram Reddy a *tevoro*. He singled him out because he said he is the head of the Judiciary.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- You did.

HON. M. BULANAUCA.- I already made my explanations, there is no need to repeat it , Mr. Speaker, Sir.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, he did, he is not denying that, he did call him a “tevoru”.

In all of these, the reason why I raised these issues is because I wanted to highlight that the contributions to the Bills today have been all tainted as far as the Opposition is concerned by political considerations, not about the law itself. As highlighted, I was not being dramatic, but I just wanted to show the honourable Members the practical reasons as to why we need to amend the law, we have ballot papers that big. It cannot fit into those ballot boxes. We need to physically change those ballot boxes, we need to carry those ballot papers, we have human beings that will have to carry them and we cannot have ballot boxes weighing more than 12.5 kilogrammes, we need to make it easier.

Mr. Speaker, Sir it is absolutely correct, there are polling stations in the rural areas, this place that I just highlighted, Nasauvakarua. One place you have to cross the river 13 times or 12 times to get there. We need to make it easier for them, we need the officials going to conduct this election easier for them. These are the practical reasons as to why these amendments have been brought about. There is absolutely no assault on anyone’s civil rights, there is no assault on legal professional privilege, there is no assault on privacy. All of these provisions have been there and this is why I recommend that we support this Bill.

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

Question put.

Votes Cast:

| | | |
|-------------|---|----|
| Ayes | - | 25 |
| Nays | - | 13 |
| Not Voted- | | 10 |
| Abstained - | | 1 |

Motion agreed to.

[A Bill for an Act to amend the Electoral Act 2014 (Bill No. 49/2022) moved under Standing Order 51 passed and enacted by the Parliament of the Republic of Fiji. (Act No. of 2022)]

MR. SPEAKER.- Honourable Members, for the purposes of complying with the Standing Orders with respect to sitting times, I now call upon the Leader of the Government in Parliament to move the Suspension Motion.

SUSPENSION OF STANDING ORDERS

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

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

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, it is after 4.30 p.m. actually, but we have concluded with the Consideration of Bills and we still have Schedule 2

on motions for which notice has been given, and of course, the Questions under Schedule 3 thus the request to sit beyond 4.30 p.m. today.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion. Anyone wishing to take the floor? Honourable Leader of the Government in Parliament, do you have anything further to add?

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Mr. Speaker, Sir, I have nothing further to add.

Question put.

Motion agreed to.

MR. SPEAKER.- Honourable Members, on that note, we will suspend proceedings for afternoon tea.

The Parliament adjourned at 4.41 p.m.

The Parliament resumed at 5.17 p.m.

REFERRAL OF TREATY TO COMMITTEE – STANDING ORDER 130

MR. SPEAKER.- I now call on the Attorney-General and Minister for Economy, Civil Service, Communications, Housing and Community Development, the honourable Aiyaz Sayed-Koya to move his motion. You have the floor, Sir.

HON. J.V. BAINIMARAMA.- You got that wrong, Sir. Khaiyum!

MR. SPEAKER.- Honourable Aiyaz Sayed-Khaiyum, I beg your pardon.

HON. A. SAYED-KHAIYUM.- Sir, the only similarity is the alphabet K.

MR. SPEAKER.- I know, I know which is the younger man.

(Laughter)

MR. SPEAKER.- That I know but I ...

HON. J.V. BAINIMARAMA.- They both have a beard, Sir.

MR. SPEAKER.- I think I need my glasses changed.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I move:

That the Standing Committee on Foreign Affairs and Defence reviews the Convention on Cybercrime.

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

MR. SPEAKER.- Honourable Members, the honourable Attorney-General has moved a motion to refer the Treaty to the Standing Committee on Foreign Affairs and Defence. I confirm that the honourable Attorney-General has provided me with copies of the Treaty and written analysis as required by Standing Orders 130(2). Therefore, pursuant to Standing Orders 130(3), the Treaty and analysis stand referred to the Standing Committee on Foreign Affairs and Defence for consideration and review.

REVIEW REPORT - MUNICIPAL COUNCILS 2004–2019 ANNUAL REPORTS

HON. V. PILLAY.- Mr. Speaker, Sir, I move:

That Parliament debates the review of Review of the Suva City Council 2006 – 2015 Annual Reports; Ba Town Council 2006 – 2018 Annual Reports; Nadi Town Council 2004 – 2015 Annual Reports; Tavua Town Council 2006 – 2014 Annual Reports; Nausori Town Council 2005 – 2014 Annual Reports; Rakiraki Town Council 2011 – 2018 Annual Reports; Lautoka City Council 2006 – 2014 Annual Reports; Sigatoka Town Council 2005 – 2019 Annual Reports; Savusavu Town Council 2005 – 2010 Annual Reports; Lami Town Council 2004 – 2014 Annual Reports; Levuka Town Council 2005 – 2011 Annual Reports; Nasinu Town Council 2009 – 2010 Annual Reports; and Labasa Town Council 2004 – 2017 Annual Reports' which were tabled on 11 May 2022." (*Parliamentary Paper No. 36 of 2022*)

HON. G. VEGNATHAN.- Mr. Speaker, Sir, I second the motion

HON. V. PILLAY.- Thank you Mr. Speaker, Sir. Municipal Councils in Fiji are legislated under the Local Government Act 1972. There exists two city councils and 11 town councils in Fiji. The municipal councils provide overall policy direction to maintain and improve the quality of services and facilities for the ratepayers.

The Committee was referred the following Annual Reports of the Municipal Councils:

1. Suva City Council 2006 – 2015 Annual Reports;
2. Ba Town Council 2006 – 2018 Annual Reports;
3. Nadi Town Council 2004 – 2015 Annual Reports;
4. Tavua Town Council 2006 – 2014 Annual Reports;
5. Nausori Town Council 2005 – 2014 Annual Reports;
6. Rakiraki Town Council 2011– 2018 Annual Reports;
7. Lautoka City Council 2006 – 2014 Annual Reports;
8. Sigatoka Town Council 2005 – 2019 Annual Reports;
9. Savusavu Town Council 2005 – 2010 Annual Reports;
10. Lami Town Council 2004 – 2014 Annual Reports;
11. Levuka Town Council 2005 – 2011 Annual Reports;
12. Nasinu Town Council 2009 – 2010 Annual Reports; and
13. Labasa Town Council 2004 – 2017 Annual Reports,

These constitutes 126 Annual Reports which the Committee assiduously examined. The Committee was referred these Annual Reports over multiple Parliamentary Sessions. Our plan was to read the more recent reports and formulate pressing questions to be sent to the municipalities for their response, however equal attention were also paid to the more dated Annual Reports in the Operational and the Financial anomalies they contain.

During the scrutiny of the Annual Reports, extensive communication was made with the Town or City Councils either in person through the undertaking of site visits or via emails and correspondence. During the scrutiny of the Town and City Council Annual Reports, we observed the absolute financial impact of the COVID-19 pandemic on the operations of the councils, some of whom were facing financial difficulties, even before its concerned.

Consequently, Councils have had to delay the construction of some of their capital projects due to the diversion of funds to other urgent activities at that time. The pandemic has also resulted in many ratepayers defaulting on their payments due to financial constraints. These has resulted in further accumulation of rate and rental arrears for the municipalities. I will now briefly highlight some pertinent findings emanating from the Committee's inquiries in relation to each of the municipal council's operations.

Suva City Council: the key achievement of Suva City Council from 2006 to 2015 involves the improvement of drainage systems, construction of road lanes, capital work projects, fencing, retaining walls and beautification of the city area. Over the years, major building development and redevelopment approvals were issued.

To contribute to a sustainable city, the Suva City Council has implemented initiative to maintain and enhance the quality of life for people, cleaning initiatives and improvements to public trades. We note that the total rates of the Suva City Council as at 31st March 2022 is \$9.1 million in principal and balance is interest compounded.

Collection strategy of arrears was discussed with the Council Management and the Committee was informed that for defaulting cases:

- payment arrangements were encouraged;
- source deduction is looked at as an alternative;
- caveats or charges are placed; and
- legal actions are taken.

Ba Town Council: The Ba Town Council is in the process of programming flood mitigation works which includes drainage upgrading and desilting works. For example, it has already started drain-desilting works in Yalalevu Ward which is a low-lying area prone to flooding.

Another issue noted by the Committee was that due to COVID-19 tenants were unable to pay rent on time and therefore have arranged with the Council to clear the arrears through instalment payments. The plans of Ba Town Council to collect outstanding rates include:

- house to house visit by Rate Officers to make arrangement with ratepayers on outstanding dates;
- deduction at source;
- ratepayers owing less than \$5,000 in rates are taken to Small Claims Tribunal;
- legal action is taken against ratepayers over than \$10,000 in rates;
- ratepayers are contracted for arrangement of dues through emails and phone calls;
- ratepayers are also able to use the online banking platform;
- irrevocable authority is signed by ratepayers on weekly, fortnightly or monthly basis for arrangement of payments; and
- demand notices to be served to ratepayers.

Nadi Town Council: The COVID-19 pandemic posed a major challenge to the operations of Nadi Town Council. As we all know the pandemic had a major impact on Nadi due to its large reliance on tourism. This led to a reduction in the payment of town rates with tenants not being able to pay their rents. Business also suffered huge losses. This resulted in reduced collection of town rates thus the budgeted revenue was not collected which led to some projects being put on hold.

The Committee noted that these challenges were addressed as follows:

- All staff recruitment who are put on hold;
- contracts were revisited and tendered out for three years which brought in savings;
- Grass cutting contract was reduced from two cycles to one cycle on a monthly basis during the dry spell leading to a savings of approximately \$14,000 a month; and
- House to house rate visit was undertaken and people were given opportunity to pay town rates instalments through direct deduction for employers, et cetera.

Secondly, the Committee was informed that to address the issue of flooding in Nadi a significant budget will be required. We note that a project is being undertaken by Government to address flooding in Nadi. Some of the works that have already been undertaken after the construction of five retention dams on the upper catchments of Nadi River.

The ongoing works are as follows:

1. Nadi Flood Alleviation Project (Part A) - The components of this part will be the improvements to the Nadi Town drainage system, dikes and retention catchment for the protection of Nadi Town.

2. Nadi Flood Alleviation Project (Part B) - the components of this part will be the overall protection of town and continuation of dikes from Part A, retention catchments, river widening and deepening, channel improvements, et cetera.
3. Nadi flood Alleviation Project (Part C) - the components of this part will be the improvement to the catchment area. This involves improving farming techniques, rehabilitation of degraded slopes and planting of trees on deforested areas.

Tavua Town Council:

There are two major challenges faced by the Tavua Council:

1. The Council grapples with funding constraints. To generate income the Council is now charging fees for some of the services which were previously provided at no cost. For example, fees are now charged for site inspection, health inspection, Council referrals, et cetera. Additionally, the Council will be proposing a garbage collection fee for Tavua. Also it has identified a land for its own car park. We note that these will provide additional income for the Council.
2. The Council is experiencing technical expert shortage. Therefore it has engaged in the sharing of resources with Rakiraki Town Council whereby it has shared the building Inspector and Health Inspector with the Rakiraki Town Council. Request has also been made for the assistance of other municipal councils like Ba Town Council and Lautoka Town Council.

Nausori Town Council: The key challenges facing the Nausori Town Council is financial constraints and its invoice revenue is less than expenses. The Committee notes that the Council is not in a position to operate without the Government Operational Grant. Currently the Council receives Solid Waste Grant of \$200,000 and Korovou Satellite Town Grant of \$50,000.

The Town Council informs the Committee that the plan to address these challenges is through:

1. Increasing the garbage fees and finding creative ways to reduce cost, increasing the rate levy (the current levy is on 0.01 x unimproved capital value of rateable properties). The Council is in the process of completing the sectional valuation which will increase the rate levy
2. Looking for new revenue streams such as parking meters, new markets, sporting facilities and commercial investments. The Council is currently working to procure solar parking meters and collaborating with community or stakeholders to develop facilities or commercial complex
3. Conscious spending and curbing unnecessary cost: The Council has strengthened this area since 2016
4. Exploring more shared service options with the Suva City Council and Nausori Town Council. This will help further reduce the cost of doing business and saving provision.

Rakiraki Town Council:

The total arrears of Rakiraki Town Council as at 28th March 2022 stood at \$1,900. We note that rate recovery includes follow ups with ratepayers who are making instalment payments. Ratepayers who have outstanding rates since 2013 have been taken to Small

Claims Tribunal while those who have tenants are approached to pay their rent in order to subsidise the landlord's outstanding rates.

Rakiraki is a true agricultural community and the town council has built a modern market which has a women's accommodation, conference room and the Council is in the process of building office rental space from the first floor of the market.

Lautoka City Council: There are two major challenges faced by the Lautoka City Council and these are as follows:

- Firstly in relation to planning and development of service delivery with the inclusion of extended rural service areas formerly under the Lautoka Rural Local Authority for development permit management has sustainably increased workload in the planning and development. To address this the Council is in the process of recruitment of additional staff for the department.
- To fast track approval processes the Ministry of Local Government and Ministry of Commerce, Trade, Tourism and Transport has commenced working on the digitalisation of online submission of applications for Ease of Doing Business and has formed a Building Permit Assessment Committee to process investment project applications in excess of a million dollar value.

The Council will need to upgrade its IT system accordingly.

Sigatoka Town Council:

The Committee noted that the Sigatoka Town Council does not have enough revenue to meet its objectives. As such, the Council is now working on its plan to having properties which will boost economic return to the Council. These projects include the construction of office space at its vacant property in Lawaqa, riverside development of cafes, restaurant, bars, kiosk and amphitheatre, location of new parking space at the tramline and the construction of a new market and bus stand at the Etuba land to accommodate the increase in market vendors and buses.

The Council is also working with the Special Administrator Board to develop a master plan for Sigatoka Town.

Savusavu Town Council:

The Savusavu Town Council faces the following major challenges:

- In respect of its final status, the Council was on overdraft from the Years 2005 to 2010 which made it difficult to meet its objectives.
- In terms of revenue generating projects in the years from 2005 to 2010, the Council had no ongoing revenue generating projects. This has limited the Council in the achievement of its objectives. We note that the Council is currently addressing these issues but trying to increase its revenue generating projects particularly in the aspect of implementing paid car parks, public convenience, parking meters, constructing a new market with SMA vendors and retail outlets.

There are more revenue generating projects in the Council's Strategic Plan which it will be implementing in coming years to overcome its challenges.

Lami Town Council:

Mr. Speaker, Sir, I wish to bring to the attention of the honourable Members a typographical error on page 14 of the Committee's report specifically Item 3.11: In respect of the total arrears of the Lami Town Council, I wish to confirm that the total arrears for the Lami Town Council as at 12th April 2022 stood at \$12,173.35 and not \$1,217,335 as stated in the Committee Report.

The Committee noted that in order to recover the option in rates arrears, Lami Town Council had issued demand notices and tenants have arranged with the councils to clear arrears with monthly rentals. The major reason given for the default payment is the impact of COVID-19. The main causes of rental arrears were due to tenant seeking time to clear the arrears due to financial difficulties. Monthly follow-ups are needed to reduce rental accumulation.

The key challenges faced by the council are the lack of diverse of new streams and poor governance resulting in financial losses. We note that the abuse of office at the Council and fraud has been reported to FICAC and is currently under investigation.

Levuka Town Council:

The Committee noted that one of the council pressing needs is greater revenue generation due to the limited number of ratepayers. For this reason, the town council resorts to the Government and NGOs for assistance. The Council is also looking at leasing some of the properties and engaging it to other developments in order to increase its revenue. We also note the council has completed its evaluation and we will implement it soon.

Nasinu Town Council:

Financial constraint is the key challenge for Nasinu Town Council as it has limited funds to provide services such as grass cutting, drain cleaning, health enforcement prepares to council properties, infrastructure, et cetera. The council informed us that it could not operate without the annual government operation grant.

The Committee noted that the plan to address this issues is:

1. Increasing the current garbage fees of \$78.48 and finding other creative ways to reduce cost. Currently, the town council has outsourced its solid waste collection to the Suva City Council, the solid waste service requires a good set of fleet which was challenging for the council to cure because of its financial position.
2. Increasing the rate levy. The current rate levy is .006 x unimproved capital value of the rate property. The council is currently working to conduct the evaluation which it inform the Committee will result in an implement of rate levy.
2. Exploring new revenue scheme such as parking metres, construction of markets, spotting facilities and venturing to other commercial investments. The council is currently working to procure solar parking metres and its collaborating with the community or stakeholder to develop its facilities.
3. Conscious spending and carrying unnecessary cost, the council has strengthen these areas since 2019.
4. Exploring more shared services option with the Suva City Council and the Nausori Town Council. This will help further reduce the cost of doing business and provide services.

Furthermore, the other challenges faced by the Nasinu Town Council was poor governance

resulting in financial losses. The abuse of office and fraud cases have been reported to FICAC and is currently under investigation.

Labasa Town Council:

The major challenges encountered by the Labasa Town Council include natural disasters such as cyclones and flooding. For findings in some defaulting ratepayers are residing in overseas, property transfers being conducted without notifying the Council and transfer notices are not given to the town council, council to adapt to SMEs according to the current IFRS accounting standards. The total rate arrears of the council up until the time of the Committee Inquiry stands at \$1,841,845.33 and this includes some of the informal settlements located within Vatia ward at Batinikama.

Mr. Speaker, Sir, at this juncture, I wish to encourage the Municipal Councils, its Special Administrators, Chief Executive Officers and staff to continue to pursue their mandate or providing active and efficient basic services to Fijians and acknowledge the work done, thus to improve council operations.

HON. S.R. RASOVA.- Mr. Speaker, Sir, I would like to thank the honourable Viam Pillay, the Chairman of the Standing Committee on Social Affairs, in deliberating on this Review of the Suva City Council. There are 13 councils and towns that have never been reported since 2004. Some have been in 2005, some have been in 2007. So, this reflects the administrations of all town councils how late they have been and I am glad these Annual Reports were tabled on 11th May and come in August, now it is tabled for debate in Parliament and I thank the Committee for the speed of their review.

When we from this loyal Opposition, always argue with the honourable Minister that we have to have municipal elections and everything, and she said that the past election, the Mayors and everything were corrupted. But given that, we are talking about 2004 and 2006, what is happening? Is this a sign of corruption or non-corruption for the late of the Annual Reports to be reviewed? This, we have been today in 2022 for 2004, it is irrelevant.

Mr. Speaker, Sir, I will caution the honourable Prime Minister. Since Monday, he has been calling me FICAC, and this has been going since 2020, when I was sitting right at the back there. Every time, I stand up he calls me FICAC. That curse today has been implemented by the institution. That what has happened, and just a while ago, he cursed me he said, "FICAC- five years," and my FICAC case is on Monday.

He is determining my future and I hope that in the Privileges Committee for the purpose of performing its functions and duties, the Committee may summon any person to appear before the Committee to give evidence or provide evidence and for the purposes of the Committee, has the same powers as the High Court to enforce the attendance of witnesses and examine to the oath, affirmation or otherwise compel the production of documents of other materials of information, as required for performing functions and the duties.

The honourable Prime Minister should respect the position, and I hope as the loyal Opposition, and respect your position. Parliament is an independent arm of the State and is fully entitled to take such measures it deems fit, to maintain the integrity and the quorum and to take action for the breach of privilege or contempt of Parliament.

The Fijian Constitution and the Standing Orders of Parliament are very clear, in that the control and administration of Parliamentary precinct is vested with the Speaker. Mr. Speaker, has the authority to maintain the quorum of Parliament, in accordance with the Standing Orders. It is the Speaker's responsibility to secure and maintain the honour and dignity of Parliament.

The honourable Prime Minister should refrain from calling me FICAC. The five years will go against me. His curse has been happening. I hope that he will refrain from that from tomorrow. Tomorrow, is my last day in Parliament, so you should refrain from that.

Mr. Speaker, Sir with regard to the Suva City Council, it is unfortunate that it could not do its Annual Report since 2006 until 2015. We do not have 2016, 2017, 2019 until 2022. The anomalies have been happening, the uncollected arrears for the last how many years, it is an embarrassment for this government. We are not blaming you but it is the paper that you present. We are not embarrassing you, we are not going against you, performance, effectiveness, efficiency, that is what you call “unprecedented” but it does not show here. I am not getting angry, I am just getting angry that the honourable Prime Minister was teasing me by calling me FICAC.

Mr. Speaker, Sir, I just want to thank the Standing Committee on Social Affairs for bringing up the speed of all these. Even though I can go on and on for the reviews of all the towns and cities in Fiji, we can go on until tomorrow morning, but I will reserve that.

I support the reviews even though that I have not gone in detail because the anomalies in there and I thank the Chairman. Thank you, Mr. Speaker, Sir and I hope that you will talk to the honourable Prime Minister not to do that.

MR. SPEAKER.- I thank the honourable Member for his contribution to the debate. Sometimes, I am baffled by the honourable Member. When he is making a complaint, he is smiling fully and I do not know whether he is pulling my leg or whatever and the moment he sits down and he is doing it now, so whether the joke is on the honourable Prime Minister or on me.

HON. S.R. RASOVA.- I have no malice.

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

HON. J. USAMATE.- Mr. Speaker, Sir, thank you for the opportunity to talk to this Report, the Report on the various city councils and town councils on their annual reports.

First of all, I would like to thank the Chairman of the Committee and the Members of the Committee. Looking at the size of the Report, the appendices, their job has been quite a big job and there are a lot of issues that have been highlighted in this particular Report and I think it also shows the enormity of the task that the Ministry of Local Government has had to contend with over the years, in trying to address the issues related to Municipal Councils all over Fiji.

I would just like to speak very briefly to some of the recommendations, Mr. Speaker, Sir, the recommendations that appear on Page 17 of the Report, the Committee recommendations. There is a recommendation there.

The first one is about the issue of poor drainage and frequent flooding, calling for the Municipal Councils to work with different stakeholders. I can confirm in this House that the Fiji Roads Authority (FRA) has been working well with the local governments in looking after the drainage around the roads because FRA tries to the best of its ability to drain the water around the roads and into the waterways and over the past year or so, you have seen the emphasis that the FRA has put into improving drainages in not only around the city councils and town council areas but all over the country. There has been a massive exercise in that and FRA will continue to do this.

The third bulletpoint, Mr. Speaker, Sir, talks about Municipal Councils for the Ministry of Local Government and relevant government agencies and other stakeholders explore ways of reducing traffic

congestion in towns and cities. This is also something that the FRA has been focused on, working together with local governments. Over the past one-and-a-half years, we have seen a lot of investment that has been done in ripping and remaking roads all over our urban areas. Lots of roads have been ripped up and remade to improve the surface of the roads, to make sure that we can try to enhance and reduce traffic congestion by making sure that the services provided have been improved. This is, I think, more than a 100 kilometres have been done, not only around the towns and cities but all over Fiji, Mr. Speaker, Sir.

The third issue that I would like to talk very briefly about is the fifth bullet point. The fifth recommendation there when it talks about municipal councils in consultation with the Ministry of Local Government, the Ministry of Lands, iTLTB and other stakeholders to streamline the process of obtaining approval for rezoning. This is also something that the Ministry of Lands has been involved with, together with the Director of Town and Country Planning and other agencies. Looking at improving our SOPs and to try to make sure that we can speed up the consent to rezoning and subdivision simultaneously. Thank you very much, Mr. Speaker, Sir.

HON. P.D. KUMAR.- Mr. Speaker, Sir, I also thank the Committee for their comprehensive Report and at the speed at which they were able to clear the reports as well. Mr. Speaker, Sir, the Ministry of Local Government acknowledges the recommendations made by the Standing Committee and I will respond to the 10 recommendations of the Committee in this Report.

Mr. Speaker, Sir, on recommendation one, the municipal councils are using multi-agency approach to work on mitigating measures related to drainage and flooding and you have just heard how the Ministry of Local Government works with FRA in addressing the flooding issues, as well as the drainage issues in fact. The Ministry of Waterways have been helping the Ministry of Local Government and they have been allocating money to the Municipal Councils for drainage rehabilitation works. In 2019-2020, the Ministry of Waterways allocated \$2.2 million and through this funding, the councils carried out maintenance works on drainage in towns and cities.

The councils have also carried out the assessment of the drains and the culverts to improve drainage in towns and cities. Mr. Speaker, Sir, most town and cities were built on a flood plain when climate change was not a threat. The drains lie fairly close to the water levels so at high tide, some of these drains fall below the water level, causing significant backflow.

Mr. Speaker, Sir, these drains are old and it needs to be replaced to deal with above average rainfall and excessive flow of storm water. It must be noted, Mr. Speaker, Sir, most closed drains lay beneath the streets and laneways where roads needs to be ripped to improve the drainage. Accessibility and locations of these drains become a problem to flush it out completely, what we need is new technology such as vacuum pump that can suck the silt and debris out. Where possible, the councils have progressed with the installation of new drainage.

Mr. Speaker, Sir, on Recommendation No. 2, the Ministry acknowledges that the council should vigorously pursue collection of all outstanding rates and rental revenues as per the recovery plan. The Ministry together with the 13 Municipal Councils conducted rate profiling exercise to improve rates recovery.

Rate Profiling was done for the first to understand whether ratepayers have genuine reasons for not paying rates and when the rate profiling exercise was completed, we found that there were people who rented out their homes and they were living abroad and they did not pay the rates, in other words they were collecting the rent but not paying the rates and similarly, Mr. Speaker, Sir, there are other house owners who have rented multiple flats but they still owe rates to municipal council and their businesses who also owe rates to municipal council. So, rate profiling has really helped the municipal councils to

come up with strategies and to establish what changes can be brought about in the legislations so that simple methods can be used for rate recovery.

As I mentioned earlier on, Mr. Speaker, Sir, for example in New Zealand, if a rate payer does not pay the rates, if the property is under mortgage then the bank will pay the rates and it gets added on to their loan amount. So, we need to look at simple and practical methods to collect rate arrears, as we have heard, Mr. Speaker, Sir, councils are engaged in house to house collection, at source deduction, recovery through small claims tribunal and through Magistrate's Court, placing Caveat on freehold properties and they have offered incentives to ratepayers through discounts.

Mr. Speaker, Sir, based on the Ministry's analysis of rate arrears, it was seen that the rate arrears collections has slightly improved in all 13 Municipal Councils. The Nasinu Town Council showed the biggest rate arrears that is by 25 percent while Nadi and Lautoka recorded a 21 percent recovery of rates.

Mr. Speaker, Sir, despite the COVID-19 pandemic, the Nasinu Town Council did very well in rates collection and they opted for legal and debt recovery methods. Nasinu Town Council filed 1,347 cases in the court to recover \$3.5 million owed to them, 186 ratepayers cleared the arrears at once and through that, the council collected about \$430,000. Other ratepayers have opted for payment plans.

On the issue of rental arrears, this remains an area to be improved by the Council. Mr. Speaker, Sir, for rental revenues owed to Suva City Council from 2009 to 2015 has been recovered. The areas were mainly due to the fact that most of the tenancy agreements had lapsed and were not renewed in a timely manner. Therefore, the tenants did not feel obliged to keep up with the rental payments.

Mr. Speaker, Sir, the rent owed to Suva City Council as at 31st July, 2022 stands at \$97,262. The reason for the rental arrears is the adverse effect of the pandemic. These defaulting tenants have entered into arrangements and the arrears shall be cleared before 31st March, 2023.

Mr. Speaker, Sir, on Recommendation No. 3, the Councils have initiated major projects that will assist in the revenue generation and in some cases, the projects are also funded by the Government.

Currently, Councils rely on rates to deliver services which is the main source of revenues. So, some of the projects they have embarked on are the:

- installation of more than 100 parking metres in their respective municipalities.
- Children's Park Event Bure developed in Savusavu.
- Namoli Green Night Market and Botanical Garden Coffee Shop in Lautoka.
- Market Development Projects for Savusavu, Levuka, Ba Open Shed, Rakiraki, Laqere, Namaka and proposed Navua Market.
- Mini-Market Development in Flagstaff. Also, the plan is there to develop Mini-Market in Mead Road, Raiwaqa and Nakasi.
- Sports facilities such as Govind Park and Ratu Cakobau Park which was recently fixed is also earning revenue for the Municipal Councils.
- Korovou Restroom in Korovou is also generating good revenue for Nausori Town Council.

Mr. Speaker, Sir, on Recommendation No. 4, Parliament in March 2022 Session had passed an amendment to the Town Planning Act 1946, removing detailed steps in the scheme amendment process which primarily involved hearing of objections and timelines within which decisions are to be made. The amendments have also empowered the Permanent Secretary responsible for town planning to modify the Town Planning Schemes by declaring identified areas where natural extension of commercial activities would prevail and block rezone them.

Mr. Speaker, Sir, the above initiatives are established to streamline the rezoning process. This means that Municipal Councils can now work more efficiently with the Ministry of Commerce, Trade, Tourism and Transport (MCTTT) to identify more areas for block rezoning and ultimately, reduce the need for developers to make application in a piecemeal manner.

Mr. Speaker, Sir, on Recommendation No. 5, the Ministry of Local Government has been collaborating with Municipal Councils to enhance efficiency in their operations through fundamental institutional reforms.

The work culture at Municipal Councils has been quite different from the way other corporate bodies operate. The staff have been members of trade unions and have entered into collective agreements with unreasonable terms and condition.

In some collective agreements, there are provisions which is not offered by private sector or the Government. For example, a Council is giving 32 days annual leave to staff who earn more than \$10,000 and they can accumulate leave up to 124 days. Mr. Speaker, Sir, the same Council offers 24 days leave to staff who earn below \$10,000 and they can accumulate leave for 50 working days. The Council also gives 19 days of paid sick leave annually.

Mr. Speaker, Sir, these collective agreements are impractical, considering the changes in the Employment Relations Act 2007. A new collective agreement has been drafted and cleared by the Solicitor-General Office for Councils to negotiate with the unions.

Mr. Speaker, the Councils have new organisational structure and these new organisational structure have been drawn to focus more on customer service, revenue generation and for sustainability.

Mr. Speaker, Sir, the Ministry has developed the following policies for the Municipal Councils. These are the:

- Financial Manual;
- Human Resource Manual;
- Social Media Policy;
- Whistle Blower Policy;
- Council Meeting Guidelines; and
- Resource Manual for Special Administrators.

The Ministry holds regular training for Finance and HR teams of the Municipal Councils and similarly, they also hold CEO Forum where guest speakers are invited to speak on different subject matter where the CEOs are given an opportunity to ask any question related to their Municipality.

Mr. Speaker, Sir, it is worth noting that some Councils have also developed Standard Operating Procedures (SOPs) to guide their operation. On Recommendation No. 6, section 88(1) of the Local Government Act allows Municipal Councils to enter into partnership, joint venture or other commercial arrangement with other Councils to promote health, welfare and convenience of the residents of the Municipality.

Mr. Speaker, Sir, one example of shared services between the Municipal Councils is the solid waste management between Nasinu Town Council and Suva City Council. The Council also entered into an arrangement with Nadi Town Council to bulk buy digital display parking meters to save costs. The orders have been placed with a New Zealand company using the Council's procurement system. The meters will assist the Councils in revenue generation.

Savusavu Town Council, under shared services, is helping Rakiraki Town Council and Nausori Town Council in procuring three compactor trucks to provide efficient waste management services in the Municipalities. Beside this, Mr. Speaker, Sir, Municipal Councils have made arrangement to share human resource services, such as Finance Officers between two Councils or Legal Officers between two Councils, and even IT Officers, Building Inspectors, Town Planners between two Municipal Councils. This is being done to save resources for each Municipal Council because the nature of the work is still the same.

On Recommendation No. 7, the Ministry for Local Government has established a working relationship between the Municipal Councils and the Construction Implementation Unit (CIU), to ensure that capital construction policies are effectively implemented at the Council level, because we do realise that Municipal Councils lack capacity in this area.

Mr. Speaker, Sir, on Recommendation No. 8, Municipal Councils have been working with the Ministry of Local Government to put stringent measures against absentee landlords who are defaulting on rate payments, as I had mentioned earlier on.

On Recommendation No. 9, Mr. Speaker, Sir, the dog licensing and the dog control is under the jurisdiction of the Ministry of Agriculture as per the Dog Act 1968. However, the Councils assist the Dog Control Programme of the Ministry of Agriculture, SPCA and Animal Fiji. This includes licensing drive, unlicensed dog trapping and desexing drives.

Mr. Speaker, Sir, on Recommendation No. 10, Savusavu, Rakiraki, Tavua and Labasa Town Councils have been looking for appropriate dump sites for proper waste disposal. The Savusavu Town Council has already conducted consultation with the landowners and iTLTB on the new side, which is in Naqere. Discussions are still underway.

Rakiraki and Tavua Town Councils have plan to share one dump site, which will be located at Rabulu, Tavua. The site is a freehold land. The Council has engaged a valuer to provide valuation of the site. The Environmental Impact Assessment (EIA) application has been submitted to the Department of Environment to determine the suitability of the site. The Council is also in discussion with the Japan International Cooperation Agency (JICA) for their assistance in providing technical assistance.

Mr. Speaker, Sir, coming back to honourable Rasova, he raised two issues; one was, why there was a delay in submitting all these Annual Reports? That is a legacy issue with Municipal Councils, and if you look at the Annual Reports that were submitted and reviewed by the Committee and you had correctly pointed out these Annual Reports were due from 2004. With a lot of effort placed by the Special Administrators, we managed to clear all those Reports. But you must not forget that some of the delay was also because of the Auditor-General's Office. They were slow in clearing some of those Reports.

Regarding election, Mr. Speaker, Sir, I think we have discussed this issue so many times in this Parliament. We have heard the calls made by the Opposition to hold the Local Government Election. We had elected Councillors from 1972 until 2008. The question that I always ask is; what did they do to improve the cities and towns?

As a nation, we have learnt a lot from the past when the towns and cities were run by elected councillors. Past experience clearly shows that elected councillors lack the vision and appetite for progress and development.

Mr. Speaker, Sir, under elected councillors, six Municipal Councils were dissolved due to corrupt practices. For example, in 1977 within five years after Municipal Election was introduced, the Suva City Council under the Alliance Government was dissolved. In 1998, again, under the Alliance Government,

Nausori Town Council was dissolved. Under the SVT Government in 1997, Lautoka City Council was dissolved and also Savusavu Town Council was dissolved. In year 2000, Sigatoka Town Council was dissolved under the Peoples Coalition and in 2008, under the Interim Government, Nasinu Town Council was dissolved. The only way forward for the Interim Government at that time was to carry out a review exercise just to find out some of the critical issues. I will talk about that a little later.

Mr. Speaker, Sir, after 2008, amendments were made to the Local Government Act and the Special Administrators were introduced to look after the affairs of the Municipal Council. But talking about corruption, Mr. Speaker, Sir, it seems that we tend to forget what happened during that period. Let me just share with you that Suva City Council sold six residential properties where one property was bought by a councillor. Prime foreshore land was sold to FNPF because elected councillors had no vision for the future. And if you are complaining, why we do not have car parking facilities in the City of Suva then, again, we can talk about what the councillors did in the past. They sold Stewart Street Car Park, as well as Greig Street Car Park.

Mr. Speaker, Sir, such corruption existed and the worst that I found was how the councillors, during elected days, were using money from the council for their own gain. The Councillors and Mayoral Allowance during that time stood at \$189,000.83, excluding travel and reception or entertainment cost. Evidence shows that councillors were abusing the system by holding multiple meetings for the purpose of earning allowance. Mr. Speaker, Sir, the total cost borne by the Council on Mayors and Councillors during that period, that is, in 2007 was \$422,128, and that is just for one Council.

Mr. Speaker, Sir, when the Government review was conducted in 2009 by a three independent member committee, it was found that some Municipal Councils tried to keep their Councils small, in other words, they did not want to lose their political control and, therefore, they did not allow for boundary extension, not like what we are doing now. We have extended our boundaries and we have included Rural Local Authorities under Municipal Councils.

They also found that municipal funds in some councils were frequently expended in feasting and frolicking and, of course, paying salaries for officers who rarely worked or did not deliver at all. So there are a number of reviews that gives us a direction, and the direction is for the Ministry of Local Government to review the Local Government Act.

Mr. Speaker, Sir, a Local Government Act Review Committee shall be appointed soon to carry out the review exercise. Areas to be examined will also include the consideration of the best possible model for Council members selection process, whether it should be appointed or elected, appointment, number of councillors per Council and a system to appoint the first citizen, how many terms a Councillor may serve, whether it is a system of Board, should continue or have a single boundary, how the election should be conducted, and many more other things. Thank you, Mr. Speaker, Sir.

HON. J.V. BAINIMARAMA.- Mr. Speaker, Sir, I rise to speak on the motion by honourable Pillay. First, I wish to convey my appreciation and commend the work of the Chairman and Members of the Standing Committee on Social Affairs in their comprehensive deliberations on the Annual Report on the 13 Municipalities. The same also goes to the Management and Staff of all the Municipalities around the country for their steadfast commitment to overcoming the challenges brought by the pandemic.

Mr. Speaker, we are all aware of the challenges the Municipal Councils are facing as highlighted in the Review Report by the Committee, and the colossal financial impact of the pandemic on the Councils' operations. What is important to address in this august Parliament is, how these Municipal Councils through the Ministry of Local Government, are rectifying these issues in the context of our recovery which, I might add, are progressing well because we planned for it well.

Mr. Speaker, Sir, I know that discussions and deliberations of Review Reports presented in this Parliament and operations of respective agencies in Government who were impacted by the COVID-19 pandemic, and I am sure that honourable Members on the other side of Parliament will blame us for the once-in-a-century pandemic. Sir, COVID-19 brought these challenges, and we are the ones who solved them.

Mr. Speaker, my Government has always promoted the modernisation of the delivery of services to its people and this include the services of Municipal Councils. In all the years of operation of Municipal Councils legislated under the Local Government Act 1972, no other government has stepped forward to modernise the services of these Councils. No other Government, Mr. Speaker, but my Government recently introduced the use of digital transactions across the whole of Government, including the respective Councils, which is funded in the annual budgetary provision under the Ministry of Local Government's budget.

This Government, Mr. Speaker, Sir, introduced its transaction services to facilitate the payments from customers through M-PAiSA and Electronic Fund Transfers at Point of Sale (EFTPOS) machines. It is safe to say that this is part of my Government's vision to modernise services.

Moving on, Mr. Speaker, Sir, it is sad to say that there are some honourable Members on the other side who continuously condemn my stand in the international arena on climate change. They go on to say that there has been no work done here in Fiji. That is the shame because work related to climate change and disaster risk mitigation in Fiji happens on a daily basis and those who keep barking will keep on barking, without having a feel of what really is happening here in the country. The seawalls that are being built, the research being done on resilient crops, the innovation that is taking place guided by the Climate Change Act, that ranks amongst the boldest and most sweeping pieces of climate legislation anywhere in the world.

To put it into perspective, my Government believes in solutions that are transformative, practical and affordable enough to be embraced on a greater scale. To this effect, Mr. Speaker, the disaster flood mitigation works in Ba and Nadi are ongoing, and will continue to be prioritised under my Government. I acknowledge all development partners who have contributed to these projects in Nadi and Ba, and reaffirm my Government's continued commitment in this regard.

Mr. Speaker, Sir, the other major issue noted by the Committee is the arrears of rates, which have somehow impacted the operations of the Councils. I acknowledge the work of the Councils with the respect of customers on the established agreed modes of repayments. Mr. Speaker, recognise the uniqueness, quality of lifestyle and range of investment opportunities of each of our towns and cities, and I pledge my Government's continued support to the tailored solutions needed at the local level. Based on those remarks, I do support the motion.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I will be very brief as the honourable Prime Minister and Minister for Local Government have made a number of substantial comments.

Sir, one of the issues that we wish to highlight also from an efficiency perspective is the close collaboration now between the different municipalities. As we have seen, a lot of the municipalities are now sharing resources. Before there was demarcation between each of the individual municipalities, whether it is Tavua, Ba, Lautoka, Nadi - they would have their own finance officers, they would have their own legal people, they would have their own sort of IT people, now there is an opportunity to collaborate and that is what they are doing precisely which means that we save on resources. They do not have much overhead costs from that perspective and they need to obviously keep on doing that even further and have a more sophisticated approach in that sense.

Mr. Speaker, Sir, there is a number of challenges in respect of the municipalities as has been highlighted vis-à-vis climate change. Towns like Nadi, Ba and of course even towns like Labasa, they do get affected by rising waters, and they do get affected by climatic events. That has a huge impact on the ability of the council to deliver services but also to be able to upgrade the infrastructure.

We have now seen that FRA is responsible for all the footpaths, street lighting, et cetera. There is an arrangement with FRA and the municipal councils. It does mean that we need to be able to share or be able to get the right organisations to provide those services. In the same way, Sir, recently we have seen some of the larger projects that the municipal councils want to engage in.

The Construction Implementation Unit (CIU) is now involved and they are helping the councils because sometimes, as we have seen with some of the smaller municipalities, they may not necessarily have the right expertise and level of technological understanding to carry out some of these capital projects. So even things like tender documents that have been issued or expressions of interest, do not necessarily capture the essence of what is required and indeed some of the sophisticated approaches to construction. That is why we have now seen closer collaboration between CIU and the municipal councils. We have heard about the Lautoka Swimming Pool issue where we have now got them involved to be able to provide that level of expertise.

Sir, the other point that the Minister responsible for Local Government, honourable Premila Kumar highlighted in respect to the municipal councils, is that unfortunately a lot of the issues that we are facing now in particular, has to do with asset base. A lot of prime real estates were in fact sold off.

The site just in front of Suvavou House is owned by Carpenters - it is State lease that was sold off to Carpenters. The land was just lying idle until when Minister Koya was Minister for Lands, threatened them that they had not carried out any development, they suddenly started doing some work on it. They put up an incomplete building that is still there to say that we have carried out development. We need to amend the law in response to the definition of “development”.

We have seen a number of asset base that has been eroded and a lot of people do not understand that land now is becoming far more valuable in particular in the municipality areas and we need to be able to address that issue. We need to be able to also partner with the private sector. There are a lot of creative ways in which we can partner with the private sector. The Minister and I were having a discussion the other day as to how we can get private sector to, for example, build infrastructure. There could be some shared not just services but also shared profit margins then we could have in profit sharing.

The last point from the governance perspective, the Minister has also led the charge in local government regarding things like developing finance manuals - many of the municipalities did not have a finance manual. They did not have for example, a human resources manual. They did not have a social media policy or whistleblower policy, how to conduct council meeting guidelines, resource manual for special administrators – these are fundamental governance issues and none of these existed in the councils. Mr. Speaker, Sir, these are very necessary documentations and necessary guidelines critical to have, in order to ensure we have governance.

The last point I wish to make Mr. Speaker, Sir, is that in March, 2022 of this year of course, Parliament passed an amendment to the Town Planning Act 1946, removing the superfluous arrangements that we have to put in place to get a scheme amended in the process so as we have said and we hope to do that very soon through the town and country planning in the municipal areas. There are certain areas - you know if you look at Rewa Street, some of it is commercial, some of it is residential more and more commercial requirements are there now. If you look at Bau Street some are still residential/commercial. We should be able to declare these areas which will happen, as all commercial. If people still want to continue as residences they can. They will pay the residential rate but those who

want to upgrade it to commercial they simply can do so without having to go through the process of applying for rezoning each and every time.

The other point also Mr. Speaker, Sir, to also encourage investors in the municipal areas is the idea to have mixed development. We do not have that approach of mixed development. If you go overseas to places like Singapore even Australia and New Zealand you will find a building in which you may actually have a hospital or medical clinic, you may have restaurants, you will have offices, you will have residences so it is what you call mixed development. Our laws in fact have not allowed that to happen - you either apply for residential or commercial or having a supermarket. But we should be able to have all and this is part and parcel of growing this sort of business environment, having the flexibility and the liberal approach to town planning. This is critically important not only to instil investor confidence but also to allow for collection of rates.

Many countries in the world Sir, even if you are renting a flat that is not owned by you but owned by someone else obviously, your rent actually includes your municipal rates and if you do not pay your municipal rates you actually cannot leave the country. In Fiji we are very flexible. People have not paid rates for years, they come in and out of Fiji as and when they like. In fact in places like France if you have parking metre fines owing, you cannot leave the country you have to pay that and only then will you be able to leave. We are not saying that we are going to do that in Fiji but this is just to show how seriously municipal rates need to be taken into account. Many jurisdictions have done that, but we have taken a more liberal approach. We need to ensure there is responsibility by the ratepayers and in the meantime of course, these governance issues have been addressed. Thank you Sir.

HON. V. PILLAY.- Mr. Speaker, Sir, I would like to thank the honourable Prime Minister, honourable Attorney-General, honourable Ministers and honourable Members of Parliament for speaking on the motion. Thank you Sir.

Question put.

Motion agreed to.

REVIEW REPORT – FIJI ROADS AUTHORITY 2016 – 2018 ANNUAL REPORTS

HON. V. PILLAY.- Mr. Speaker, Sir, I move:

That Parliament debates the Review Report on the Fiji Roads Authority 2017/2018 and 2016/2017 Annual Report which was tabled on 11 May 2022.

HON. G. VEGNATHAN.- Mr. Speaker, Sir, I second the motion.

HON. V. PILLAY.- Mr. Speaker, Sir, the Fiji Roads Authority (FRA) is the organization responsible for planning, developing, and maintaining Fiji's \$11 billion road infrastructure. The infrastructure primarily consists of approximately 6,377 kilometres of road, 1,200 bridges, 9000 plus streetlights and 47 jetties.

FRA operates as a body corporate governed under the leadership of a board. FRA manages the roading assets primarily through out-sourced contracts with the private sector. The core element of this infrastructure is the road network. It provides the means for the movement of people and goods between businesses and local and international markets. Roads enable people to get to jobs, education and health facilities. Without reliable transport these vital connections will remain fragile and Fiji's development will be constrained.

During the scrutiny of the FRA Annual Reports, the Committee conducted a site visit to the Vatunibale Depot, Labasa Office and held discussions with the FRA Chief Executive Officer on the Authority's operations and capital projects especially those that will be undertaken to address flooding and subsequent damage to the roading infrastructure.

During the 2016/2017 period, a number of bridges and crossing were successfully completed despite the continuing of *TC Winston*. The major highlight for the Authority was the opening of Coqeloa Bridge in Labasa which was completed five months ahead of schedule. Other major highlights for FRA included the following:

- Completion of Nabena crossing at Matailobau District in Naitasiri;
- Completion of new Lomawai Bridge in Sigatoka;
- Completion of Vunivaivai Bridge in Nakelo Tailevu; and
- Completion of new Savu 6 bridge in Naitasiri.

Furthermore, in the 2017/2018 financial year, a number of bridges were successfully completed. The major highlights of the Authority were the completion and opening of the Stinson Parade Bridge and Vatuwaqa Bridge opening. Other major highlights for FRA included the following:

- Completion of the Levuka Market Bridge;
- Opening of the Naisogo Bridge in Levuka;
- Repairs of jetties in Bau, Cicia, Lakeba and other small islands;
- Crossing repairs and maintenance in Savusavu, Nausori and other parts of Fiji;
- Repairs of critically damaged bridges such as Matainavuso Bridge, Tamavua; and
- Renewal and replacements of crossings.

HON. V.R. GAVOKA.- I will be very brief. As I have indicated on many occasions, we need to do the small things properly with the roads in Fiji today. Indeed it is part of our way forward for SODELPA to focus on items like road humps, road signages, potholes - all these things are very important to the overall scheme of things when you talk about your transportation system.

As we speak, Mr. Speaker, I was in the West yesterday and the honourable Minister for Tourism was highlighting the resurgence of tourism over the last two days. He should go and see the public road leading to Shangri-La one of the premier resorts in Fiji. It is full of potholes. It is very shameful that the entrance to Shangri-La is in that condition. You know I am ex-Shangri-La and if it was left to the company we would have fixed it but it is a public road. It is quite shocking that you allowed that to happen.

We have said in the past that we will focus, we will have a committed team to travel the length of this country to fill up holes as soon as they emerge. You do not want to leave the hole uncovered overnight. Most of the vehicles in Fiji are low cars like mine. The vast majority of the cars here are low and when they hit potholes, it is very painful in terms of the cost of repairs and all that. Something can be done very easily just to fill up the holes and then do them up later as opposed to leaving them open.

I also spoke about the trenches. People dig trenches across the road. I know people were laughing when I brought it up because it is in the village very next to mine. Silaevuevu. Someone dug a trench across the road to connect something which is fine but you do not leave it open. Now you go to Rukurukulevu there is another trench there, and it has been there for months. In Rewa Street - there is a trench across the street now.

You know, Sir, if someone wants to dig a trench across the road which is used by the public it must be supervised in a matter that once you dig the trench, you connect the services and you cover it

immediately.

Do not let it be there, do not leave it open as we currently do today. Again I say, it is very harmful to cars. I have also spoken many times about the humps in Fiji. If we can standardise them, we have all been to Australia and New Zealand, their humps are one standard, very gentle but they serve the purpose that they are there for. We have that in Korovisilou right now - the humps are exactly what you want.

Mr. Speaker, Sir, a couple of weeks ago, they built two humps at the entrance to Navua Bridge so it is back to the old way where cars come down and they have to go sideways because they are low and these humps are too high. Can we standardise them and bring up the quality of these things because it says a lot about the duty of care to our people.

I know they are doing a lot of work and we see the results of that but I think we are lacking attention to the small details which motorists like most us who drive low cars would welcome in terms of the quality of our roads. That Mr. Speaker, Sir, was my contribution, thanks to the FRA for this Report and continue to drive home the point that we do the little things properly to really enhance the experience while motoring in our country.

HON. S. ADIMAITOGA.- Mr. Speaker, Sir, I fully support the motion that has been given by the Chairman and I would like to contribute to that debate.

Mr. Speaker, Sir, over the years, rural road development in Fiji has picked up at a fast pace and Government is increasingly focusing on rural roads. This is because we know that there are many economic and social benefits offered by the rural roads. These roads are equally important as urban roads.

From 2016 to 2022, an additional 188 kilometres of rural roads was constructed. Rural roads are often considered to be a life-line for rural communities. They play an important role in poverty alleviation, enabled transportation, linking producers to markets, workers to jobs, students to schools and sick to hospitals as roads are vital to any development economic recovery.

Mr. Speaker, Sir, we have a total of around 11,000 kilometres of road in Fiji of which 6,400 kilometre under the Fiji Roads Authority (FRA) and the balance is categorised as community access road, farm access road, cane access road, logging road or private road. For FRA the authority manages 4,600 kilometres of sealed road and 1,800 kilometres of unsealed roads.

Mr. Speaker, Sir, the Constitution provides every Fijian with socio-economic, environmental rights, realisation of these rights is critical for inclusive sustainable development. This empowers every Fijian through the provision of essential social services and other public goods. Under Section 34 of the Fijian Constitution, all Fijians have the right to reasonable access to transportation. This is further aligned to the 5-Year to 20-Year National Development Plan.

Mr. Speaker, Sir, Government has been taking various proactive steps to boost rural roads as they play a very important role in enhancing income opportunities for people who followed by other benefits. Why construction of the other roads is important, it is equally important to develop rural roads. Government regards all Fijians as equally deserving of development, rural or urban; it is the same reason that the Fijian Government has increased its investments in the rural road development programmes over the years.

Mr. Speaker, Sir, over the past six years, Government through FRA has invested around FJ\$43.9 million on the construction of rural roads. This has benefited around 94 communities. Apart from these rural roads, a total of \$113.8 million was directed towards the renewal and replacement of crossings and bridges. This has enhanced connectivity for our rural to urban roads.

Mr. Speaker, Sir, for the information of the House, the Ministry of Rural and Maritime Development through the Community Access Roads, Footpaths and Footbridges (CARFF) Programme constructs community access roads in rural areas. In doing so, from 2018 to 2021, a total of 199 CARFF roads were constructed amounting to \$22.9 million, benefiting over 3,900 people. This has not only provided basic access, but also opened up these communities to other opportunities.

One may ask, Mr. Speaker, Sir, what the benefits of investment to these rural roads are. To name are few:

1. It offers better transportation facilities, rural roads contribute significantly by creating linkages, thus increasing the opportunities to access goods and services located in nearby villages or major town and markets.
2. It boosts agricultural activities and productivity. Rural roads are essential for sustaining agricultural development also. A good network of rural roads can provide a boost to the agricultural activities by timely transportation of water, seeds and other raw materials needed for farming.
3. It improves mobility and saves time. The presence of roads in rural areas increase the mobility of labour and materials. Typically, rural roads can ensure shorter travel time, the time saved this way may help the rural poor to be productive and generate increased incomes.
4. It gives access to essential services, such as, health care and education. Improved road connectivity can also enhance access of rural masses to education services. They can travel to nearest towns, cities and get better and higher education which can open better employment opportunities for them. In addition, they can also access quality healthcare medical services, such as maternity services, dental, physicians, et cetera.

Mr. Speaker, Sir, all governments in Fiji have been investing to some degree in rural roads. It is the Bainimarama-led Government or the FijiFirst Government have not only continued their focus, but also raised their focus to another level. It has continued to focus on the needs of the rural and maritime communities.

Mr. Speaker, Sir, the 2013 Fijian Constitution provides every Fijian with socio-economic and environmental rights. The realisation of these rights is critical for inclusive and sustainable development. This empowers every Fijian through the provision of essential social services and other public goods. Sir, under Section 34 of the Fijian Constitution, all Fijians have the right to reasonable access to transportation. This is further aligned to the 5-Year and 20-Year National Development Plan.

Mr. Speaker, Sir, Government has been taking various proactive steps to boost rural roads as they play a very important role in enhancing community opportunities for the people, followed by other benefits. Why is the construction of urban roads important? It is equally important to develop rural roads. Government regards all Fijians as equally deserving of development, rural or urban. It is the same reason that the Fijian Government has increased its investments in the Rural Road Development Programmes over the years.

Concluding remarks, and I want to reiterate, the Bainimarama-led Government or the FijiFirst Government have not only continued their focus, but also raised their focus to another level. It has continued to focus on the needs of the rural and maritime communities.

The Fiji Roads Authority are in the business of creating and maintaining its assets that keeps

Fijians connected. A huge part of this process is managing bridges, street lights, traffic signals and jetties with locations spread out across thousands of kilometres of roads.

Sir, the FRA is doing that and is responsible for the country's entire surface. They do the transportation networks, due to unprecedented funding, alterations in recent years had been massively expanded and upgraded to provide new levels of access for greater mobility to the Fijian people, as the network that connects our towns, cities to domestic and international ports and rural and maritime communities goods and services. Mr. Speaker, Sir, I would like to fully support the motion.

HON. A.M. RADRODRO.- Mr. Speaker, Sir, I would like to make a short contribution on the motion before Parliament. First of all I would like to thank the Committee for the work that they have done and the recommendations that they have provided. Hopefully the relevant entity will take into consideration moving forward.

I will just comment on some of the issues that I have identified in the 2017-2018 Annual Report. Let me just start with the importance of the Annual Report will give us Members to see the progress of the activities that are being conducted by the FRA. In these instances, the FRA was supposed to prepare the Annual Report according to its Act, within three months after the end of each financial year. We are talking about 2017-2018 and now we are discussing it in 2022. That is more than three months, if the Act is being adhered to.

The Act states that the Authority shall send a copy of the Annual Report to the honourable Minister who shall cause it to be laid before the Cabinet as soon as possible and the Annual Report required shall contain amongst other things the audited statements, statement of financial performance and such information as required as a true and fair view of the financial affairs and auditor's copy of the Auditor's Report. This is 2017-2018 and we are discussing something which may have progressed. Looking through the recommendations, I think the recommendations of the Committee are genuine in terms of addressing real and relevant issues that have been confronted by road users, pedestrians currently, Mr. Speaker, Sir.

I would like to refer to some notes that have been highlighted by the Auditor-General in the audit accounts and I do not see any recommendations that are relating to these in terms of commitments, contingent liabilities and contingent assets. The Authority had a balance of \$1.5 million in 2018, and this commitment and contingent liabilities are relating to termination of contract for professional engineering services advisor MWH. The notes that have been put in there by the Auditor-General on 23rd September, 2016, the Authority Principal Engineering Services Provider, MWH had terminated their contract with the FRA.

The FRA has commenced proceedings against MWH in the High Court of Fiji in regards to the return of documents by MWH that FRA is entitled to under the contract. The judgement was in favour of the Authority, however, MWH has appealed the decision and furthermore MWH has also commenced proceedings against FRA in the High Court of Fiji seeking to enforce its land entitlement to submit the disputes with FRA under the contract to mediation. At the time of this Report, these cases were still pending in the High Court of Fiji for final judgement. That is why I reiterated, Mr. Speaker, Sir, that the Annual Report needs to be tabled on time and we hope to have an update from the relevant line Minister or the honourable Attorney-General to give us assurances whether something has transpired out of these final court judgements regarding this case.

Mr. Speaker, Sir, I also note that pictures of the old Rewa Bridge are still being shown here and I would like to enquire what is the status of dismantling the old Rewa Bridge. Are they going to dismantle the old Rewa Bridge or are they going to allow the Nausori Town Council to probably have an extra income stream that they could explore in future. I see that this has been an issue that has been addressed

to Nausori Town Council. This is something they have come to us when we enquired with them and we hope that we will come to a final decision on the old Rewa Bridge on whether it will be removed or not?

The other issue, Mr. Speaker, Sir, is the street lights. I see that a lot of street lights have been pictured here in the Annual Report. Maybe the honourable Minister can consider putting up street lights on Princess Road up to Sawani, up to Nausori and probably up to Serea and Vunidawa areas. That is something that probably the honourable Minister can highlight to us.

Also, Mr. Speaker, Sir, the traffic congestions as has already been mentioned by the honourable Minister and the honourable Gavoka. This is something that we continuously face and one of the major factors contributing to the congestion is the road works that has been carried out. Maybe the honourable Minister can assist in enlightening the House, how these road works are going to be addressed to ensure that traffic congestion is assisted. This is all that I can contribute to the motion and I support the motion before Parliament.

HON. J. USAMATE.- Mr. Speaker, Sir, thank you for the opportunity to talk on this motion. First of all I would like to thank the Committee for the work that it has done on the Report and its findings, very useful findings and also the recommendations that have been made in terms of the things that are in the Report. Just to respond briefly to some of the issues that have been raised by the honourable Radrodoro. The status of the Annual Reports, I do not have the information with me now, the ongoing status of Annual Reports but that is something that we will hopefully respond to you at some time in the future.

The honourable Member had raised the issue about the court case that had been done by FRA and MWH. As he said, the appeal is in place, so obviously all of that will have to await the court judgement on that particular issue. There is no way that we can move that ahead. But at the end of the day, FRA is there to make sure that the consultants, whoever we use that they deliver the best for this country and that will always be FRA's prime goal to make sure that happens.

The questions on the Rewa Bridge. The Rewa Bridge just similar to the bridge that we have in Sigatoka, ideally it needs to be removed. Initially some of the estimates that I have seen, to remove this bridge amounts to figures in the vicinity of around \$1 million because obviously the Rewa Bridge, if we are going to dismantle it, you cannot use trucks. You cannot put a truck on that road to dismantle it. You will need a barge to take things down and put it on another barge.

At some time there was talk of a company doing it, not getting paid for it but doing it and then selling the scrap on their own but FRA is still looking at how they will try to address that issue so that the old bridge can be removed. I notice the comments made by the honourable Member asking for street lights in Naitasiri. I am also a person raised in Naitasiri and I regard myself as a *kai* Naitasiri born and bred in Wakanisila, Kalabu in Naitasiri but when I look at street lights, we look at the policies for street lights all across Fiji. Honourable Leawere is always asking me for street lights in Serua. The FRA will treat everyone equally; Naitasiri, Lau, maybe Kadavu in the future who knows, we treat everyone equally.

There was also a question that was made about the road works; much of the road works leading to traffic congestion. A lot of the road works are designed to address the traffic congestion. You will see a lot of the road works that are taking place now, it is ripping and remaking. Ripping up the existing road, fixing it up so that we can have a better surface of the road to improve the traffic congestion.

Mr. Speaker, Sir, I would just like to talk very briefly on some of the very useful observations that were made by the Committee on Page 7, 3.1 on Traffic Congestion. The auditor had emphasised importance of FRA looking at the local area on traffic management. As I had mentioned in the previous paper, what are the biggest investments that we have seen of FRA over the past year and a half, has been to improve the surface of a lot of our roads; all over Suva to Levuka, everywhere you go, you see roads

are being ripped up, the same materials are being used so we can enhance the surface of the road and when you have better roads, better surface of the road, this is going to speed up the traffic.

Obviously, when you have too many road humps that slows down the traffic. One of the things that I have notice over the past year or so, as a person that travels daily from Nakasi to Suva the important role that the Police are having. Every morning, now they man all the traffic lights and that allows for the free-flow of traffic all cross the places that normally have a lot of traffic congestion.

So, currently there has been a number of recommendations done here in this Audit Report about how to improve on the traffic congestion in the form of a good running surface, additional lanes, rerouting traffic, overpass at locations where they have a higher number of pedestrians, et cetera. Alot of these things, the improvement of the surface of the road is something that FRA is doing right now.

Things like overpasses and the other solutions that have been recommended are things that will be scheduled in over time. Hopefully some of these will begin to extract from the new budget (Financial Year 2023-2024). The other observation that was done at Page 7 was about the occurrence of slips at the Korosomo and Lomaloma roads. These are both in Vanua Levu. Lomaloma is when you cut across from Labasa to Savusavu, there is the big slip that has happened there and also in Korosomo that I think was either this year or last year, that was a big issue where that road sank.

The new alignment at Korosomo has now been competed so you have the alignment at the exact level as which it will take place. But in the meantime, for Korosomo the new alignment has been cut to the formation level and the new pavement construction will be executed once we have the budget constraints that still come in three phases because the economic downturn that we have faced these past two years, once you have overcome them, then we will begin to look at having money on the new Korosomo alignment.

In the meantime, the old alignment which sunk, in order to make sure that people are able to use their traffic daily, they filled it in again and at the moment since it is a cane harvesting season, the cane trucks are still using their old alignment to the road, but eventually we want to move it to the new alignment. The reinstated slip has not shown any sign of distress thus suggests the immediate need for realignment works to be prioritised.

As for the bridge at the Lomaloma, this is in the middle. At the moment what FRA is doing is in the planning and design stage for the long slip, I think this will be about 100 metres (long bridge) that has to be run right across the area where the Lomaloma slip has been taking place.

The third observation that was done and the Report was about the auditor issuing a qualified audit opinion on 2017-2018 accounts of FRA for a number of different reasons. There is a question on whether the agreement between the FRA and the Ministry of Rural and Maritime Development and the city and town council are still in operation. The Agreement with the Ministry of Rural and Maritime Development for the rural roads project is still operational but employing the Ministry's staff in the maritime islands has been and these staff have now been absorbed in FRA.

As for the agreement with the municipal councils FRA is in the process of putting together a new agreement with municipal councils and we hope to have this in our operation later on in this financial year. Currently FRA looks after the roads and the municipal councils are looking after the beautification of the areas around the roads.

The third item that was emphasised here was another issue that was raised by the auditor in terms of the contracts that were used that led to the removal of the funding by the ADB. What FRA is doing now is that since 2019 all contracts are being executed using the finick general conditions of contract.

This includes the critical bridge replacements, the Suva Arterial Road Upgrade Project 2 (SARUP 2), Foster Road Upgrade, Queens Road Upgrade, Kings Road Upgrade and all the rip and remaking that is taking place across Fiji. We are now incorporating and using the finick ways of standards of contract to make sure that we do not have a repeat of the issues that happened that led to the termination of that funding from ADB some years ago.

There are a number of recommendations in the Report from Page No. 9 onwards. I would like to confirm these are good recommendations and FRA is confirming on all the recommendations that have been considerable uptake and implementation of the following recommendations:

1. To collaborate and work together with other agencies FRA is doing that.
2. FRA is mainly assisting lot of these agencies with technical expertise and
3. A lot of stakeholders want FRA to take over their roles as we know in Fiji we have around 12,000 kilometres of road. Only less than 7,000 belongs to FRA. We have agricultural roads, access roads, forestry roads - all of these other kinds of roads. Some are private roads.

More and more people want FRA to take out these roads and where it is possible FRA does this in accordance with the amount of the budget that it has but the maintenance of other stakeholder assets is not possible at the moment as FRA is working on improving the level of service to the current FRA assets.

One of the first things that we have seen over the past one and a half years FRA is looking at consolidating its existing roles. That is why a lot of rip and remaking is taking place and that is one of the rehabilitation has been taking place.

The second recommendation was to ensure comprehensive coastal and flood protection plan is formulated, budgeted for and implemented. So course on protective works have been taking place.

If you now go to Ovalau you will see the extensive coastal protection work that has been undertaken there. It has been taking place in Savusavu, Taveuni, somewhere along the Queens Road. This will continue over time.

I think in Ovalau itself has cost almost \$8 million for the coastal protection. As you know in Ovalau the honourable Vosanibola will know the road runs right next to the ocean, the ocean is rising so that has been that need to be able to do that investment.

The third one is to continue to develop, maintain alternative and resilient routes which are accessible after disasters. Pre-feasibilities study have already started for this, Sir, however construction will start after three to five years and also will depend on budgetary allocation. As you know we have been through some of the most difficult years economically in this country. So money has to be prioritised and not all of the projects that we want to implement can be implemented immediately.

Continue to maintain roadside drainage so as to reduce flooding and subsequent damage to roads. These works are ongoing. They have been programmed to be done on an annual basis. Most of the programmes now to be continued as budgetary constraints are met.

Create permanent solutions for crossing which are continuously damaged during cyclones and floods. There is also work that has been allocated for this in accordance with the Budgetary allocation that has been approved the work continues.

Expedite the planning and design of low level crossing, resilient programmes had commenced with physical works at affected areas. These works were also allowed for in the 2022/2023 financial year

and work has been undertaken in accordance with the amount of money that has been made available in the Budget.

Consider taking over a non-FRA roads which are accessible to public transport so as to enable the timely maintenance and upkeep. This is something that FRA has been doing in the past even if it is not a FRA asset. If it is not a FRA road, if public transport is using that where possible FRA tries to fix the roads up.

In the last few Budgets you will notice in the 2021/2022 the current budget, review budget, mini budget there was a figure of \$5 million that was made available for the repair of non-FRA assets. That is also something that is being undertaken right now. In consultation with relevant agencies, renewal of roads in rural and urban areas to cater for increasing road usage.

FRA is currently focused on improving the level of serviceability on the current infrastructure. Once this is completed then FRA will start work on this. It is fixing up the current roads and then look at widening them later - fix them up, conserve them and make sure that they are functioning well and then look at the widening later on.

The ninth recommendation was to develop or maintain hinterland roads to ease traffic congestion on Fiji's main roads. Pre-feasibility studies have already started. This will need to be finalised into the future and you would have heard during the honourable Attorney-General's Address for the Budget that there is a major plan to drive a road across the middle of Viti Levu to open up those areas and provide alternative routes to reach the western side of Fiji.

Recommendation 10 was to continue repairing and maintaining jetties, passenger shelters and public amenities. When I was talking earlier this week answering a question about jetties, I had mentioned the amount of money that is being made available for jetties. Earlier this week they had talked about the \$12.2 million being available for jetties: Nabouwalu Jetty, Savusavu Jetty, Vunisea Jetty, Waiyevo Jetty, Natovi Jetty - the waiting shed, Makogai Jetty, Nabukeru Jetty, Moala Jetty and also Lomaloma Jetty. There has been monies set aside for the jetties because we believe as the honourable Adimaitoga has said, the roads need to function well not only in the urban areas but also in the rural maritime areas.

The 11th Recommendation was to fast track its work on creating by-pass roads and bridges to ease traffic congestion in towns and cities. Once again, a lot of these areas pre-feasibility work have started, however extra construction will start once the Budget comes in line.

That Mr. Speaker, Sir, once again I appreciate the Committee for its work in providing these recommendations and I can assure the Parliament that as Minister responsible for FRA we take these recommendations very seriously and we follow them up to them to make sure that they implement them so that we can have the best possible roads and jetties and bridges for the people of our country.

HON. G. VEGNATHAN.- Mr. Speaker, Sir, being a Member of the Standing Committee on Social Affairs I rise to make some contributions on the motion moved by honourable Viam Pillay; Chairperson of the Social Affairs Committee and I note that the honourable Minister has spoken at length so I will be brief with my presentation.

For FRA the focus for the 2017-2018 was the restructure to bring about processes and procedures to enable it to make decisions that are based on good governance. During 2017-2018, FRA was able to carry out maintenance work to the value of \$121 million on the roads and structure and a further \$38 million was spent on emergency services. The new capital works focus on the delivery of much needed

new assets in support of public safety and accessibility with the major push on providing safe pedestrian access and street lighting.

In 2017–2018, we saw the completion of FRA’s first solar street lighting network. The total new capital spent that year was \$275 million. The years 2017–2018 also marked a major expenditure in the new capital access centre which consists of rural roads around the country with spending of \$38 million.

As part of the programme to improve access throughout the country, FRA has assessed renewal projects which recorded a spending of \$143 million of roads, bridges and jetty renewals. The Authority also made a major investment in road safety for communities which included new footpaths, improving access for people with disabilities, construction of new bus shelters and waiting facilities at jetties. FRA spent \$18 million in this sector in 2017–20178 Financial Year.

Sir, FRA utilised 98 percent of its budget expenditure in the 2017–2018 financial year as compared to 97 percent of budgeted expenditure in 2016 and 2017, \$435 million plus was allocated for maintenance and renewal of footbridges footpaths programmes and for capital projects in 2017 and 2018 comparative to \$300 million plus in 2016 and 2017. Additionally, approximately, \$40 million worth of works was done for roads in municipal council areas in 2017 and 2018 compared to approximately \$37 million expended in 2016-2017 Financial Year.

Sir, another significant achievement for FRA was the opening of the new Vatuwaqa and Stinson Bridges. FRA employed a total of 182 employees in 2017-2018, an increase from 148 staff employed in 2016-2017. Mr. Speaker, Sir, the work done by FRA is commendable and I support the motion that is before us.

HON. J. V. BAINIMARAMA.- Mr. Speaker, Sir, I rise to speak on the motion by honourable Viam Pillay.

Mr. Speaker, Sir, a reliable transport infrastructure is an essential ingredient for development as it encourages people and business to invest. Better road infrastructure facilitates the movement of people and goods between business and local as well as international markets. The road network is one of the most valuable assets that the country processes with the value of around \$12 billion. In the 2016-2017 Financial Year around 6,589 kilometres of roads, 1,399 bridges and 33 jetties were managed by the FRA.

We recognise that investment in road infrastructure is essential for future growth hence over the years our road infrastructure, Mr. Speaker, Sir, has been modernised to cater for the increase in urban population, growth in our economy and industries and all of these have been done with an eye towards our long term development. To serve our future development needs the FRA has ensured that it delivers on two key objectives:

1. To improve the safety and reliability of the existing network; and
2. To expand the network to provide the capacity for sustained growth.

Mr. Speaker, Sir, sustained investment in our road bridges and jetties provide Fijians with access to services, facilities and markets. The FRA has continued to ensure that streetlights are installed in all major urban centres and peri-urban areas and in front of villages and settlements along the Queens and Kings Roads. This is an ongoing project, Mr. Speaker, Sir, that will encourage road safety and the establishments of road side stalls along our highways for rural dwellers to undertake income generating activities to support their livelihoods.

The FRA has continued to construct new footpaths across populated areas and major cities and towns, make roads safer for pedestrians and drivers. Traffic lights have been installed at critical junctions

for there is a high traffic flow to manage traffic conjunctions and improve safety. In line with our national and global commitments of climate change we support the importation and use of fuel, efficient hybrid and electrical vehicles to reduce fuel importation and protect the environment.

Mr. Speaker, Sir, in the 2022-2023 National Budget my Government has increased subsidy for capital investments in electric charging infrastructure from 5 percent to 10 percent overall lower investment threshold of \$50,000. Further VAT and fiscal duty on all electrical vehicles will now be zero rated and Government will provide a \$5,000 subsidy per if a local business purchases five vehicles or more. This will encourage the use of electrical vehicles and reduce both our high import bills as well as pollution.

Mr. Speaker, Sir, FRA has successfully carried out Government's mandate of ensuring better road infrastructure and making sure that no one is left behind through the development of jetties and bridges, crossings, footpaths, street lights, traffic lights in urban and peri-urban, rural and maritime areas. Fijians outside urban areas are now connected more than ever and are able to access various Government services such as Health Centres, schools, and provincial offices as the result of infrastructure development over the years.

My Government has ensured that the age-old problem of our rural and maritime dwellers being left to fend for themselves, is now a thing of the past. We have taken development to the doorsteps of those living outside and urban centres, and we have made sure that they are provided the same opportunities for growth.

That work, Mr. Speaker, Sir, is never ending because our urban areas improved as well as our rural communities. That is the commitment we are delivering and that we will never fail to meet. I thank the Standing Committee for scrutinising the Report and based on those remarks, I support the motion before Parliament.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I will be very brief. The funding for FRA over the past number of years does not only come through the normal budgetary process but also through what we call the Transport Infrastructure Investment Sector Project financed with the ADB and the World Bank.

When the Opposition actually talks about loans they should know that we take out loans to build many of these roads. A lot of them come to mind that has not been invested for quite some time, of course:

- Sawani, Serea Road is tarsealed
- Sigatoka Valley Road has been tarsealed
- Nabouwalu to Dreketi Road has been tarsealed
- On the other side the Hibiscus Highway that has been tarsealed and of course
- Moto Bridge and
- Moto Roads that have been tarsealed too.

These are of significant financial outlays and that is why we borrow money to actually build capacity.

As highlighted very much in detail by the honourable Minister for Infrastructure a lot of bridges are covered under these bridges that we have got that are funded through loans. I think the point I would like to make very briefly, I think the Opposition tend to forget that when we say FRA it is not only about roads, it is about bridges, jetties, drainage, footpaths and streetlights too. These are holistic approaches to the maintenance of infrastructure to do with the transportation sector. Honourable Gavoka would know as he travels a lot to Nadroga, that from Namada at the moment, you will see Namada all the way

up to now the Outrigger there is a massive rebuild of the roads. A significant point is that for those of you including the honourable Saukuru when you travel back to Lautoka you notice that there is not just the resealing of the roads there is a lot of drainage works that is taking place.

If you look at Namada Village there are so many drains that are actually coming out from the village side on to the foreshore side. Similarly with Malevu and Vatukarasa you will see all the curb and channels being put in - a massive amount of drainage work. All of these roads, Mr. Speaker, Sir, as you know a biggest enemy of stable road system is water and proper drainage is required for water. It depends on the soil type of many of these areas. You can go to the Western side where all the soil types are very different, it is hardened, more rocky, a lot more durable.

You can come to the Sawani side, you can go to the Rewa side, very soft clay material that is why there is a lot of pottery coming out from these areas because the soil texture is very different. When you have heavy trucks, for example, on clay ridden roads being driven upon as opposed to the hardened rock roads then obviously the damage or the limitation of damage is different. The roads for example, from Namada to the Outrigger a lot of drainage work has been put in. If we do not do that we can come and do a nice surface road, within a few months, depending on the climatic conditions, it can deteriorate quite significantly because there is no proper drainage, the core base has not been done properly, so it does cost a lot more money.

Mr. Speaker, Sir, the other point that we wish to also make is that, I think one of the Members had mentioned about the streetlight on the back road to Nausori. It is actually being done. Not necessarily in Sawani and Serea at this point in time, but a lot of the built-up areas. So if you drive past the turn after ACS and you keep on going towards Waila, there is a huge built-up of population there. A lot of people walk on the roads and the honourable Member has acknowledged the huge waterway works that is being carried out. Already about 17 kilometres of the 23 kilometres of water pipes have already been laid. So there is a lot of work being carried out. There is no point actually doing the roads now, if we are going to still dig it up.

Honourable Gavoka is absolutely right about people digging up roads. If you look at the street that I live in at Vunakece, yesterday, I saw some people digging across the road because someone has built a block of apartments and Water Authority of Fiji (WAF) has to connect the pipes from that side of the road to the other side. So those guys were digging the road.

Mr. Speaker, Sir, WAF, FRA and EFL are also in a lot of discussions about having what we call an "inter-agency agreement". When can they dig up, who will do the rebuild and who will pay for it? These are significant issues and many countries actually have to deal with it and I know Australia had significant issues with that.

We treat a lot of the roading networks as pathways for laying in other infrastructure, whether it is Telecom, EFL or WAF, Mr. Speaker, Sir. There is now a system that is going to be put in place and at one point in time, we had wanted to actually regulate it by way of law. But we believe that they can, in fact, reach an agreement amongst themselves, and that is a significant issue which is being resolved.

Mr. Speaker, Sir, the other point I wanted to also highlight is that, a number of the Members of Opposition have, time and time again, alluded to the fact that the roads are in a much worse state today than they were before. Completely untrue, Sir. They have not presented any facts or figures regarding that. In fact, many people would argue that the road conditions in Fiji are far, far more better now.

The other point that I also wish to highlight, Mr. Speaker, Sir, is what honourable Adimaitoga mentioned about connectivity in rural areas and honourable Usamate had also mentioned that. There is a lot of work being done in Vanua Levu and we hope the honourable Prime Minister will be there soon

to commission a lot of the road works that are being cut, where people are now being connected far more easily to markets and to the urban centres. If you look at Vanua Levu, there are many sections where a lot of the crossings have eroded and many of the shortcuts that could be taken where it reduces travelling time from two hours now to only 20 minutes or half-an-hour is being done.

As we have highlighted during the Budget Address, Mr. Speaker, Sir, we had wished that if previous Governments had even cut 50 kilometres of new roads a year, today, most of Fiji would be connected. We have people on the eastern side of Vanua Levu, on the Tawake side going up to Udu Point, completely disconnected. So, by connecting them to roads or doing those shortcuts, we are actually reducing their cost of living. We are actually increasing their productivity capacity by ensuring that they do not have to spend \$500 to go and sell fish that is worth \$700. So, those are some of the things that have been carried out by FRA.

I think the legal matter that honourable Radrodro raised, obviously we cannot talk about it - *sub judice*, it is on appeal. Let us not make a big deal out of legal matters. This is part and parcel of any contract. Contracts sometimes go wrong. We can mediate, we can arbitrate, of course, we do not want litigation. That is always the last recourse. But if there is, then we have to deal with it accordingly. Mr. Speaker, Sir, I would like to also take this opportunity to thank the CEO of FRA. He is a Fijian CEO, he has come through the ranks and, in fact, he is delivering fantastically and is very, very responsive.

Mr. Speaker, Sir, the last point that I wish to make is that, as also announced in the Budget, the Ministry of Economy together with Ministry of Infrastructure, FRA and Town and Country Planning are also looking at the different standards that could be adopted in subdivisions that are carried out in deep rural areas. So rather than applying the standards that we require, for example, in subdivision municipalities in deep rural areas, if iTLTB or some other individual investor is carrying out subdivision of agricultural land, we do not actually have to get them to build the two-metre footpaths out in the bush. We can have allocations for that because the time when it gets all under a municipal area, then we can do that. But in the meantime, there is no requirement so it reduces the cost of development, reduces the cost of subdivision, so these subdivisions can go ahead.

We have seen a new appetite by many city and town dwellers who want to have what we call “hobby farms”. They do like to go out for the weekend and plant their *dalo*, do their cassava or have someone live on their farm whilst they work in the city, and a lot of people are doing that now. So those subdivisions with 99-year leases, et cetera, we can encourage that and FRA has now come on board to ensure that, that does happen. Thank you, Mr. Speaker, Sir.

HON. V. PILLAY.- Mr. Speaker, Sir, I would like to thank the honourable Prime Minister, the honourable Attorney-General, honourable Usamate, honourable Assistant Ministers and Members of Parliament, for speaking on the motion. Thank you, Sir.

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, we will take a break for dinner which is being served in the Big Committee Room. We adjourn for dinner.

The Parliament adjourned at 7.22 p.m.

The Parliament resumed at 8.31 p.m.

**CONSOLIDATED REVIEW REPORT - MINISTRY OF FORESTRY
2016-2019 ANNUAL REPORTS**

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

That Parliament debates the Review Report of the consolidated 2016-2017, 2017-2018 and 2018–2019 Ministry of Forestry Annual Reports which was tabled on 11th May, 2022.

HON. M. BULANAUCA.- Mr. Speaker, Sir, I second the motion.

HON. S. KIRPAL.- Mr. Speaker, Sir, the honourable Prime Minister, the honourable Leader of the Opposition, honourable Ministers 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 Natural Resources Committee Review Report on the Ministry of Forestry 2016–2017, 2017-2018 and 2018-2019 Annual Reports. These are consolidated Review Reports that contained the findings of the Committee on the administration, organisational structure, programmes, major achievements and performance of the Ministry of Forestry during the review period.

Mr. Speaker, Sir, I wish to highlight the responsibility of the Ministry of Forestry and that it is responsible for the formulation of policies, to ensure the long term sustainability of Fiji's forest resources, stimulate economic growth within the forestry sector and improve livelihood of the communities that rely on these resources.

The Ministry achieved these by ensuring balance between resource utilisation and resource conservation, and the development and alignment of its policies, strategies and structures, in order to better address emerging issues, capture emerging opportunities and ensure effective and efficient services delivery to all stakeholders.

Mr. Speaker, Sir, the Committee noted that the Ministry of Forestry's export has increased steadily from the years 2016 to 2019 (the reports under review), despite Fiji's facing a major disaster - *TC Winston*, in the year 2016.

Mr. Speaker, Sir, the Ministry of Forestry also focussed on housing rehabilitation in the maritime zone in the island of Cicia, Gau and Kadavu, that were severely affected by *TC Winston*.

Mr. Speaker, Sir, the organisational structure of the Ministry of Forestry is being realigned to drive economic growth in the forestry sector for the short and mid-term, and strategies for the mid to longer term to capture emerging opportunities, such as wood energy and carbon grading in the forestry sector.

Mr. Speaker, Sir, the Committee commended the Ministry's effort in recognising women's participation in areas of its operations in line with SDG 5 on Gender Equality, as well as ensuring implementing other relevant activities.

Mr. Speaker, Sir, overall, the Committee noted the consistency of performance of the Ministry of Forestry for the years under review. Mr. Speaker, Sir, from its findings, the Committee has put forward some recommendations to the Ministry for its improvements.

Finally, I commend the effort of the Members of the Standing Committee on Natural Resources in the compilation of the Report and to the hardworking staff of the Ministry of Forestry for their timely

Finally, I commend the effort of the Members of the Standing Committee on Natural Resources in the compilation of the Report and to the hardworking staff of the Ministry of Forestry for their timely contribution towards the compilation of this bipartisan Committee Report.

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

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

HON. M. BULANAUCA.- Mr. Speaker, Sir, I will be brief. I support the motion, together with the recommendation of the Committee on the timely submission of Annual Reports. I thank the Committee for dealing with the 2015-2018 Annual Reports and Planted Forest Policy, you need to plant more trees. I am just wondering whether the FijiFirst Government has established any forest plantation - the sandalwood plantation, teak plantation, argo wood plantation or any other plantation.

Fiji's pine and mahogany was established by previous Governments. The annual sawmilling licences has been rectified by the Government and thank you for that. The improvement of the process of issuance of licence in a month has already been rectified.

The Ministry encouraged landowners' participation in the logging and sawmilling operations and I will be elaborating more on that. Also, the Ministry should ensure that the Forest Bill is reintroduced to Parliament for enactment. It is important to follow-up those recommendations, Mr. Speaker, Sir.

On forestry and logging, Mr. Speaker, Sir, from 2.27 percent to a dismal 0.57 percent GDP contribution, now reducing to 0.26 percent for 2020, only a small increase in the 2022 Budget, what a shame! Why such a lucrative commodity can only contribute such a meagre contribution? Whatever it takes, Sir, to revolutionise production and export in various products.

On Fiji pine, Sir, I cannot say much there but only to congratulate Fiji Pine Limited for what it has achieved, for performing well, even during COVID-19, with the increase in pine chips export to Japan and China. However, the export of sawn timber is still over 50 percent for the other exports. The total exports, minus the chips export value and sawn timber, the balance is still over 50 percent for those exports.

We need value adding increase in export, Mr. Speaker, Sir. That is why I had proposed a motion, I think \$950,000 then it went on to \$50,000 in the 2022-2023 Budget for value adding machines. Sir, \$50,000 is not enough to revolutionise value adding products to increase our exports. We need to increase assistance to pine, native and mahogany timber landowners and businesses to increase exports and revenue, and contribution to GDP.

On lease rental distribution, Mr. Speaker, Sir, whether \$6 million is going to be distributed, fine. That is their entitlement under the lease condition. Rentals have been increased from peppercorn rent to market rent and the percentage of UCV has been increased over the years. Now, I hear that dividend of over nine years is going to be paid - \$36.5 million, and I am thankful for that.

Now, they have realised that they should be paying the rightful dividend to the landowners. I have mentioned that in this House several times and now I am thankful that they have realised that they should be paying the rightful dividend to the pine landowners. What about the dividend for the other five years? Where is it? That \$36.5 million is still not enough. It should be around or over \$100 million, Mr. Speaker, Sir. They are still robbing the pine landowners, since and still continue to rob them now.

Ensure ownership of the pine industry by pine landowners by 2025 and review the capital

structure with continuing partnership of landowners and the Government with full business best practice, Sir.

Mr. Speaker, Sir, on native and mahogany, it is for natural resource areas to increase production for export and foreign exchange revenue for Fiji. To some detail, I used the mahogany industry as an example, however, this industry continues to fall. The sleeping giant, Mr. Speaker, Sir.

With the coming into effect of the Mahogany Act (Mahogany Decree in 2011) to reform the industry, our production export keeps deepening, Mr. Speaker, Sir. We have here in Fiji the largest, mature and best quality mahogany plantation in the world, yet we continue to fail. We still fail to get the maximum benefits from such readily available resource and markets.

Previous Governments have established them and yet, the FijiFirst Government still fails to unravel it and properly share out the benefits to the pine and mahogany landowners. Instead, it is just robbing and squeezing them from their rightful economic benefits.

Mr. Speaker, Sir, the yield dropped from \$150,000 as estimated by Fiji Hardwood Corporation Limited (FHCL) or 112,000 cubic metres a year to 80,000 cubic metres a year. For licences, I think it is on an open market which is good and we are thankful for that but sometimes, there is late payment of rental and stumpage, as well as timber sales proceeds are yet to be paid, Mr. Speaker, Sir. I will elaborate on that later.

Mr. Speaker, Sir, on log production, FHCL was never profitable, ending up in incurring losses close to \$30 million and with Government guarantee, debt to FHL has now been paid, I believe.

Mr. Speaker, Sir, the actual production dropped substantially from \$96,000 or 90,000 cubic metres to 15,000 cubic metres. I think it has increased lately, I do not have the figures now. But the usual reasons given for the reduction in production figures are unfavourable weather, harvesting capability, economic factors, log sales, log price, log market, et cetera. This had been known since 2006 about the weather. Yet, failing to resolve and improve an effective management structure for increased production. What has the Mahogany Industry Council (MIC) and FHCL doing or rather failing to do? They cannot profitably managed it. The MIC only meets once every two or three years and FHCL continues to change its Chairman, Board Members and CEO many times since 2006.

Mr. Speaker, Sir, MIC and FHCL for over 60 years cannot return a fair share of the mahogany industry to be a profitable entity. Why? Meanwhile, Fiji suffers - no annual reports, export performance dropped again substantially. The figures shows a very discouraging trend from 24,000 cubic metres to only 3,000 cubic metres in 2018 and 10,000 in 2019. I do not know about the latest figure. If they have increased, fine, but if not, it is always deepening and deepening.

The mahogany export revenue dropped as well, Mr. Speaker, Sir, from \$30 million in 2011 to only \$10 million in 2019. So, it is important to increase that, Sir. What can be done to improve export and foreign revenue? There is capacity and opportunities, yet the FijiFirst Government plays a very uninterested attention to it. Again, is it because of the likely benefits to the iTaukei resource owners? That is the question. Another 'Sayed-Khaiyum; sunset clause strategy. Why is there no immediate attention to improvements to wood supply production pricing, milling, processing, value adding and export?

Other questions that need to be answered are many, Mr. Speaker, Sir. There are many questions asked and there are no answers. I believe, Mr. Speaker, that the FijiFirst Government, the MIC and FHCL do not know what to do here, they need help and only this Parliament can help. So, only by instituting a petition through a Parliament select committee to inquire into the industry and to report back to us with

answers, but we do not have that opportunity now. We will give it to you next year.

There is a need to reform and restructure the Mahogany Industry with the purpose of maximising benefits to the resource owners and foreign earnings to Fiji and increase contribution to GDP to reduce import and export deficit and reduce debt, and more money for Fiji. Whatever it takes, Mr. Speaker, Sir, we need to revolutionise the Mahogany Industry and the other economic sectors.

Mr. Speaker, Sir, on timber sales proceeds, under the Mahogany Act, they need to pay timber sales proceeds. No single cent had been paid so far. Under the Act, the Mahogany Industry Council was supposed to establish a formula to pay this out. Why is it taking so long? Why has the Mahogany Industry Council not made a formula since 2011, it is over 10 years now.

The Act does not say that to first pay debt, then pay timber sales proceeds, as claimed by the honourable Minister of Economy. That is a lie. He mentioned here the last time that they did not pay the timber sales proceeds because the Act says that you must pay the debt first. No, the Act says that Mahogany Industry Council is to formulate a formula to pay out the timber sale proceeds. In other words, they should come up with the formula, how much to pay for the debts, how much to go for mahogany forestry development, how much to go for branding and how much to go to the landowners as timber sales proceeds? They are simple but over 10 years, there is still no formula has been established, Mr. Speaker, Sir.

Since, 2011, there was no formula. Why? Another sunset clause strategy to rob mahogany landowners, deprive and suppress them from their economic benefits. Shame! That is the reality, that is the fact, Mr. Speaker, Sir.

Just as for Pine, we are going to draw out a formula to ensure payment of timber sales proceeds is made as soon as possible and review a workable beneficial capital structure for landowners as owners of the mahogany business and the Government for the future that both win and/or share proceeds.

It is important, Mr. Speaker, Sir, to give them what they are supposed to get. There are markets there already there, Sir, I am talking on Recommendation No. 5 that the Ministry encourages landowners' participation in the logging and sawmilling operations. I am just enlightening on that, so read your recommendations.

With those words, Mr. Speaker, Sir, I am trying to encourage the Government to do what it is supposed to do and give the benefits to the *iTaukei* landowners. Thank you very much and I support the motion.

HON. J.V. BAINIMARAMA.- Mr. Speaker, Sir, I rise to deliver my statement on the Ministry of Forestry's Annual Report for 2016-2017, 2017-2018 and 2018-2019. But before I do so, I just want to say that honourable Bulanauca always amazes me. Imagine this honourable parliamentarian was a Minister at one stage, God help us if he becomes a Minister again. He does not seem to know what he is talking about.

Mr. Speaker, Sir, the year 2016-2017 saw the Department of Forestry transition into a single portfolio Ministry with my Government's decision to separate the Departments of Fisheries and Forests. The logic behind the separation was to enable both Ministries to effectively channel more resources and efforts towards the development of the two sectors, thereby facilitating greater economic returns while prioritising sustainability.

The Ministry of Forestry was allocated \$11.4 million in the 2016-2017 National Budget. Some of the major achievements for the year included the:

1. The Ministry helped repurpose fallen trees into housing timber for the affected communities.
2. The Ministry continues the reforestation of degraded lands around the country and continued raising awareness on the importance of trees and forests.
3. The Ministry dedicated Colo-i-Suva Forest Park as part of the Queen's Commonwealth Canopy, which is a network of forest conservation programmes in the Commonwealth member countries.

Mr. Speaker, Sir, in the 2017-2018 financial year, the Ministry was allocated a budget of \$16 million. Some of the year's major achievement included:

1. Establishing the first indigenous tree species nursery at the Vunimaqo Forestry Station in Galoa.
2. Establishing the Forest Wardens Programme.
3. Continuing reforestation efforts of degraded land across the country.
4. The Ministry officially opened the Nabalasere Eco-Tourism Forest Park in the Province of Ra.
5. The Ministry also signed and implemented the Memorandum of Understanding with the Government of Indonesia on 24th April, 2018, at the 3rd Asia Pacific Rainforest Summit in Indonesia.
6. The Ministry received US\$2million in additional funding from the World Bank for the REDD+ Programme, including the preparation of the REDD+ Conservation Lease Agreement for the National REDD+ Pilot Site in the Emalu.

Mr. Speaker, Sir, for the financial year 2018-2019, the Ministry received a total budget of \$17.07 million. Some of the major achievements for the year included the:

1. Endorsement without condition by the World Bank's Forest Carbon Partnership Facility of Fiji's Forest Emission and Reduction Programme document and the Readiness Package.
2. Hosting of the Duke of Sussex, Prince Harry, at the Colo-i-Suva Forest Park.
3. The launching of Fiji's initial National Tree Planting Campaign of 4 Million Trees in four years by the then President of Fiji, His Excellency Major-General (Retired) Jioji Konrote.
4. The finalisation of the Ministry's 13-Year Strategic Development Plan, which is aligned to the United Nation Sustainable Development Goals and Fiji's 5-Year and 20-Year National Development Plans.

In the same year, Mr. Speaker, Sir, the Ministry signed an MOU with the Ministry of Employment, Productivity and Industrial Relations, to ensure compliance of forest-based companies with Fiji's employment laws, and a separate MOU with the FNPF, to ensure that all forest-based companies contribute to the mandatory funds for their respective employees.

Mr. Speaker, Sir, this is a very brief overview of the performance and significant achievements of the Ministry of Forestry from 2016 to 2019. This period laid the strong foundation upon which Fiji's Forestry Sector continues to grow new heights.

In 2021, the Forestry Sector achieved the record-breaking export revenue of over \$118.5 million, something he does not know. Alongside this, Fiji also planted 15 million trees and mangroves in less than four years since 2019. We are already achieving what we set out to do through the separation of the Forestry and Fisheries Departments, record economic development and concrete sustainability.

I commend the leadership and the staff of the Ministry, together with all the stakeholders in the Forestry Sector. I also take this opportunity to commend the work of the then Minister for Forestry, the

late honourable Osea Naiqamu, who was called to eternal rest in January this year. He has left behind a great legacy in spearheading Fiji's national tree planting efforts across all the Provinces in Fiji, including the maritime islands.

In a resource-based sector often challenged by conflicting demands, the annual budget allocation empowers the Ministry to develop initiatives that address these challenges and deliver effective and improved services, all while positively contributing to Fiji's economic and social development and ensuring environmental integrity and climate change mitigation in the process.

I just would like to add on, Mr. Speaker, Sir, that the returns to the mahogany landowners will gradually increase, just like Fiji Pine. We had just paid out over \$36 million in lease security bonus payment to the landowners under my Government. Only under my Government did landowners begin to reap the rewards from leasing their lands for pine plantation.

He does not know that. Honourable Bulanauca can only talk, all full of hot air. During his time, Mr. Speaker, with pine and mahogany, he did absolutely nothing. Absolutely nothing!

Mahogany production is gradually increasing up to 40,000 cubic metres. The sustainable harvest volume per annum is 80,000 cubic metres. The Forestry Sector achieved Fiji's highest export earnings, as I have said, ever in 2021 worth \$118.5 million. This record exports can be maintained when mahogany production reaches its sustainable harvest volume per year. With those comments, Mr. Speaker, I support the motion.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I will be very brief. Honourable Bulanauca talked a lot about the mahogany industry and obviously misled Parliament again. The Report, Mr. Speaker, Sir, is about the Ministry of Forestry and the work that has been carried out in that period, and the honourable Prime Minister has highlighted that.

Mr. Speaker, Sir, the point that I wish to make in respect of the mahogany industry is that, honourable Bulanauca did not tell Parliament that Fiji Hardwood Corporation Limited (FHCL) had a debt stock of about \$25 million in 2007. Even though it held all the leases pertaining to mahogany plantations, it had not made a single cent of profit until then. Since its creation it had not made a single cent of profit and now, he is saying it is justified. He does not tell Parliament that.

Also, Mr. Speaker, Sir, the debt stock now with FHCL is only a couple of million dollars left. In fact, it should be cleared up by the end of this year. He is absolutely incorrect also to say that we should be paying out when he knows exactly that in the Tree Planting Programme for mahogany plantations, the landowners are being involved with that, and landowners are getting paid for that also.

Linked to that, Mr. Speaker, Sir, I would also like to highlight, as announced in Parliament some months back, Government has secured loan funding from the World Bank under the Jobs for Nature Programme. Sir, under this Programme, we will be paying minimum wages which is \$4 an hour from January of next year to any youth group or women's group that wants to go out and plant. That does not only include, for example, hardwood or indigenous species or pine, it will also include things like fruit trees, whether it be breadfruit and other fruits, it also includes that.

We have reached out. We are working with all the different Ministries – Ministry of Forestry, Ministry of Rural and Maritime Development, Ministry of Commerce, Trade, Tourism and Transport, Ministry of iTaukei Affairs, Ministry of Agriculture and all the different relevant agencies where any of these groups can come and register with us, we purchase the seedlings for them, we give them the seedlings and they actually go out and plant. This not only creates jobs, Sir, but it also helps us achieve and meet our target for planting 30 million trees. Also, Sir, this is part and parcel of what we are doing

in terms of empowering, not only resource owners, but also those who are involved and interested in the forestry industry, Sir.

The other point we wish to also make, Mr. Speaker, Sir, is the philosophical approach to forestry and the way that the Forestry Sector has always been assessed in terms of its output. We have always had this approach that forests are only registered in our GDP, once it is actually harvested. Trees alone are not given the same value when it is in the ground or when the roots are in the ground, but only when we cut it down and mill it, only then it achieves the value.

Under the Climate Change Act, Sir, we now have carbon trading. Honourable Saukuru, I remember his very passionate statement when we had the Climate Change Act where he said, “Now you are going to charge us for breathing oxygen when oxygen belongs to God.” This is the level of contribution from honourable Saukuru, Mr. Speaker, Sir.

Carbon trading is all about saying that how much carbon will a particular forest take in or sink it in and in turn obviously, puts out oxygen. So there is a value attached to that, and that is what you call the carbon trading, Sir.

As the honourable Prime Minister highlighted, Mr. Speaker, Sir, there is a World Bank project where we have identified a particular forest. Currently, the Ministry has been allocated funding to be able to carry out an accounting of Fiji’s forest resources and essentially, to help us get into carbon trading quite significantly. And that is a very huge philosophical shift in terms of how we view our forests, and that is critically important because those forest reserves will not only generate money for those landowners on which the forests are planted or naturally has been there, but it also means that they can use those forests for other income-generating purposes without actually having to cut the trees down, and that is what we need to understand. So, when you talk about exports, honourable Bulanauca, it is not about cutting the trees down, it is about the revenue you generate from it.

Mr. Speaker, Sir, I would urge honourable Bulanauca to stop coming to Parliament and misleading Parliament and misleading the general population of Fiji. As the honourable Prime Minister highlighted, he has been involved for decades with Fiji Pine Group and with the Mahogany Trust, not a single cent of money was actually delivered to the landowners, not a single sense of accountability was there, there was so much corruption.

Fiji Hardwood Corporation...

HON. M. BULANAUCA.- A Point of Order.

Not a single cent to the landowners, that is wrong, pine leases have been paid to the landowners every year.

HON. S. ADIMAITOGA.- When?

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, that is what we call a pedestrian approach. He is now saying, “Oh, landowners get leases”, we are not talking about leases. We are talking about actual returns from the forestation that takes place, about the timber sales. He knows that no landowner has ever been paid bonus from Fiji Pine. Only under this Government and only under this Prime Minister, we have started paying bonus over close to \$40 million.

The honourable Prime Minister was there last week. Landowners were happy. They would not want to have seen you there because of people like you, we had no progress. If you go to Tropik Woods now, Sir, if you look at the amount of machinery, the technology that is there, no way in your dreams

would you have dreamt of having such machinery and such technology. So, he continues to do that. That is his narrative, of course, that is what he is going and spewing out to members of the public, but they are a lot more smarter than what he thinks that they are.

So, Mr. Speaker, Sir, we would like to thank, again, the Ministry of Forestry and, please, if they can start thinking outside the box to know that forests do not have to be cut down to be valuable to us. Thank you, Mr. Speaker, Sir.

HON. S. KIRPAL.- Mr. Speaker, Sir, just to remind honourable Bulanauca that during his term with the Fiji Pine, it was a negative. They took a loan in 1990 and it was paid by the Bainimarama Government of \$2.2 million to Fiji Pine. So, the mismanagement of funds was done during your term, honourable Bulanauca. What did you do for the Fiji Pine industry when you were in the Board? What did you do?

HON. A. SAYED-KHAIYUM.- What did you do, tell them?

HON. S. KIRPAL.- What did you do? You did nothing.

(Honourable Members interject)

MR. SPEAKER.- Order, order!

HON. S. KIRPAL.-Mr. Speaker, Sir, he had been the Minister for Lands for one year. What did he do when he was the Minister for Lands? What did he do for the Fiji Pine? Fiji Pine was at a loss.

HON. M. BULANAUCA.- There is nothing about my being the Minister for one year. I was the Minister for one year, we had the Election after one year. The honourable Prime Minister was Prime Minister for eight years, then we had the Election. Mr. Speaker, Sir that is the difference.

HON. GOVERNMENT MEMBER.- What have you done?

HON. M. BULANAUCA.- We have done a lot, we have established the industry, raised the Board and everything else.

HON. S. KIRPAL.- Mr. Speaker, Sir, I think he is not reading the articles. In the 2021 financial year, Fiji Pine made \$41.88 million profit and it is just because of our honourable Prime Minister. What did you do during the Qarase term, the Rabuka term, did you help the people of this country? You were not renewing the leases...

(Honourable Members interject)

MR. SPEAKER.- Order, order!

HON. S. KIRPAL.- Non-renewal of leases.

Mr. Speaker, Sir, with those words, I would like to thank the honourable Prime Minister, the honourable Attorney-General and also honourable Bulanauca for his worst contribution in this Parliament. Thank you, Sir, I have no further comments to make.

MR. SPEAKER.- Honourable Members, Parliament will now vote to note the content of the Report.

Question put.

Motion agreed to.

**REVIEW REPORT - RESERVE BANK OF FIJI INSURANCE
2019–2020 ANNUAL REPORTS**

HON. V. NATH.- I move :

That Parliament debates the Consolidated Review Report of the Reserve Bank of Fiji Insurance 2019/2020 Annual Reports which was tabled on 11th May, 2022.

HON. V.K. BJHATNAGAR.- Mr. Speaker, I beg to second the motion.

HON. V. NATH.- Mr. Speaker, Sir, the Standing Committee on Economic Affairs tabled its Report on the Consolidated Review Report of the Reserve Bank of Fiji Insurance Annual Reports for the years 2019/2020 which was tabled on 11th May, 2022.

Mr. Speaker, Sir, certain risks are unavoidable and we all agree. Insurance is an essential risk mitigation and an investment tool especially when injuries and unexpected hardships can befall on anyone. Insurance has continued to play an important role in mitigating losses of this nature at household, businesses, national and global level.

The Reserve Bank of Fiji plays a pivotal supervisory role in the insurance industry under its financial stability mandate as to ensure that insurance companies remains safe and sound while also delivering quality customer services. The Committee while deliberating on the 2019/2020 Annual Report agreed that insurance underwriters needed to work with relevant stakeholders to launch the awareness programme so that insurance covers are seen as a risk mitigation factor rather than additional expenses.

The Committee was made aware that certain insurance companies have made access to their services easier by adopting digital technology including but not limited to applications, online payment and probably claims submission. Given the lessons that COVID-19 has taught us, initiatives such as this are welcome and encouraged.

Mr. Speaker, Sir, submission from the Governor of Reserve Bank and his team reinforced the Committee's view that climate was another area that was expected to persist with its own set of challenges and efforts were made to increase coverage for disaster risk and mitigation.

Based on success of micro-bundle insurance the Committee has encouraged the consortium of underwriters to come up with various packages that is affordable to all Fijians. The Committee also believes that further avenues could be explored to include other agricultural produce such as *yaqona*, *dalo* and other subsistence farmers, cooperatives and market vendors in Fiji Care Micro-Bundle Insurance. Based on the RBF Annual Report and the subsequent presentation by the relevant stakeholders the Committee commended the overall performance of the insurance industry during the period under review. With those few comments, I request that the Parliament debates on this motion.

HON. I. KURIDRANI.- Firstly I want to thank the Committee for this Report and I support the motion. We all understand that Insurance is an essential risk, mitigation and also an investment tool to safeguard people from possible risk and uncertainties.

Mr. Speaker, Sir, my contribution is basically giving three suggestions which I believe should bridge the gap in insurance coverage for our communities and also food for thought for relevant

stakeholders. I will quickly draw your attention to the Committee Recommendation No. 2 and I quote:

“Given the large volume of vehicles on Fiji Roads Authority, the Committee recommends insurance companies to conduct a comprehensive insurance study to identify basic insurance package that could be offered to all motor vehicle owners at a reasonable cost”

In 2020 we have 130,000 motor vehicle on our roads and to date this must have increased significantly and likewise the number of accidents through drunk driving, careless driving and stray animals. Mr. Speaker, Sir, I therefore suggest that there is an urgent need to provide insurance cover for people in our society who suffered financial loss through no fault vehicle accidents. What I mean, Sir, the same insurance cover that apply under the Accident Compensation Commission for victims under the no fault policy – compensation is provided to people who suffered personal injury or death as a result of accident caused by motor vehicles.

I am suggesting that this could be replicated to cover the no fault policy in vehicle accidents. There are numerous numbers of vehicle owners in our country who have been victims of this no fault category and some have faced difficulties to repair their vehicle since the vehicle causing the accidents are not insured.

Sir, I have come across many cases where victims have reported the case to the police but they are told that the police cannot force the instigator to pay for the repair costs if the vehicle is not insured. This leaves the victims with no option but to lodge a claim to the Small Claim Tribunal which we understand will take months and years, but if they are covered under the no fault policy then repairs will be immediate and life goes on.

My second suggestion, Mr. Speaker, Sir, to stakeholder is to expand its micro bundling insurance scheme for pensioners and civil servants to cover cyclone and flood damages in the insurance cover. So far it only offers indemnity for life insurance for \$3,000, funeral expenses \$1,000, fire and explosion to the insured person's house is \$3,000 and \$3,000 for personal injury.

Mr. Speaker, Sir, the 2019 RBF Insurance Annual Report has indicated that the major natural disaster losses comes from flood related causes and in Fiji's case it is also cyclone damage. But this has not been covered in the bundling insurance scheme and I suggest if this Government to spend a few extra dollars to expand this coverage to flood and cyclones. This will help home owners to rehabilitate after a cyclone, flooding or disasters immediately.

My third suggestion is for that bundled insurance scheme be extended to *yaqona* farmers. To date the bundled insurance only covers sugar cane farming, rice farming, copra farming and dairy farming but *yaqona* farmers are missing here which is very unfortunate since *yaqona* has been the leading exporting commodity and leading foreign income earner for the last four years in agriculture. We need to address this issue with some urgency to maintain sustainability in the industry that has been providing employment opportunities and contribution to our GDP.

HON. J.V. BAINIMARAMA.- Mr. Speaker, Sir, I rise to speak on the motion by honourable Vijay Nath.

Mr. Speaker, Sir, the Fijian Insurance Industry is regulated by the Reserve Bank of Fiji to ensure that the industry remains sound with a strong solvency position. Insurance is an essential risk mitigation measure against possible harm simply put, Mr. Speaker Sir, it protects against uncertainties - something that is more important than ever given the worsening impacts of climate change.

Mr. Speaker, Sir, as we hopefully all know, all interested insurance companies need to be licensed by the Reserve Bank of Fiji. The RBF is required to ensure that the insurance industry performs within the laws of the Insurance Act while delivering quality services to the Fijian people. According to the World Bank, Fiji is one the country's most vulnerable to climate change and climate related disasters. Fiji is ranked 14th out of the 181 countries in terms of risk from natural disaster according to the World Risk Index 2021. Beside these threats, Sir, there are those that affect us personally such as damage to the property, health and medical coverage.

Fiji is a developing country and it is susceptible to many risks aside from natural disasters including volatile global crisis and other global economic challenges. Today, around 41 percent of Fijians have access to an insurance product. That, Mr. Speaker, Sir is an encouraging figure that is largely due to the introduction of the Bundle Insurance Product in 2017 that saw more people taking up insurance policies through coordination with established farming bodies such as the Sugarcane Growers Fund, Copra Millers Limited, Fiji Rice Limited and Fiji Cooperative Dairy Company Limited.

Mr. Speaker, Sir, Fiji together with the UN capital development fund, recently introduced another two new parametric micro-insurance products to the Fijian market. The products offer insurance cover against cyclones including both heavy winds and rainfall and are designed to offer immediate financial support after extreme weather events for our most vulnerable communities including farmers, fishers, market vendors and small businesses. The second product specifically targets Department of Social Welfare recipients living in high climate risk locations and will be rolled out in partnership with the Fijian Ministry of Women, Children and Poverty Alleviation and the World Food Programme.

Mr Speaker, Sir, in the most recent Insurance Annual Report prepared by the RBF for 2020, it was noted that despite the pandemic driven decline of the global economy, the Fijian Insurance Industry recorded positive performances in 2020 similar to the global insurance market. This trend has continued with the recent revision of macro-economic forecast for Fiji in June, 2022, and the insurance industry is expected to contribute positively to economic growth this year as well.

Mr. Speaker, Sir, insurance is an important financial tool for addressing risks that Fijians face every day. These last two years alone have shown how important it is to have a defence life insurance in difficult times. When insurance industry continues to grow with more Fijians choosing to get insured. I hope to see more affordable insurance options and for more Fijians to embrace this protection. It is the right choice to protect our families, to protect our lives, to protect our businesses in our community from the uncertainties of the future. Based on these remarks, Mr. Speaker, Sir, I support the motion. Thank you.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I will be very brief. I just want to highlight to honourable Members that Government has been trying to ensure that we have more insurance products available and indeed become affordable. As has been seen through the latest budget we delivered, Sir, in the latest update on August, 2021 you will see that insurance products include life insurance, medical insurance, parametric insurance which the honourable Prime Minister had mentioned, are VAT exempt. It is absolutely no VAT on that to be able to make it look more affordable, Sir. Of course, any compensation is paid out by ACCF.

Mr. Speaker, Sir, the need to obviously have a life insurance is critically important when more and more people have life insurance as a safety net for themselves and also for their families, in the event they have what we call "term-life insurance". Mr. Speaker, Sir, the other point that I wish to make, honourable Kuridrani I hope you have heard the honourable Prime Minister mentioned that parametric insurance is now which actually covers people for cyclones or winds and also rainwater damage.

Mr. Speaker, Sir, the honourable Kuridrani would be pleased to know that just about a week and

a half ago, we launched at the GPH, the augmentation of that. So Government currently is paying the premium for parametric insurance for those people who are the most vulnerable, who are social welfare recipients. We are giving them parametric insurance. They are also given, what we call the micro-insurance that you had mentioned. He had mentioned that one of *dalo* and *yaqona* farmers recommended that they should be included.

Mr. Speaker, Sir, the only reason why we have sugarcane, dairy, copra and rice farmers, is that they have organisations that represent them, so the deduction of the premium is done through those organisations. If we had one organisation for *yaqona* farmers, one organisation for *dalo* famers, it would be very easy for them to do so. That is the only reason and that is the only thing that is stopping them. And we have seen the recommendation for co-operatives; indeed co-operative organisations can also have that and they are open to that. We understand that Fiji Care is reaching out to those organisations to enable more people to be insured. If you see the statistics, in fact close to \$300,000 has already been paid out under the micro-insurance bundle.

Mr. Speaker, Sir, the last point I wish to make is, honourable Kuridrani mentioned motor vehicle insurance under the no fault system - you cannot have motor vehicle insurance under the no fault system. No fault system is what we call for Worker's Compensation under ACCF. We have no fault system so if you have a third party or if you are a passenger in the vehicle or if you have a road accident where the person actually dies, it is not for compensation for the material damage to the vehicle, but it is compensation for the physical damage to a human being, which is what we want to be covered for. That is the no fault system.

The no fault system is that we do not assign, so before, previously, if you have a child running out in front of a bus crossing the road, they get hit by a car, the insurance company that represents the motor vehicle owner will say that is contributory negligence, that the child actually ran in front of the bus, therefore, we are not culpable, we should not pay for it, because it is the child's fault. We have now removed that. Even though it may have been the child's fault, the family will get compensation, if the child dies. If the child does not die but has some form of disability as the result of the accident or some of inability to carry out normally bodily functions, they will get compensation, in the same way with Worker's Compensation. Before, under the old scheme, for example, if I am a sawmiller, I am talking about forestry, if I went to work and accidentally my finger went into the sawmill and I lost the finger, the employer through the insurance company could say that is contributory negligence because when he came to work, we saw him not walking straight because he was drinking too much grog the night before. As a result of that, he contributed to the negligence.

Now under the ACCF scheme, whether or not he contributed, or whether he was grog doped or not, if you are at the work place, you get injured, you get paid for it. And also there are set amount of figures that you get paid. If I am right handed and I lose my right hand, the amount of payout for my right hand will be a lot more than my left hand. If you want to challenge that amount that you are getting paid without engaging lawyers actually, you get those payout without engaging lawyers, but if I want to challenge that, I have the right to go hire a lawyer and challenge that. We cannot have that for material damage to motor vehicles, because insurance is also about making sure it is sustainable. You need to have a pool of people who will insure and they are paying the right premium given the risk.

We have already highlighted this and honourable Kuridrani kind of answered the question. There are a lot of accidents in Fiji, there are a lot of people who overspeed, there are still a lot of people who actually drink and drive. So if we ourselves change our behaviour in how we act and perform on the road, then the risk will become lower. In the same way, before people used to get cyclone insurance, but because there has been increase in cyclones, it has become a very high risk. Therefore, insurance companies do not actually homes unless you meet certain certification. That is why we developed the parametric insurance.

Mr. Speaker, Sir, I would like to thank the RBF for monitoring the insurance companies and we are seeing now lot more activities. I also would like to single out, the insurance companies like Fiji Care that actually came to our assistance during COVID-19, where they provided products, they are currently working now with Sun Insurance as far as parametric insurance is concerned but with the micro insurance bundling, they were the first ones who came forward and are working together with the Fijian Government.

Mr. Speaker, Sir, the last issue that I also wish to mention is health insurance. As we have said, now ordinary Fijians can get access to General Practitioners so they do not actually need to be able to afford to go see those doctors, the Government actually pays for it, but with the surgeries current procedures are not available in Fiji. One of them, of course, being open-heart surgery. We did mention that there has been some delays with it because of COVID-19. God willing in the next few weeks' time, they will be able to do open-heart surgeries but it means that the cost of insurance for medical insurance will come down. If a lot of the procedures are available in Fiji then the cost of insurance will come down. It is already VAT exempt and in that way people having a lot better and easier access to procedures, some of it which will now be available in Fiji but also some that may be offshore which will bring down the overall cost of insurance in Fiji as far as the health sector is concerned. I would like to thank the Committee for their Report.

HON. V. NATH.- Mr. Speaker, Sir, I thank the honourable Prime Minister, honourable Attorney-General and honourable Inosi Kuridrani for their contributions and I take this opportunity to thank the Governor of RBF, Mr. Ariff Ali and his team. Honestly speaking, Mr. Speaker, Sir, Mr. Ariff Ali is a workaholic. He was very efficient and always responded to the request of the Committee whenever we wanted him to respond and throwing the question to and fro.

Mr. Speaker, Sir, once a week at least someone will give me a call regarding FijiCare Bundled Micro Insurance and ACCF. These two products in fact are mind-blowing and I thank the honourable Prime Minister. He is the only person probably I would say, Mr. Speaker, Sir, who had the vision to launch these programmes. No other government ever thought of this, probably in their dreams. Honourable Inosi Kuridrani is shaking his head. We thank the honourable Prime Minister for launching this product which everyone is talking about. When you have death in the family, when social welfare recipients need the money, often they call us and find out how they can get this money for funeral purposes. So I take this opportunity, Sir, to thank the honourable Members for their contributions.

MR. SPEAKER.- Honourable Members, Parliament will now vote to note the content of the Report.

Question put.

Motion agreed to.

QUESTIONS

Oral Questions

MR. SPEAKER.- Honourable Members, before we go into the questions proper, the first Oral Question by the honourable Pio Tikoduadua has been withdrawn, that is, Oral Question 160/2022. The honourable Kuridrani's has also been withdrawn.

Question 165/2022 that was to be answered by the honourable Minister for Defence, National Security and Policing, Rural and Maritime Development and Disaster Management, he has requested if

this Oral Question could be moved to tomorrow, I have allowed for that. So we will now go onto the second Oral Question for today.

HON. R.R. SHARMA.- Mr. Speaker, Sir, the Question No. 161/2022 was thoroughly answered by the honourable Minister for Commerce, Trade, Tourism and Transport yesterday. So, I would like to withdraw this question.

Provision of Planting Materials for Farmers
(Question No. 163/2022)

HON. A.T. NAGATA asked the Government, upon notice:

Can the honourable Minister for Agriculture, Waterways and Environment update Parliament on the Ministry's strategies and plans to provide planting materials to support farmers?

HON. DR. M. REDDY.- Mr. Speaker, Sir, I must thank the honourable Member for asking this question. It gives an opportunity to send the message across. Yes, we have a programme where we provide planting material to farmers, whatever their requirement is and whether it is root crops or rice or vegetables. We have established a seed bank where farmers will be provided with a planting material at no cost to them and they can return it to us within a three-year period.

Now, this return only applies to open pollinated seeds or cuttings. Hybrid seeds you cannot utilize again so, Mr. Speaker, Sir, for rice farmers we provide rice seeds or if root crops we provide the suckers and cuttings for cassava, *duruka* et cetera. For farmers they come to the nearest agriculture office, they put in the request and we will provide them but once they are provided, then they are required to maintain the planting material, they are not provided again.

Mr. Speaker, Sir, with regards to home gardening seed packs, that programme is continuing and it is available with free seed packs from the nearest agriculture station. With regards to planting materials, there is an ongoing programme and we have also got planting materials for short term crops which are stored in our cooler rooms in Legalega and Sigatoka to deal with any disasters. For example, *choraiya*, *moca*, green *rourou* suckers that we have got on the fields. Planting material is not an issue.

Clearing of Drains and Creeks – Rural Tailevu and Rewa Delta
(Question No. 164/2022)

HON. RO F. TUISAWAU asked the Government, upon notice:

Can the honourable Minister for Agriculture, Waterways and Environment inform Parliament on the progress and status of the clearing of drains and creeks in rural Tailevu and Rewa Delta?

HON. DR M. REDDY.- Mr. Speaker, Sir, I will give a brief response. If there is a supplementary question then I will provide details. For rural Tailevu, we have undertaken under two programmes drainage for farmland 42 settlements and villages, drainage work for about 205 kilometres worth \$365,000 over the last three years.

Under the drainage for rural residential, we have done for 47 villages and settlements, 210 kilometres \$482,000 worth of work. We have undertaken \$1.6 million worth of drainage of Waidamu River which we have a separate allocation for this year to clear that River.

For the Rewa Delta, we have undertaken drainage work for 19 settlements worth \$420,000,121

kilometres under the drainage for rural residential, we have done 6 villages and settlements, 33.5 kilometres worth \$95,000.

We have also undertaken creek cleaning work for Waivou, Burebasaga, Noco, Nakorovou areas, total length of 6.5 kilometres.

Mr. Speaker, Sir, I have got details by villages, if there is a need, I am happy to give it to the Member later on or now.

Ministry of Fisheries Sectoral Contribution to GDP
(Question No. 166/2022)

HON. P.W. VOSANIBOLA asked the Government, upon notice:

Can the honourable Minister for Fisheries inform Parliament on what performance targets and assessments the Ministry is implementing to improve the sectoral contribution to GDP?

HON. CDR S.T. KOROILAVESAU.- Mr. Speaker, Sir, I thank the honourable Member for the question. In 2020, fisheries exports were provisionally recorded at \$197 million. However, last year it decreased to \$149 million due to the impacts of the COVID-19 pandemic.

Mr. Speaker, despite the pitfalls, we are reassured by the Government tangible changes and this has been undertaken through legislation amendments and the pursuit of close business partnership and common development goals.

Mr. Speaker, Sir, for offshore, the changes that have been made in the legislations and provisions to assist the offshore fisheries has been the omission of bunkering and provision of levy which has eased the operation of the tuna industry, legislative reform for 20 years long term licence for domestic fleets, creating opportunities to modernize the aging national fleet to create energy efficient and environmentally-friendly vessels which continue through the provision of tax incentives and subsidies and removal of all fees and charges for our subsistence fisheries.

The export volume looks favorable mainly due to the increase in economic contribution of offshore fisheries. Current data indicates that fisheries export will rise to about \$187 million. This year we expect a higher return and with the opening of beche-de-mer, there will be an increase and the volume would have to be seen after the trade has been closed.

The Ministry of Fisheries in pursuit of economic recovery plans to generate \$500 million in the next three years and actions are being undertaken now to assist our fishing fleets and boost the offshore sector.

Mr. Speaker, Sir, the Transshipment Levy has been removed and this has reduced the cost that used to be paid by foreign fishing vessels at about \$4,500 per tonne. We are talking with our friendly neighbours to bring in their tuna resources into Fiji to help our own value added businesses here and also PAFCO.

In a nutshell, Mr. Speaker, Sir, Fiji currently attracts about 400 fishing vessels annually. We are looking at aquaculture and improving that and some possibility of exporting aquaculture products within the Pacific region and that also goes for coastal fisheries. That contribution will increase dramatically in the next three years. I saw honourable Gavoka's article in the *Fiji Times* which is totally incorrect and the information that is contained there, I am not sure where he brought it from. But he even said that I was here on Monday, I was not here on Monday, maybe he had a discussion with *Fiji Times* to write the

article in the newspaper. But fisheries income looks good in the next three years with various legislative changes that has been put by Government now to attract more fishing vessels into Fiji.

HON. V.R. GAVOKA.- Mr. Speaker, Sir, supplementary question.

The beche-de-mer the honourable Minister had referred to as you know, the ban was lifted a couple of weeks or months ago. We are hearing with concern that the harvest, selling and all that is pretty chaotic. Can the honourable Minister assure the Parliament that is all under control and well managed because we are very concerned with what we are hearing?

HON. CDR. S.T. KOROILAVESAU.- Mr. Speaker, Sir, can I ask the honourable Leader of SODELPA to bring that as a new question in the next session, please? That is out of the context of the substantive question.

HON. V.R. GAVOKA.- Mr. Speaker, Sir, he mentioned beche-de-mer in his reply, so I want to know if he is banking on beche-de-mer to contribute sectorally to the GDP, then tell us how is it going. We are very concerned about what we are hearing, that it is chaotic.

MR. SPEAKER.- Honourable Member, the question that was originally asked is very clear and he has answered that. He may have touched on beche-de-mer and you asked that as a supplementary question. He has given advice that it should come as a new question in future. That is all he has done, it is pretty clear.

HON. V.R. GAVOKA.- He mentioned it.

Aging with Dignity Programme – Purpose and Plans
(Question No. 167/2022)

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

Can the Minister for Women, Children and Poverty Alleviation with the Ministry's additional budget under the Ageing with Dignity allocation for the 2022-2023 Financial Year inform on the purpose and plans for this programme?

HON. R.S. AKBAR.- Mr. Speaker, Sir, I wish to respond to the question by the honourable Adimaitoga on the new budget activity titled "Ageing with Dignity" in terms of its purpose and the implementation plan.

Mr. Speaker, Sir, at the outset the new budget activities are major achievements for the Ministry and the Government as it is a bold statement to cement the Government's specific commitment to aging or older persons in this country. Government has dedicated this new budget to assist with the Ageing Policy, legislative assignments through collaboration with partners as well for advocacy and outreach on the Rights and Protection of Older Persons. Responding to aging needs during emergency as well and of course to monitor and evaluate the impact and effectiveness of our programmes.

Internationally, Mr. Speaker, Sir, Fiji's development on aging is aligned to the Madrid International Plan of Action on Ageing (MIPAA) of 2002. Thus it is the first international agreement which commits Government to linking questions of ageing to other frameworks for social and economic development and human rights.

Mr. Speaker, Sir, according to the 2017 National Census, Fiji's population of older persons

make up a total of 10.6 percent that is 93,745 that are aged over 60 plus. In the last 11 years, the Fijian Government has made significant and specific approaches to address ageing through policy, legislation, social protection programmes, and assistive grants to partners in the sector, advocacy and outreach purposes. These are inclusive of the facilitation of the National Policy on Ageing 2011 with the goals of inclusivity, social protection, healthy living and other enabling supporting environment for older persons in Fiji.

The provision of Social Pension Allowance amounting to \$259 million with the current total of 47,000 recipients and this also includes our sugarcane farmers. The provision of bus fare concession assistance amounting to \$16 million with the current total of 52,000 recipients inclusive of older persons. In addition, the passing of the National Council of Older Persons Act 2012 to enable the establishment of an advisory arm to Government on issues relating to ageing and older persons.

The administration of our three State Homes or Age Care facilities: Labasa, Lautoka and Suva since 2016 witnessed an accumulated investment of \$10.2 million thus an average of \$1.4 million annually. The capital purchase of furniture, fittings and equipment for our Golden Age Home in Labasa with the allocation of \$250,000 in this financial year. The Labasa Golden Age Home is undergoing a \$4.7 million facelift and is expected to be opened later this year. It is a 40 bed unit designed to have 20 male and 20 female residents and is approximately 1,680 square meters in floor and area.

The implementation of the National Minimum Standards for Institutional Homes on the Care of Older Persons 2017 and of course the provision of grant assistance to a total of 11 registered agencies specific to services or programmes for older persons to a tune of \$0.6 million. Government will continue to maintain this assistance with the grants to organizations for older persons with the provision of \$60,000 in this financial year.

Of course Mr. Speaker, Sir, we continue strengthen partnerships with development partners, civil society, Non-Government Organisations (NGOs), private sector, communities and Faith Based organizations. Mr. Speaker, Sir, in this financial year, Government has further injected a specific funding of ageing with dignity with the total of \$45,000 and this will ensure more consultative validation to ensure that dignity, inclusion, protection and rights of older persons in Fiji.

This can be enhanced with the national mechanism championed under the national council of older persons via the divisional district mechanism that are currently being strengthened for older persons. In short the funding enables smarter collaboration to represent the rights and dignity of all our older persons.

Mr. Speaker, Sir, while this may be a project that is strategically designed, aligned with its implementation starts with our Ministry, it started at activities, partners and most importantly resources. The Ministry has a dedicated unit that looks after the policy and legislative alignments for older persons. It will also be witnessing the establishment of the National Council of Older Persons. Basically the work for the next 12 months is designed to implement much of the activities in the first three quarters. In promoting an inclusive approach, these resources are meant to add value to the four national Divisions centred on advocacy and awareness, consultations, spaces of emergency packages for older persons in evacuation centres and monitoring aspects of the programme.

Mr. Speaker, Sir, in conclusion, I would like to add that looking after the older persons must always remain with the families. We live in a society where there has been a decay of many social values and one of these is the neglect and abuse of our senior citizens.

As Members of Parliament, it becomes our responsibility to advocate for the rights of our senior citizens. The Ministry will continue its programme whereby we will ensure that our senior citizens are aged with dignity because, Mr. Speaker, Sir, how we treat the vulnerable in our society is a good indication of the society that we live in.

Let us teach our children to be kind, respectful and generous towards our senior citizens and that is something that is of great concern to the Ministry because our residential homes are currently full. We do not have a spare bed because there are so much demand for children not wanting to look after their parents. We do not want to grow up in a society. We are all aging and definitely all of us want to age with dignity and respect. If we lay the foundation of these very basic values to our children, I am sure societies will change for the better.

MR. SPEAKER.- Honourable Members, there being no supplementary question, that brings the end of the question time.

Honourable Members, thank you for your cooperation and forbearance today. We have come to the end of today's sitting and Parliament is now adjourned until tomorrow at 9.30 a.m.

The Parliament adjourned at 9.52 p.m.