

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

THURSDAY, 6TH APRIL, 2023

[CORRECTED COPY]

CONTENTS

	<u>Pages</u>
Minutes	963
Communication from the Speaker	963-964
1. Welcome	
2. Tabling of Written Responses	
3. Decorum in Parliament	
Presentation of Papers and Certain Documents	964
Media Industry Development (Repeal) Bill 2023... ..	964-981
iTaukei Land Trust (Amendment) Bill 2023	982-992
Questions	992-1009
<u>Oral Questions</u>	
1. Role of the Ministry of Multi-Ethnic Affairs	(Q/No. 78/2023)
2. New National Rehabilitation Centre	(Q/No. 79/2023)
3. Emigration and Immigration Trends	(Q/No. 80/2023)
4. Review of the National Housing Policy	(Q/No. 82/2023)
5. Ongoing Partnerships – Fiji as Tourism Destination	(Q/No. 83/2023)
6. Collaboration Between Institute Louis Malarde & Fiji CDC	(Q/No. 85/2023)
<u>Written Questions</u>	
1. Lautoka Swimming Pool Saga	(Q/No. 86/2023)
2. Recruitment of Healthcare Professionals	(Q/No. 87/2023)
3. Update – Fiji Passport	(Q/No. 88/2023)
Adjournment	1010

THURSDAY, 6TH APRIL 2023

The Parliament met at 9.53 a.m. pursuant to adjournment.

MR. SPEAKER took the Chair and read the Prayer.

PRESENT

All Members were present, except the honourable S.T. Koroilavesau and honourable P.K. Bala.

MINUTES

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

That the Minutes of the sitting of Parliament held on Wednesday, 5th April, 2023, as previously circulated, be taken as read and be confirmed.

HON. A.V.B.C. BAINIVALU.- Mr. Speaker, Sir, I second the motion.

Question put.

Motion agreed to.

COMMUNICATION FROM THE SPEAKER

Welcome

I welcome all honourable Members to today's sitting and all those joining us in the gallery and those watching the live proceedings on television and the internet. Thank you for taking an interest in your Parliament.

Honourable Members, please, join me in welcoming another group of PL 100 students from the University of the South Pacific. This is the same that we did with your colleagues who joined us this week, and I hope each and every one of you will enjoy and also learn from today's proceedings. You are most welcome to Parliament.

I wish to welcome the Diplomatic Staff of the Australian High Commission in Suva who are joining us this morning – welcome to Parliament.

I also wish to acknowledge those in the gallery, the former Minister Samisoni Tikoinasau and your good wife, and the *iTaukei* Tamavua, Ratu Meli Loki, and anyone else who is seated there that I have not mentioned their names, we welcome you also to today's Sitting.

Tabling of Written Reponses

At this juncture, I wish to inform honourable Members that the Secretariat has received written responses from the Minister for Housing and Local Government to Written Question No. 61 of 2023, asked by the honourable Assistant Minister for Rural, Maritime Development and Disaster Management. Honourable Members, the response has been conveyed to honourable Vocea and a copy will be made available on the Parliament website.

Decorum in Parliament

Honourable Members, at this juncture, I would like to remind you that the Speaker must ensure that the provisions of Standing Orders relating to proper conduct and behaviour are observed so as to ensure order and decorum in the Chambers and gallery.

In that respect, I remind honourable Members to observe proper conduct and behaviour and avoid the beating of the tables. This is something new and if you are not careful, it will surely affect the way we protect the decorum of our noble Parliament – yelling and unnecessary disruption to a Member who is being given the floor, so to speak.

In addition, please be reminded that your mobile phones must be on silent mode and this has been happening quite a few times as well. Put it on silent mode during all sessions in Parliament. I hope to see an improvement during today's proceedings and in future sittings.

PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS

The following Reports were tabled by the honourable Minister responsible 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 Public Accounts

1. Report of the Auditor-General for Provincial Councils Volume 4; and
2. Report of the Auditor-General 2021-2022 Audit Report on Public Enterprises and Other Entities.

MEDIA INDUSTRY DEVELOPMENT (REPEAL) BILL 2023

HON. S.D. TURAGA.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Monday, 3rd April, 2023, I move:

That the Media Industry Development (Repeal) Bill 2023 (Bill No. 1/2023) be debated, voted upon and be passed.

HON. L.D. TABUYA.- Mr. Speaker, I second the motion.

MR. SPEAKER.- Honourable Members, please, be reminded that pursuant to the resolution of Parliament, the debate on this Bill will be limited to one hour.

HON. S.D. TURAGA.- Mr. Speaker, Sir, I rise to contribute to the debate of the Media Industry Development (Repeal) Bill 2023, which was tabled in Parliament on Monday, 3rd April, 2023. The Bill seeks to repeal the Media Industry Development Act 2010 which I will refer to as the Act.

Before I touch on the speaking notes, Mr. Speaker, Sir, may I be guided by the words of wisdom from Isaiah 10:1-2, and I quote:

“Woe to those who make unjust laws, to those who issue oppressive decrees, to deprive the poor of their rights and withhold justice from the oppressed of my people, making widows their prey and robbing the fatherless.”

Mr. Speaker, Sir, this verse highlights the importance of just laws and the protection of rights of all individuals, including journalists in media organisations.

Mr. Speaker, Sir, as I had mentioned on Monday, 3rd April, 2023, the Act was promulgated as a Decree in 2010. It regulates, amongst other things, the ownership, registration and content of the media organisations in Fiji.

The media content regulation framework includes the creation of a Media Industry Development Authority, the Media Tribunal and other elements. This makes up bulk of the Act and it is these aspects that are considered controversial. These elements have been considered as hindering the growth and development of a strong and independent news media in Fiji and a breach of the Constitutional Right to Freedom of Expression as outlined in Section 17 of the 2013 Constitution of Republic of Fiji.

Mr. Speaker, Sir, on the issue of the Act hindering the growth and development of a robust media industry in Fiji, the following observations was made by the Multinational Observer Group (MOG) in its final report on Fiji's 2022 General Elections, and I quote:

“The MOG spoke to a range of media organisations and said that they are committed to reporting news as they saw it. However, the advice that there was a culture of self-censorship especially among young journalists. Most media sources advised that the potential for and severity of the penalties under the Act was a cause of significant concern. The MOG heard from a range of media organisations that uncertainty and confusion about the implication of the legal framework impacted their willingness to report on some issues.”

The MOG also observed there were reports from stakeholders of a more restricted media environment were consistent with Fiji's recent decline in the Reporters without Borders World Press Freedom Index. Fiji was ranked 57 out of 180 countries for press freedoms in 2018 but fell to 102 in 2022. It is the lowest ranking since 2014 and making Fiji the lowest ranked Pacific country.

Mr. Speaker, Sir, it is precisely these issues that the Bill seeks to rectify by the repealing the Act. The media industry, and by extension, the dissemination of vital and relevant information to the public must be carried out in an environment where there is no fear of the unknown. Even if the information being disseminated is contrary to policies and aspirations of the Government of the day, media rights must be observed. It serves for nothing but the detriment of the people and the country where the media laws are unnecessarily restrictive.

Mr. Speaker, Sir, the Act does not and has not served any practical purpose other than to unnecessarily limit media organisations in their operations and freedom of expression that is a hallmark of a democratic country. While the Act established the Media Industry Development Authority, the existence of this body in recent times has been in name only.

Mr. Speaker, Sir, the Media Industry Development Authority does not have any staffing neither is it performing the totality of its functions as mandated by the Act. This was also stated by the MOG in its report where it observed that the Fijian Elections Office had taken over some roles it had previously shared with the Media Industry Development Authority such as media accreditation and has taken on a monitoring role such as requesting that the media issue retractions or corrections using the newly created offence on publication of false statements as provided for under the Electoral Act 2014.

Furthermore, Mr. Speaker, Sir, since establishment and for the first 8 years of its existence, the Media Industry Development Authority failed to provide an annual report as required under section 15 of the Act.

HON. M.S.N. KAMIKAMICA.- Shame!

HON. S.D. TURAGA.- It was only in 2019 that a consolidated report for the periods 2010 to 2018, that is, eight years was tabled. Since then, in clear breach of the requirement of section 15, no other annual report have been tabled.

Mr. Speaker, Sir, the Media Tribunal was also established under the Act to hear complaints referred to it from the Media Industry Development Authority. However, the Media Tribunal is virtually defunct as its members were never appointed. The Act also provides provisions for the regulation of the content. Under the Act, publications must not include material, which is against public order, national interest or creates discord. With no definitions for what exactly may constitute public order and national interest, this provision has been seen as a thinly guised attempt to suppress the media.

Mr. Speaker, Sir, when the Act was first promulgated in 2010, it was done so in a rushed and hurried manner. As reported in the Fiji Media Industry Development Act 2010: An Analysis by Dialogue Fiji, and I quote:

“Media organisations and journalists were summoned to the Suva Holiday Inn in April 2010 and given only two-and-a-half hours to read the 50-page draft, before being asked for comments and submissions. The then Attorney-General Sayed-Khaiyum told the assembled media that the proposed Decree was not a debate. Suspicions that the Decree was fait accompli were vindicated when the promulgated version turned out to be almost identical to the draft, save for a few minor adjustments.”

Mr. Speaker, Sir, prior to this Bill being tabled in Parliament, we had also conducted the public consultations for the review of the Act on 23rd March, 2023. Apart from members of the media industry, the public consultation was attended by representatives from the UN Agencies, civil societies, the RFMF, FCCC, Consumer Council of Fiji and members of the public.

Mr. Speaker, Sir, if I recall correctly, the Leader of the Opposition, in his contributions before this august Parliament on Monday, 3rd April, 2023, had mentioned how we had prepared a different draft Bill and following the consultations, had bowed to the pressure of media organisations and introduced the Bill that is currently before this august Parliament. This may come as a surprise to him but essentially, that is how democracy works - you listen to the views of the people and where necessary and within reason, make the necessary policy and/or legislative changes.

Mr. Speaker, Sir, it would be prudent to consider the Act not only from the viewpoint of the Coalition Government or the FijiFirst Government, but in consideration of an instance where a more aggressive or unsympathetic government were to assume leadership. If this were to be the case, what guarantee is there that a much stronger stance would not be adopted in implementing the Act? In contemplation of this, it is imperative that the Act be repealed.

Mr. Speaker, Sir, with the repeal of the Act, this does not mean that the media has the unfettered right to report on anything and everything without verifying the veracity of their information. Moving forward, the media industry will regulate itself with the setting up of a Fiji Media Council.

HON. M.S.N. KAMIKAMICA.- Like a true democracy.

HON. S.D. TURAGA.- Mr. Speaker, Sir, the repealing of the Act does not mean that the ordinary person will not be able to raise their grievances on unscrupulous or uninformed reporting or publication by media organisation. Redress is available through the existing legislation such as the Defamation Act 1971, Online Safety Act 2018 and the Crimes Act 2009, amongst others.

In fact, Mr. Speaker, Sir, my predecessor, Mr. Aiyaz Sayed-Khaiyum, during his term as Attorney-General, had instituted committal proceedings against Fiji Times Limited regarding the publication of an article. The matter was appealed to the Supreme Court, however, it does not negate the fact that even with the Act in place, and there are other avenues within which grievances regarding media organisations were addressed.

Mr. Speaker, Sir, consultations were held with the Ministry of Communications, members of the media industry and the Office of the Solicitor-General. I would like to briefly outline some of the salient features of the Bill:

- Clause 1 of the Bill provide for the short title and commencement. If passed by Parliament, the new legislation will come into force on the date or dates appointed by the Minister by notice in the Gazette.
- Clause 2 of the Bill sets out the definition of the terms used throughout the Bill.
- Clause 3 of the Bill provides for any action, arbitration, proceedings or cause of action pending against or in favour of the authority to continue against or in favour of the Ministry responsible for the administration of the new legislation.
- Clause 5 of the Bill provides for the consequential amendment to the following laws to cater for the repeal of the:
 1. Electoral Act 2014;
 2. Television and Online Streaming Act 1992; and
 3. Financial Management (Responsible Authority) Regulations 2019.

Mr. Speaker, Sir, in the book of Proverbs 18:21, it is written, “the tongue has the power of life and death and those who love it will eat its fruit.” This verse emphasises the importance of responsible speech, but it also recognises the power of speech as a means of communication and expression.

Furthermore, the *Bible* encourages us to speak for justice and righteousness. In Proverbs 31:8 – 9, it states, and I quote: “Speak up for those who cannot speak for themselves, for the rights of all who are destitute. Speak up and judge fairly; defend the rights of the poor and needy.” This verse highlights the importance of speaking up for those who are marginalised and oppressed and advocating for their rights.

Additionally, the *Bible* also highlights importance of being open to criticism and correction. Proverbs 27:17 states, and I quote: “As iron sharpens iron, so one person sharpens another.” This verse emphasises the importance of constructive criticism and dialogue as a means of improving oneness and society. These biblical references remind us of the importance of free speech, responsible communication and the role of the media in promoting justice. While there may be limitations to free speech, it is essential to ensure that any restrictions are balanced with the responsibility to speak up the truth, justice and common good. Accordingly, Mr. Speaker, Sir, I

commend this Bill to Parliament.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion and before I offer the floor, I would like to inform you that I have a list of six speakers that have registered their interest to participate in the debate and this has been submitted by both Whips and lead of the batting would be:

1. Honourable P.D. Kumar;
2. Honourable Minister for Lands and Mineral Resources;
3. Hon. V. Naupoto;
4. Honourable Deputy Prime Minister and Minister for Trade, Co-operatives and Small and Medium Enterprises and Communications;
5. Hon. F.S. Koya; and
6. Honourable Deputy Prime Minister and Minister of Finance and Strategic Planning, National Development and Statistics.

HON. P.D. KUMAR.- Mr. Speaker, Sir, thank you for giving me the opportunity to speak on Bill No. 1 of 2023. The Coalition Government made more than 101 promises to be fulfilled by the first 100 days in their collective manifestos in election campaigns. We have counted 90 promises yet to be fulfilled, they failed to deliver an overwhelming 90 percent of their promises.

Mr. Speaker, Sir, and that explains the rushed manner in which they are trying to repeal an essential Act that protects vulnerable Fijians, particularly our children, students, youth who are seated there from being misrepresented, subject to abuse and subject to trial by the media.

Mr. Speaker, Sir, a few years ago, I believe it was 2020, a horrifying story broke out about naked images of young girls being stored on a dropbox folder as a revenge porn. One of the local newspapers actually used one of the nude pictures of an underage girl from the dropbox folder on their front page and blurred the image to hide the face.

The media all over the world always pushes the boundaries on unethical conduct to get views and sales, and to remove the Media Industry Development Authority (MIDA) is to leave the media unregulated and thus remove protection of vulnerable Fijians from being featured on media with often misleading and fake content.

HON. M.S.N. KAMIKAMICA.- You were protecting yourself, shame on you.

MR. SPEAKER.- Order!

HON. P.D. KUMAR.- Can you imagine if MIDA was not there to ensure the media blurred images which by the way is still unethical?

HON. J. USAMATE.- Shame!

HON. P.D. KUMAR.- Mr. Speaker, Sir, the Media Industry Development Act 2010 provides the regulatory framework for the media industry to ensure that such services in Fiji are maintained at a high standard and ultimately, serve consumers who are the ultimate end users of the media industry.

Mr. Speaker, Sir, to further insult the intelligence of Fijians, the Coalition Government has held consultations with media organisations on whether to repeal MIDA. That is like going to the supermarket owners and asking them, what should be done about price control or like going to prison and asking the inmates if bars and gates should be removed. Obviously, they will choose to remove

anything that is regulating them. I understand, Mr. Speaker, Sir, that the Government is reluctant to hold more consultations after the Fiscal Review Committee's failure.

Mr. Speaker, Sir, absolute media freedom in any jurisdiction is rare and even impossible. Often, there is a compromise between absolute media freedom and absolute control by the media by the Government. Article 19 of the Universal Declaration of Human Rights states that everyone has the right to freedom of expression and to seek, receive and impart information and ideas through any media of the same.

But the same declaration under Article 29(2) places limitation in the exercise of these rights and freedom. Everyone shall be subject only to such limitations as are determined by law, solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare of a democratic society.

Mr. Speaker, Sir, according to Article 29(2) of the Universal Declaration of Human Rights, governments can choose to place limitation on media freedom through regulation to ensure greater media accountability and to maintain peace and stability in a multiracial country like ours. By repealing the Media Industry Act, the rights of media consumers are not protected.

HON. J. USAMATE.- Absolutely!

HON. P.D. KUMAR.- Where will aggrieved Fijians or media organisations go with their complaints if their rights are violated? Both media organisation and consumers, as well as businesses, should have full access to fair legal remedies for any such decisions that violate their rights.

Mr. Speaker, Sir, there are a number of countries that have established national regulating authorities, for example, New Zealand, Australia and EU where an independent authority handles disputes between consumers and businesses against media organisations. In the past, we had a self-regulated Fiji Media Council made up of media representatives to handle complaints and hold the media accountable. Unfortunately, the Media Council was not independent.

Mr. Speaker, Sir, this Act has many relevant sections to ensure high media standards are maintained. For example, there are Schedules 1 to 4 on the Media Code of Ethics and Practice, the General Code of Practice for Advertisements, the Code of Advertising to Children and the Television Programme Classification Code. Repealing the Act means all the standards are thrown out of the window. The Advertising Codes are very important and it should be there all the time. The Act also limits for an ownership of media in Fiji to just 10 percent of shares.

Mr. Speaker, Sir, foreign ownership is regulated in many countries. Foreign ownership is regulated in Australia and New Zealand. In fact, Mr. Rupert Murdoch gave up his Australian citizenship to build his media empire in USA.

Mr. Speaker, Sir, why do countries regulate foreign ownership? This is to protect their country from foreign interest. We all know how powerful media organisations are, and we cannot leave the issue of foreign ownership to the market. One may argue that regulating for an ownership creates obstacle for foreign investors. I believe protecting the nations from foreign interest is far more important.

To conclude, Mr. Speaker, Sir, repealing the Act is not a solution when media organisations have moved from tradition platforms to social media platforms. I suggest that we keep the Act and amend sections to strike a balance between absolute media freedom and absolute control of the media

by the Government. As it is, the Media Industry Development Act has been amended six times and certain sections of the law can be improved further rather than repealing the Act, which will give no protection to consumers of media. I do not support the motion.

MR. SPEAKER.- Before I offer the floor to the next speaker, I would like to inform this august Parliament that the Opposition, through their Whip, have submitted another four names. This is all covered under the one hour so we will take it one at a time, and if we have enough time, then we will probably take some more on.

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, I stand in support of the Bill that has been introduced to Parliament this morning by the honourable Attorney-General. Before I say my bit on the Bill, perhaps I could (she has gone), the point that she raised about publishing of offensive material is not only just covered under the MIDA Act, it is also covered under the Crimes Act.

There are alternatives that authorities are able to act on, to protect the vulnerable, particularly the children who are subject to this in our society. That, by no means, justifies the maintenance of this Media Industry Development Act 2010 which they all know was brought without consultation and that qualifies this side of Parliament to remove it under Standing Order 51.

HON. GOVERNMENT MEMBERS.- Yes.

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, today is a day of celebration for all the citizens of Fiji. It is the day, with the power of the people's last election in December 2022, we bring to an end the dark era of media censorship in this country and welcome back to Fiji its fourth estate, media freedom and their watchdog role in the political affairs of our country.

Mr. Speaker, Sir, in my early days, flirting with politics under the banner of the one Fiji Party banner, we had our office in Lami, the property of Laisa Digitaki. Everyone knows what happened to that property. The news media of the world reported on what happened to that property in Lami. It was attacked, ransacked, the set up was damaged and people assaulted. That property was the base of those who spoke out against the events of December 2006 and why that event, the takeover of Government was wrong in law, wrong in principle and wrong to humanity.

Since then, media freedom in Fiji has taken a downward turn, Mr. Speaker, Sir, towards darkness and oblivion. Government began favoring *The Fiji Sun* and the Fijian Broadcasting Corporation and Government jobs. Senior journalists were forced out of their jobs and media houses began publishing very lightly on things that matters which may, in fact, tarnish the Government's image.

Today, Mr. Speaker, Sir, we return Fiji to the light, not the light that honourable Usumate keeps harping about, I mean, real light, freedom of the media kind of light, the light that has brought media personnel to this Parliament today. Look at them, they are all sitting there, they are waiting for the decision on this Bill.

HON. GOVERNMENT MEMBERS.- Yes, yes!

HON. F.W.R. VOSAROGO.- They want it repealed and they want their freedom to report back, freely given back to them. We are going to give it to them today.

Mr. Speaker, Sir, the Media Industry Development Authority (MIDA) did not advance media freedom, it curtailed it. It did not permit them to publish anything that is against national interest under section 24. What is flabbergasting is that who decides what is in the national interest or not is

no one. The government of the day can decide what is of national interest, in fact, everything that has happened here in the last two weeks is of national interest.

We could have easily decided something that they had printed and say, “That is in the national interest and you should not print it, it is embargoed and if you do it, we will fine you up to \$100,000.” We are removing the Bill that is censoring them from printing anything that is in the Government’s interest. With their own watchdog, Mr. Speaker, at the helm of MIDA who did nothing ...

HON. L.D. TABUYA.- Who, who?

HON. F.W.R. VOSAROGO.- ... to develop the industry. He kept all the media outlets in check, not to insult the Government of the day in anything that they print or say. He is no longer and the law that gave him power and authority to watch the fourth estate will be gone by the end of today.

Mr. Speaker, information is power. The return of the fourth estate will ensure that Government is kept in check in its role and to observe the separation of power, its doctrines and its intents.

Mr. Speaker, on this day, 6th April, 2023, power will return to the people.

HON. L.D. TABUYA.- Hear, hear!

HON. F.W.R. VOSAROGO.- With the repeal of the Media Industry Development Act 2010 and with the media able to report freely and without fear, to inform the people of Fiji, power today will finally return to those who owned it - the people of Fiji. Let the media do their job in empowering the people of Fiji by bringing them information without fear and favour. I support the Bill, Mr. Speaker.

HON. V. NAUPOTO.- Mr. Speaker, I rise in opposition of this motion. One of the reasons that the honourable Attorney-General mentioned as a justification for the removal of the Bill was because there was no Annual Report submitted. Will he also repeal the Bill of the other ministries that have not submitted their annual reports?

(Chorus of interjections)

HON. V. NAUPOTO.- That is what he said!

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. V. NAUPOTO.- Mr. Speaker, Sir, I hope that this debate that we are having as a result of Government’s decision to repeal this Act is not based on what the honourable Deputy Prime Minister mentioned the other day when he said, “when we went out to campaign, they said ‘MIDA tuba.’” I bet when that was said, they have not even read the Act. I hope also it is not based ...

(Chorus of interjections)

HON. V. NAUPOTO.- ... on the fact that they have been saying all along, “oh, you used to do that before”. By saying that, it is an admission of the fact that they also doing it, the yardstick for good governance is never because you did it before, it is doing what is right because it is the right thing to do.

(Chorus of interjections)

HON. V. NAUPOTO.- That is a yardstick for good governance. You simply do what is right because that is the right thing to do, not because you did it before, not because someone else did it before. So, therefore, by repealing this Act, I hope the issue is on regulating versus self-regulation.

The world is moving towards regulating the media. Mark Zuckerberg when he was asked in Congress, he said, “regulating the internet is inevitable, it will come.” That is the way we are moving. The media is not just any other business because the media has this ability to influence the public and too much influence from the media is bad for democracy.

HON. GOVERNMENT MEMBER.- What do you know?

HON. J. USAMATE.- Yes.

HON. V. NAUPOTO.- Too much influence from the media damages democracy.

(Chorus of interjections)

HON. V. NAUPOTO.- Mr. Speaker, it is the diversity of opinion which is the corner stone of a healthy democracy. We can look at the media now and we ask ourselves, “do we have diversity of opinion?” I would say, no – everything is about them.

Mr. Speaker, when we regulate, put some sort of regulation in the media, we balance the freedom of expression against vilification, and we balance it against abuse and defamation. You remove this media, you repeal it today and God forbid tomorrow in the newspaper it says, “Honourable Naupoto’s daughter was raped.”

(Chorus of interjections)

HON. V. NAUPOTO.- Where do I go to, Mr. Speaker? Very easy to find out because I have only one.

The MIDA protects, it forces the media not to do those things. By the time you go to court to get some justification, it is too late because it has already been done. In the consultation, I have read the draft that was made, at least, took cover.

HON. M.S. N. KAMIKAMICA.- At least, we have a draft.

HON. V. NAUPOTO.- Now they have nothing, they pull and they have nothing. They said, “Looks them in the eye and tell them, ‘by pulling MIDA I have you covered.’”

HON. PROF. B.C. PRASAD.- Nonsense!

HON. V. NAUPOTO.- If something that vilifies you in the media tomorrow, we have you covered.

MR. SPEAKER.- Address the Chair.

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. V. NAUPOTO.- Mr. Speaker, Sir, this is a grave mistake grave for democracy.

(Chorus of interjections)

HON. V. NAUPOTO.- This is a grave mistake for a democracy and I oppose , Mr. Speaker.

(Chorus of interjections)

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, Sir, I have to say it is an honour to rise today to repeal the Media Industry Development Act 2010. With great pride I say, “This is a new day in Fiji”.

HON. GOVERNMENT MEMBERS.- Yes.

HON. M.S.N. KAMIKAMICA.- I will say it again, “this is a new day in Fiji”.

HON. GOVERNMENT MEMBERS.- Yes.

HON. M.S.N. KAMIKAMICA.- You ask me why, Mr. Speaker, I will give you two simple answers. Today, we repeal two Acts of Parliament that have no place in any democracy.

HON. GOVERNMENT MEMBERS.- Yes.

HON. M.S.N. KAMIKAMICA.- The Media Industry Development Act 2010 and I will always call Bill 17 because it is not worthy to be called an Act in our country.

Mr. Speaker, Sir, I just thought to answer some of the noise that was coming from the other side. Firstly, I would like to address a point that the honourable Usamate raised when he spoke about this particular Bill to repeal on Monday, 3rd April, 2023. He said that that side of Parliament was not using Standing Order 51 that often.

HON. J. USAMATE.- No I did not. That is a lie.

MR. SPEAKER.- Point of Order.

HON. J. USAMATE.- Mr. Speaker, Sir, Point of Order. The honourable Member....

MR. SPEAKER.- No, you give me the Order.

HON. J. USAMATE.- It is misleading Parliament.

HON. RO F.Q. TUISAWAU.- What number?

HON. J. USAMATE.- It is Standing Order 60.

(Chorus of interjections)

MR. SPEAKER.- Honourable Member, is it Standing Orders 68 or 62?

HON. J. USAMATE.- Hold on, Mr. Speaker, Sir.

(Chorus of interjections)

HON. M.S.N. KAMIKAMICA.- It is not there.

HON. J. USAMATE.- Mr. Speaker, Standing Order 60 is about relevance because he is talking about something that has no relevance.

HON. M.S.N. KAMIKAMICA.- You spoke it about in the Bill.

HON. J. USAMATE.- When I spoke in Parliament

HON. M.S.N. KAMIKAMICA.- You spoke about the Bill.

HON. J. USAMATE.- When I spoke in Parliament, I was saying that you used to say this, so when you are doing what you said you will not do it, you are being hypocrite. I did not say that we did not use Standing Order 51. He is misrepresenting, he is bringing up something that is totally immaterial to what we are talking about here.

MR.SPEAKER.- Thank you. You may continue, honourable Deputy Prime Minister.

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, Sir, I welcome if I can get a copy of the *Daily Hansard* but the point I was trying to make is, we need to be careful what we say in Parliament.

Mr. Speaker, Sir, I welcome if I can get a copy of the *Daily Hansard*, but the point I was trying to make is, we need to be careful what we say in Parliament. It needs to be factual. The data that we have received says that 91 percent of the legislative Acts that went through this Parliament was under Standing Order 51.

HON. GOVERNMENT MEMBERS.- Oh!

HON. M.S.N. KAMIKAMICA.- Shame, I say! Shame!

To the point about lying, I urge the honourable Usamate to prove me wrong that there was not 91 percent of the Bills that were passed under the Standing Order.

Mr. Speaker, Sir, the third point I would like to make before I make a very brief contribution is that, I feel that the other side of Parliament sometimes are living on another planet - maybe Mars or Jupiter. The reason I say this respectfully, Sir, is because 58 percent of Fiji heard the three parties, the People's Coalition say, "Bill No. 17 is out, MIDA is going out."

HON. A.A. MAHARAJ.- Talk about the Bill, you have only one hour.

HON. M.S.N. KAMIKAMICA.- And what happened? They are still in self-denial. So I respectfully urge my friends on the other side of Parliament, please come back to earth and listen to the people of Fiji. If you do that, you have learnt a very big lesson.

Mr. Speaker, Sir, just to conclude, I thought rather than opine about the Bill's merits, if I may be permitted just to read this letter from the Fijian Media Association. It says, and I quote:

“The repeal of the MIDA Act

The MIDA Act is the worst thing to have happened to the freedom of the media in Fiji. The origins of the MIDA Act began after 2006 *coup* that brought a reign of terror, violence, intimidation, censorship and fear to the country's media industry. Journalists

were beaten, detained and threatened and their media businesses burned, offices trashed and houses firebombed.

The media workers who were attacked in some way included Pita Ligaiula, Dionisia Turagabeci, Anish Chand, Merana Kitione, Leone Cabenatabua, Maika Bolatiki, Netani Rika, Sophie Foster, Imraz Iqbal, Samisoni Pareti, Apisolame Coka, Maikeli Radua, the late Sitiveni Moce ...among many others.

Government advertising was taken away from media organisations the government did not like and senior journalists and editors were forced out of their jobs.

A public emergency regulation in 2009 enforced unprecedented and dictatorial censorship, and government officers entered newsrooms to force journalists to only report what the government wanted.

The censorship then morphed into the 2010 Media decree and then the MIDA Act which has caused so much uncertainty, stress, mental anguish, and threatened the survival and livelihoods of many media businesses. Some of Fiji's best journalists left the industry as a result and the media still carry the mental scars today from that very disturbing period.

Neither the previous government nor a single member of the public has ever used the MIDA Tribunal to complain about the media, and there has been no media development under MIDA. It was a useless, but dangerous and vindictive piece of legislation for the industry.

The repeal of the MIDA Act has long been a unifying demand of all media organisations in Fiji. No government, including this People's Coalition government should ever be given such power over the media. We need to return to the media freedom that Fiji enjoyed and was renowned for prior to 2006. The MIDA experiment is over and the draconian legislation now belongs in the dustbins of history."

Mr. Speaker, Sir, the MIDA Bill is gone.

HON. F.S. KOYA.- Mr. Speaker, Sir, I can see some very passionate debate today with respect to this particular Bill. I welcome the audience who are here from the media with respect to this. I think we need to put some things in perspective. The current law that sits there which is MIDA, there is no insincere or reason why it was actually put into place. There is nothing sinister about it.

HON. L.D. TABUYA.- Misleading.

HON. J. USAMATE.- Read it, have you read it.

(Chorus of interjections)

HON. F.S. KOYA.- If you are talking about us being on a planet, there is a particular planet that shall remain nameless because I might be accused of saying something offensive, maybe that is where you came from.

Mr. Speaker, Sir, as I said, you really need to look at why it is there, what it actually means and whether other jurisdictions around the world have the same. Developed countries around the world, such as Australia, Canada et cetera all have them and in today's atmosphere of their being the advent of social media et cetera, there has to be some kind of check and balance. Our Act really is

just regulatory in terms of what it should be in aligning itself with our inspiration, aspiration and where we want to be in comparison to the rest of the world. We are still a developing country. This is an argument, and you will be testament to this, Mr. Speaker, Sir.

HON. M.S.N. KAMIKAMICA.- You are acting like a dictatorship.

HON. GOVERNMENT MEMBER.- Yes, that's what he was.

MR. SPEAKER.- Order!

HON. J. USAMATE.- Control yourself.

HON. F.S. KOYA.- You would be testament to this, Sir. This is not an argument that started today, this is an argument with respect to the media that started from the 1970s. If you go and refer yourself to the *Daily Hansard*, *The Fiji Times*, the *Fiji Sun* and the National Federation Party then had views on it, you can have the freedom but there are limitations. In this day and age, you need to have limitations because there are so many different ways to do things via the media.

Mr. Speaker, Sir, one of the points that needs to be said is that, by removing all of it, you are taking out a schedule which means that we have protection for children. Is that not most paramount? Look at Schedule 3. Is that not most paramount? This is specific. We are in an area which is actually dangerous, we are also looking at cross media ownership around the world that actually all of the laws around the world govern that.

You have to be very clear minded about doing this. The honourable Attorney-General said, "Oh, this is democracy, we went with the draft media ownership Bill supposedly to the media outlets, but we took it away completely because that is democracy." Well, if he had any commonsense, he would not have taken this in the first place.

HON. V. NAUPOTO.- Hear, hear!

HON. M.S.N. KAMIKAMICA.- You never had consultations.

HON. F.S. KOYA.- You would have listened to them and then made a decision.

HON. J. USAMATE.- Shame!

HON. F.S. KOYA.- We have never, when we were in government, said to the media that it was not going to be reviewed and we have evidence to that effect. The amendments that were being sought, we were told that the invitations were given but they never turned up for those amendments.

HON. M.S.N. KAMIKAMICA.- They never believed you.

HON. F.S. KOYA.- Mr. Speaker, Sir, there is evidence. I do not want to name names but there is evidence that they were told with respect to getting all of this done. The point here is, be careful, be protective of our women and our children. Do not moan and groan, you are the Minister responsible for women and children, and you, Sir, are a lawyer, you ought to know.

(Chorus of interjections)

HON. F.S. KOYA.- I should not be asking myself anything. Do not cross the line.

Mr. Speaker, Sir, it is a very dangerous thing that we are doing. As a matter of fact, the previous council that existed, verbatim I think, a lot of things were adopted into that particular Act, so what is the problem?

HON. V. NAUPOTO.- Hear, hear!

HON. M.S.N. KAMIKAMICA.- Big problem.

HON. F.S. KOYA.- There is no oppression. As a matter of fact, today, as we stand here and speak, Mr. Speaker, guess what? There is interference, there is oppression. We do not get a single minute of airtime, which is fine; we do not. We were not whinging, moaning, complaining and crying - we get on with the job.

(Chorus of interjections)

(Honourable L.D. Tabuya interjects)

HON. F.S. KOYA.- I do not lie, honourable Member.

I believe, Mr. Speaker, and I am about to finish that this is merely to accommodate their 100-day promise.

HON. J. USAMATE.- Very poor.

HON. GOVERNMENT MEMBER.- Hogwash.

HON. PROF. B.C. PRASAD.- Mr. Speaker, I was planning to give a long speech but given the time constraint, I will try and be brief.

Mr. Speaker, let me say that today for this is a defining moment for absolute freedom of media in our nation since the *coup* in 2006 when the then military commander overthrew a democratically elected government. We know, Mr. Speaker, and honourable Kamikamica pointed out under the Emergency Regulations, after the abrogation of the 1997 Constitution and then in 2010 the Promulgation of the Media Decree led the foundation for dictatorship in this country for a very, very long time.

Mr. Speaker, I was actually quite amused at the contribution from the other side with respect to the issue of media freedom. In fact, all of those who spoke from the other side, including honourable Naupoto and honourable Usamate sitting there, they were all beneficiaries of dictatorship in this country.

Mr. Speaker, honourable Koya was saying that there was no sinister motive in bringing that Decree. In fact, Mr. Speaker, in a dictatorship, dictators do that as a first thing and they did that. They muzzled the media, created fear in the media fraternity and that law, Mr. Speaker, has remained. I sat in the Opposition for eight years along with you, Sir, and we were terrorised by media that became the propaganda arm of the government including the State broadcaster, at the expense of the taxpayers of this country.

Those media organisations that stood up, Sir, to provide some semblance of freedom and coverage to the Opposition and those who had opposing views to the government or those who tried to criticise government policies, were hounded by the government through exclusive advertisement to pro-government propagandists, media organisations, journalists and editors. I know Mr. Speaker,

in some pro-media organisations there was editorial interference. Journalists were told not to cover stories of so and so politician from the opposition side.

Today, Mr. Speaker, honourable Koya is complaining that he is not getting coverage, it is there doing because the media until today.....

HON. F.S. KOYA.- Point of Order!

HON. PROF. B.C. PRASAD.- What is your Point of Order?

HON. F.S. KOYA.- English 101, I did not complain, I said he accept it.

HON. M.S.N. KAMIKAMICA.- Standing Order.

HON. F.S. KOYA.- Be relevant, honourable Minister.

MR. SPEAKER.- It is a new order you have cited. Honourable Koya, what order is 101. Is that some unit you did at USP?

(Laughter)

HON. F.S. KOYA.- Mr. Speaker, it was under Standing Order 60 and I was referring to English as in English 101, he understands what I said.

MR. SPEAKER.- Honourable Members, please when you rise on a Point of Order, quote the Standing Order.

HON. PROF. B.C. PRASAD.- Mr. Speaker, honourable Koya is a lawyer, he understands English and I know what he said.

The reason why the media is still in that mode where they are afraid, because they are afraid, they fear government. So, that legacy that he is now experiencing was left by them. What we are doing, Mr. Speaker, once we repeal this Bill, once we give the freedom to the media, it is actually quite insulting for them to say that suddenly tomorrow once we repeal this Bill...

HON. J. USAMATE.- And then?

HON. PROF. B.C. PRASAD.- ... the media is going to run stories about rape, honourable Naupoto. I mean these are people who are responsible citizens. They too have children, daughters, families....

HON. V. NAUPOTO.- Point of Order, Mr. Speaker.

HON. L.D. TABUYA.- They do not want names.

HON. PROF. B.C. PRASAD.- They don't put names.

HON. V. NAUPOTO.- Point of Order, Mr. Speaker, relevancy - I did not say that they are going to print it tomorrow. I was giving an example of what if it happened.

HON. L.D. TABUYA.- What if it happened? He is a Professor, he should know better.

HON. PROF. B.C. PRASAD.- I know better than you and I know what you meant.

MR. SPEAKER.- Continue, Deputy Prime Minister.

HON. V. NAUPOTO.- Shame on you!

MR. SPEAKER.- Order!

HON. PROF. B.C. PRASAD.- I want to just remind the honourable Members from the other side that

HON. OPPOSITION MEMBER.- Times up!

HON. J. USAMATE.- Sit down.

HON. PROF. B.C. PRASAD.- You wait. It is quite insulting, Mr. Speaker, for them to bring out this...

HON. J. USAMATE.- Always being insulted.

(Laughter)

HON. PROF. B.C. PRASAD.- ...stupid examples to say that the media will not be responsible. The Media Council that used to be there before, they brought this draconian law, Mr. Speaker, worked very well. It was run by responsible citizens in this country. We have seen that and here is a bunch that benefited from these draconian laws, he is saying that suddenly the media is going to do all these unnecessary things.

MR. SPEAKER.- They are honourable Members.

HON. OPPOSITION MEMBERS.- Not a bunch.

HON. PROF. B.C. PRASAD.- Honourable bunch.

(Laughter)

HON. PROF. B.C. PRASAD.- Mr. Speaker, before I conclude, one of the first motions after 2014 election that I moved in this Parliament was about getting the Media Decree or the Media Act repealed.

Mr. Speaker, let me say that what did not happen on 15th May, 2015 when I moved that motion will surely happen today. As I have said, the concerns that have been raised by the honourable Members from the other side, and honourable Minister for Lands pointed that out very clearly that there are other laws - defamation laws and Crimes Act, they cover all those issues that they raised.

What is clear, Mr. Speaker, from what we have seen over the last, at least, eight years that the MIDA Decree was like a noose around the neck of the media industry, journalists, editors, reporters and everyone and that will be gone after we repeal the Act today. I urge the honourable Members because sometimes, I think, they cannot even understand their own interest today, because they have been so used to being in government and so used to muzzling the media that they cannot even see that the repealing of this Act will be beneficial for them, will be good for democracy and will be good for our people in this country. That is what they do not understand, and it is quite sad that when they

lose all sense of what the democracy is all about, this is what they do. But very soon, they will realise that what we are doing today will be good for everyone, good for the Opposition and good for democracy.

MR. SPEAKER.- Honourable Members, I now call upon the honourable Attorney-General to speak in reply.

HON. S.D. TURAGA.- Mr. Speaker, Sir, today is the day of restoration.

HON. M.S.N. KAMIKAMICA.- Amen!

HON. S.D. TURAGA.- Look at the gallery, look at the members of the media. I did share that in my maiden speech. It is the intention of this Government to repeal those laws that were not consulted through the people of Fiji. That is plainly said by the Government team.

HON. J. USAMATE.- And in the process you removed protections.

MR. SPEAKER.- Order!

HON. S.D. TURAGA.- The victory belongs to the people of Fiji, it does not belong to FijiFirst nor to the Coalition Government. This is the day they have been waiting for.

HON. M.S.N. KAMIKAMICA.- Salvation arises.

HON. S.D. TURAGA.- Much has been said, complaining. I am really embarrassed as a member of this Parliament, I am not going to use a term that was used by predecessor. I am going with very simple words. I want the people of Fiji to understand that. I am shocked, *au madua. Tinikaono na yabaki eratou vakayagataka kina na lawa oqo me kau laivi na nodra dodonu na tamata.* (They have been using this law for 16 years to suppress people's rights)

HON. A.A. MAHARAJ.- What is that? Translate, please.

HON. S.D. TURAGA.- *Matata vinaka.* (It is clear)

The honourable Deputy Prime Minister mentioned one of those, the late, a school mate of mine who lived in Kilikali, Sitiveni Moce who worked for *Fiji Sun*. He lost his life just because he was a journalist. That is shame. Shame on you! I appeal to your conscience, especially to the new Members of FijiFirst, do the right thing - abstain or support the Bill. I commend this Bill, Mr. Speaker, Sir.

Question put.

Votes cast:

Ayes	-	29
Noes	-	21
Not Voted	-	3

Motion agreed to.

[Media Industry Development (Repeal) Bill 2023 (Bill No. 1 of 2023), moved under Standing Order 51, passed and enacted by the Parliament of the Republic of Fiji (Act No. 1 of 2023)]

MR. SPEAKER.- Honourable Members, I feel that we need to adjourn for morning tea before we will take on the other one. Parliament is adjourned.

The Parliament adjourned at 11.07 a.m.

The Parliament resumed at 11.43 a.m.

MR. SPEAKER.- Honourable Members, we are now into the Third Reading of the iTaukei Land Trust.

iTAUKEI LAND TRUST (AMENDMENT) BILL 2023

HON. S.D. TURAGA.- Mr. Speaker, Sir, pursuant to resolution of Parliament on Monday 3rd April, 2023, I move:

That the iTaukei Land Trust (Amendment) Bill 2023 (Bill No. 2/2023), be debated, voted upon and be passed.

HON. L.D. TABUYA.- Mr. Speaker, Sir, I second the motion.

MR. SPEAKER.- Honourable Leader of the Opposition

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, I rise on a Point of Order - Standing Order 61, "Member must not refer to judicial proceedings". May I bring to your attention and, of course, to the attention of this august Parliament as well that Bill No. 17 of 2021 or Act 22 of 2021 is the subject of pending litigation before the High Court in *Niko Nawaikula vs The Government of the Republic of Fiji, Attorney-General of the Republic of Fiji and the iTaukei Trust Board* (Civil Action No. HBM 063/2021). Mr. Speaker, Sir, the hearing was conducted on 3rd December, 2021 and decision is on notice.

(Honourable M.S.N. Kamikamica interjects)

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, Niko Nawaikula, the applicant filed a notice of motion for constitutional redress on 13th September, 2021. In support of the motion, he filed an affidavit on 13th September, 2021 and in further support of the motion, he filed an affidavit deposed by the honourable Leader of Government on 14th September, 2021.

Essentially, Mr. Speaker, Sir, the applicant wants the court to declare that the iTaukei Lands Trust Budget (Amendment) Act 2021 of the substantive iTaukei Trust Act 1940, TLTA 1940 is null and void. The applicant has asked the court for the following orders;

- Ground 1 that section 12(1)(a) is in breach of the *itaukei* landowners indigenous and human rights under Article 6 of the International Labour Convention or ILO Convention 169. Because of drafting error, there was no Ground 2.
- Ground 3 was the enactment of section 12(1)(a) was done without prior consultation and without the consent of the iTaukei landowners contrary to and in breach of section 12 of the TLTA 1940, the Common Law and the Convention.
- Ground 4 was the enactment of section 12(1)(a) was in breach of Section 28(1) of the Constitution of the Republic of Fiji.
- Ground 5, that the enactment of section 12(1)(a) was a breach of Section 29(1) and (2) of the Constitution.
- Ground 6, that the voting procedure utilized in Parliament during the enactment of Section 12(1)(a) breached Section 69(1) of the Constitution and Standing Orders 53 and

- 54 of the Standing Orders of the Parliament of the Republic of Fiji and is therefore unlawful.

The applicant Mr. Speaker, Sir, has also asked for the court to declare the enactment of the iTaukei Land Trust Budget (Amendment) Act 2021 is null and void in its entirety and of no legal effect.

All of these matters need to be determined by the independent judiciary and again the honourable Leader of the Government in Parliament supported the application by swearing an affidavit in the proceedings.

The iTLTB is a party to this action and iTLTB was consulted. Again, Mr. Speaker, Sir, attempting to pre-empt the decision of the High Court is not only irregular but in fact setting a dangerous precedent which undermines the separation of powers and can lead to corruption.

Mr. Speaker, Sir, as I have stated Standing Order 61 of the Parliament Standing Order states and I quote:

“Member must not refer to judicial proceedings.

When speaking, a member must not refer to any matter in relation to which a judicial decision is pending.”

Standing Order 44(13) also states, and I quote:

“A question must not refer to any matter in relation to which a judicial decision is pending or is otherwise before a court of law”.

Mr. Speaker, Sir, let me assure Government that this is not an attempt from the Opposition to be a hindrance to their legislative agenda, however, this is a matter of principle. Parliament must set the example. Last week, in our End of Week Statement, the honourable Naupoto spoke on institutional integrity.

Mr. Speaker, Sir, we on this side of the Parliament totally believe that as responsible legislators, as responsible parliamentarians, it is our responsibility to lead by example and this is if we are to set the direction for our country, for our people in the new direction that the Coalition Government is taking us through. I would urge, it is my humble plea to you Mr. Speaker, Sir, and of course to the honourable Prime Minister, honourable Attorney-General that this is a matter that needs us to respect the rule of law, to show leadership and to do the right thing.

The honourable Naupoto spoke very well on this, talking about the yardstick for good governance and he stated Mr. Speaker, Sir, one of the key yardsticks for good governance is just to do the right thing. That also, Mr. Speaker, Sir, is leadership; making sure that we do the right things. Management is about doing things right and I hope, again it is my humble plea, let me assure Government again, this is not trying to put up an obstacle but this is a matter of principle and this august Parliament must stand on the high moral ground and ensure that we lead by example and respect the rule of law.

MR. SPEAKER.- Honourable Members, as you are aware the Parliament resolved on Monday, 3rd April, 2023 that this Bill be debated, voted upon and be passed today and pursuant to the resolution of the Parliament and in the absence of the full details, I need to be given supporting evidence,

honourable Leader of the Opposition so that I also may make a decision and seek the advice of the Solicitor-General's Office as well.

In the absence of that, as we have mentioned, Parliament will continue with this business accordingly but as this juncture, I invite the honourable Attorney-General to have share his views on the point that you have raised. I will go according to what we have decided in this Parliament and I have already quoted from the House of Commons in 1600 where the Speaker, even though the intervention of King Charles, stood his ground on the decision of you honourable Members in this Parliament and we have already decided on that on 3rd April, 2023.

HON. S.D. TURAGA.- Thank you for intervention, Mr. Speaker, Sir. As I have said, it is very shameful. It is a very fundamental aspect of constitutional law there is a separation of powers. That is what the other side have been saying and I am going to quote you the relevant provision that does not impede the power of this august Parliament. Section 46(1) of the Constitution states, and I quote:

“The authority and power to make laws for the State is vested in Parliament consisting of the members of Parliament and the President and is exercised through the enactment of Bills (which we are deliberating today) passed by Parliament and assented to by the President.”

The Standing Order 61 refers to when you make your deliberation, you cannot refer to a particular law that is before pending. It does not impede the power of Parliament to make laws. That is very basic. I am shocked.

HON. M.S.N. KAMIKAMICA.- Shame!

HON. S.D. TURAGA.- I think you need to know that this Bill will go through because it is destined to go through. Give us the opportunity to deliberate on it.

Mr. Speaker, Sir, it says clearly in our deliberations, we cannot because we will pre-judging what the court will say. It does not impede this part to deliberate on Bills. It is not retrospective, those matters will be decided on the laws at that time. Today it will be repealed. Just like the “No Jab, No Job” Policy - it has no retrospective effect.

(Chorus of interjections)

MR. SPEAKER.- You have the floor, Sir.

HON. S.D. TURAGA.- Thank you. Look, you always have a legal recourse.

HON. J. USAMATE.- Shame on you!

HON. S.D. TURAGA.- I am a lawyer, you are not. I am the Attorney-General, you are not.

HON. J. USAMATE.- Shame on you.

HON. M.S.N. KAMIKAMICA.- Do you work. You should have raised it on Monday. Too slow.

HON. S.D. TURAGA.- Mr. Speaker, Sir, may I?

HON. J. USAMATE.- Shame on you.

MR. SPEAKER.- You may continue, honourable Attorney-General.

HON. S.D. TURAGA.- The iTaukei Land Trust (Amendment) Bill 2023 was tabled in Parliament on Monday 3rd April, 2023 as Bill No. 2 of 2023. It is my pleasant task, Mr. Speaker, Sir, to speak on the Bill.

The Bill seeks to amend the iTaukei Land Trust Act 1940 which I will refer to as the Act to remove the amendments brought about by the iTaukei Land Trust (Budget Amendment) Act 2021 which I will refer to as Act No. 22 of 2021.

Mr. Speaker, Sir, that provides for the administration of iTaukei Land wherein section 4 of the Act....

MR. SPEAKER.- Could you just hold on for a bit, honourable Attorney-General? You have introduced the motion and is there a seconder to complete the process?

HON. L.D. TABUYA.- Mr. Speaker, I second it again.

MR. SPEAKER.- Honourable Member, please be reminded that pursuant to the resolution of Parliament the debate on the Bill will be limited to one hour. I now call upon the Attorney-General to now speak on his motion.

HON. S.D. TURAGA.- Mr. Speaker, Sir, may I continue from where I left off?

The Bill seeks to amend the iTaukei Land Trust Act 1940 which I referred to as the Act to remove the amendment brought about by the iTaukei Land Trust (Budget Amendment) Act 2021 which is now commonly referred as Act No. 22 of 2021.

The Act provides for the administration of iTaukei Land wherein section 4 of the Act, the control of all *iTaukei* land vest in the iTaukei Land Trust Board (iTLTB) and all such lands shall be administered by iTLTB in the benefit of the iTaukei landowners or the *iTaukei* people. The effect of this provision is that legal ownership remains with the Landowning Units ((LOUs) but control of *iTaukei* land is transferred to and vested in iTLTB. Essentially, Mr. Speaker, Sir, what it means the legal owner of an *iTaukei* land is the iTLTB. When you want to lease land, you have to open through the door, that door is called iTLTB.

In 2021, section 12 of the Act was amended by Act No. 22 of 2021 to remove the requirement of obtaining consent from iTLTB. For any mortgage, charge, pledge, caveat or for any such lease to be dealt with by any court of law or under the process of any court of law. Moreover, Mr. Speaker, Act No. 22 of 2021 also amends section 12 of the Act, to provide that consent of iTLTB can only be refused whether it is a breach of any lease condition or where such application to deal with the land is not in accordance with any law.

What are the pertinent features of the Bill? In relation to the Bill, there are three clauses:

- Clause 1 of the Bill provides for the short title and commencement. If passed by Parliament, the new legislation will come into force on a date appointed by the Minister by notice in the Gazette. So, it is forward looking, it is not retrospective.
- Clause 2 of the Bill amends section 12 of the Act to remove the amendments made by Act No. 22 of 2021; and

- Clause 3 of the Bill amends the Act by inserting a new section 12(a) to provide the transitional provision and give clarity to any application for any mortgage, charge, pledge, caveat or for any such lease to be dealt with by any court of law that were made from 1st August, 2021 which was when Act No. 22 of 2021 came into force.

Therefore, Mr. Speaker, Sir, Clause 3 of the Bill provides that for any mortgage resisted from 1st August, 2021 until when the new legislation comes into force, it is deemed to have acquired the required consent under section 12 of the Act.

However, for any application for any mortgage received from 1st August, 2021 and before the commencement when this new legislation will come into force, and is still yet to be processed, must acquire the required consent under section 12 of the Act.

Mr. Speaker, furthermore for any charge, pledge, caveat or lease to be dealt with by any court of law, another process of any court of law under section 12 on or after 1st August, 2021 and before the commencement of the iTaukei Land Trust (Amendment) Act 2023 is exempted from the required consent in accordance with section 12. This is also the case where applications are received and are yet to be processed.

In terms of the consultation, Mr. Speaker, Sir, I had mentioned on Monday, 3rd April, 2023 that proper consultation with landowning units and relevant stakeholders were not conducted in a proper manner in 2021. Act No. 22 of 2021 was rushed through during the parliamentary process. Moreover, I had also referred to section 11 of the iTaukei Affairs Act 1944 in relation to the requirement of iTaukei Affairs Board to be consulted on any Bills affecting iTaukei Affairs or affecting the rights and interest of the *iTaukei*.

Mr. Speaker, Sir, I can confirm that the consultation on the Bill was held with the Ministry of iTaukei Affairs, the iTaukei Affairs Board, the Office of the Solicitor-General, the iTaukei Land Trust Board and the *vanua* through the 14 Provincial Councils. Moreover, Mr. Speaker, Sir, I would also clarify to the august Parliament that the Association of Banks in Fiji was also consulted on the Bill and the Association is supportive of the Bill.

Mr. Speaker, Sir, allow me to enlighten this august Parliament in making reference to the International Labour Convention (ILO). The Labour Organisation Convention or Indigenous and Tribal People 1989 (ILO Convention 169) which is a major binding international Convention concerning indigenous and tribal people and a forerunner of the United Nations Declaration on the Rights of Indigenous People (UNDRIP). Fiji ratified the ILO Convention on the 3rd March, 1998. Under Article 6 of the ILO Convention 169, in relation to the consideration of the legislative or administrative measures which may affect indigenous people directly, the Government is required to few obligations:

1. To consult the people concerned through appropriate procedures and in particular through their representative institutions.
2. Establish means by which the people can freely participate at all levels of decision making, in elective institutions, administrative and other bodies responsible for policies and programmes which concerns them.
3. Establish means for the full development of these people's own institutions and initiatives and the appropriate cases, provide the resources necessary for their purpose.
4. Consultations shall be undertaken in good faith and in a form appropriate to the circumstances with the objective of achieving agreement or consent to the proposed measures.

Mr. Speaker, Sir, basically we have complied with Article 6 of 169.

Section 28 of the Constitution of Republic of Fiji recognises the rights and ownership of *iTaukei* land as follows, I quote: “The ownership of all *iTaukei* land shall remain with the customary owners of that land...” Sir, ownership of *iTaukei* land entails a number of ancillary or incidental rights. These ancillary or incidental rights include the right to possession, the right to control, inclusive of the right to manage, the right of exclusion, the right to derive income and the right of disposition. These are the basic property rights as recognised under the Commonwealth.

Therefore, Mr. Speaker, Sir, the right of the *iTaukei* landowners to control should include the right of the *iTaukei* landowners to consent to dealings with *iTaukei* land on the basis of ownership and ownership only.

I will conclude with the story of Naboth’s Vineyard in 1 King Chapter 21, which illustrates the importance of natural resources to indigenous landowners. Naboth was an Israelite, who owned a vineyard that had been in his family for generations. King Ahab wanted the vineyard for himself, but Naboth refused to sell it to him, sighting the laws of inheritance and God’s commandments regarding the ownership of land. However, Ahab’s wife Queen Jezebel orchestrated a plot and falsely accused Naboth of blasphemy, leading to his execution and pontification of his vineyard by the King.

Mr. Speaker, Sir, the story serves as a cautionary tale against the abuse of power and the exploitation of natural resources and at the expense of indigenous landowners. Just as Naboth refused to sell his ancestral vineyard to King Ahab, indigenous landowners in Fiji have a responsibility to manage their land in a way that is consistent with the biblical principle of stewardship and conservation.

On the other hand, Isaiah 24:4:6 warns against exploitation and destruction of the land and its resources. It describes a world where the earth dries up and withers, and the Heavens fade away when land is mismanaged. This is a reminder that the consequence of mismanaging the land and its resources is severe and far-reaching.

As such, landowners in Fiji have a responsibility to use their land in a manner that is consistent with God’s purpose for creation. These includes managing their land sustainably and ensuring its long term health and productivity, which is why it is important for *iTaukei* landowners, Mr. Speaker, Sir, to be consulted and be informed on matters relating to their land.

Accordingly, Mr. Speaker, Sir, I commend this Bill to Parliament.

MR. SPEAKER.- The motion is open for debate on the motion. I have in front of me a list of speakers been confirmed by the honourable Whips, as follows:

1. Honourable Minister for Home Affairs and Immigration;
2. Honourable Minister for *iTaukei* Affairs and Culture, Heritage and Arts; and
3. Honourable Deputy Prime Minister and Minister of Finance and Strategic Planning, National Development and Statistics.

HON. P. TIKODUADUA.- Mr. Speaker, Sir, I will be very brief. Act No. 22 or best referred to as Bill No. 17, when it was pushed through Parliament, the Bill, in my view, was completely unnecessary for the fact that the intent of the Bill is to improve processes, particularly, of the iTLTB, was something that the iTLTB was already doing well anyway.

Apart from the fact that they were contentions around that the purpose of the Bill was to deny

the landowners, and they said you ought to be consulted on a matter affecting their land. So, that was what became later as the subject of the contention in the Bill, also because there was obviously the issue of consultation, so that became the heart of the Bill.

During its debate, I remember the Opposition at the time had objected to it. Not only that, Mr. Speaker, I can say that when the Bill was introduced it was introduced in a bit of a dodgy way, because it was tucked in as part of the Consequential Bills for the Budget of that year in 2021.

The matter of consultation became such a big issue here. We had strongly opposed it on that basis. I remember I had put out a video as part of my objection to the Bill when it was tabled. Quite unfortunately, because I assumed that to be my role and my right as a Member of Parliament to bring to the public my concerns about the matter as it would deserve for the public to know, that others including me, were taken in by the police and arrested for it. Not only once, but a number of times. I found this to be quite concerning. So, we only talked about MIDA and how people are free to air their voices about their matters of concern.

Mr. Speaker, Sir, people do not need to agree with Government, that is why we have an Opposition. So, when the people oppose the Government of the day, I feel that is healthy for democracy. So, to try and push it through an agenda like this in such a way and something as important as native land, or the land belonging to the *iTaukei*, is surely going to attract resistance and perhaps, resistance by the public.

I just want to say that this is long time coming, Mr. Speaker. There was hardly any consultation made on it, so I believe the people have the right to say about their land, and when this was enacted, it was the denial of their right. I support the Bill that is before Parliament.

HON. I. VASU.- Mr. Speaker, Sir, today is a day of celebrations for the *iTaukei* landowners and Fiji. Sir, 6th April, 2023 is a day to correct the wrong on the administration of our *iTaukei* land. We are fortunate that Act No. 22 of 2021 is only over one year old. If we leave Act No. 22 for long, it will create a mess in the administration of our *iTaukei* land.

There were no consultations at all on Bill No. 17. The consultation on Bill No.17 was only done after the Bill was passed in this Parliament.

HON. GOVERNMENT MEMBER.- Shame!

HON. S.D. TURAGA.- Mr. Speaker, Sir, allow me to speak in the *itaukei* language in regards to this *iTaukei* Land Trust (Amendment) Bill, 2023.

E da marau vakalevu na i Taukei e na noda vanua lomani ko Viti ni ra sa vakarautaka vinaka tu na noda Turaga era veiliutaki e liu ena vei valenivolavola me qaravi kina na veika me baleta na noda kawa bula kei na noda qele.

Turaga na Sipika, na Bill No. 17, Act No. 22 ni 2021, e dua na lawa e ra coqa vakalevu na i taukei ni qele baleta ni sega ni a caka taumada vei ira na kena veitalanoa. Era vinakata me veisautaki, era gadreva me kua tale ni taurivaki. Na vuna levu baleta ni vakamalumalumutaka na nodra vakatulewataka na nodra qele.

Turaga na Sipika, e na gauna a vakaturi kina e Palemedi na Bili No.17, e sega sara ga ni dua na veitalanoa se veivakararamataki a vakayacori vei ira na i taukei na tabacakacaka i Taukei. E ratou a vakila na i vakalesilesi liu ni matabose ni qele maroroi na dredre ni rogoci ni nodratou nanuma.

E dina ga ni kena taukeni na qele ni Taukei e taqomaki tu e na i Taukei Lands Act e dua na gaunisala e rawa ni vakamalumalutaki kina oya na kena vesuki na qele ka kauta mai na Bill No.17.

Ena bula tu ga vakaivola, ka sa na rawa ni vakayalia sara ga na noda taukena na qele na i Taukei. Kevaka me vesu na qele lisitaki me rawa ni soli kina na dinau, e rawa sara ga 989it aura ga na lisi o koya e lisitaka, o koya e lisi ka gole i Vavalagi, kauta vata kei na title ni qele lisitaki.

Me tekivu mai na i matai ni Okosita 2021, sa 421 na mortgage sa cakacakataka na baqe kei na veitabana dau soli dinau.

Me vaka ni levu na i taukei ni qele e ra sega ni duavata kei na Lawa Tu, sa qai vakauta na Tabacakacaka i Taukei na vakaillesilesi mera lai vakararamataki na i taukei ni qele. Ogo, me veisautaki na i Taukei Land Trust Act ka me bokoca na veivakadonui ni Tabacakacaka ni Qele Maroroi e na gauna era gadreva kina na i taukei ni lisi me mai mortgage, charge, pledge se caveat e na vuku ni dinau ka soli me i vakadei ni dinau.

Na Tabacakacaka i Taukei e sega ni rogoci taumada na nona nanuma me baleta na Bill No. 17. E na qai vakarautaka e dua na i vakamacala na iTLTB e na i vakaro ni Matanitu sa oti me tokona na Bill No. 17 ka yavutaki ena kena tarai cake na bula vakailavo ena noda vanua.

E levu sara na kudru e ciqomi me baleta na Bill No. 17. E sega walega ni o ira na i taukei ni qele, e levu talega o ira na kila na lawa ni qele - o ira na lawyer, professor kei na daunibisinisi.

Turaga na Sipika, e sega ni rogoci na domodra na i Taukei ena vuku ni Bill No. 17. Kevaka eratou vakarogoci ira na i Taukei na Matanitu sa oti, ke a sega ni yaco na veika ogo. Ia, ena sega ni muria na i walewale oqori na Matanitu Cokovata.

Era tokona taucoko na veiyasana na Lawa Vakaturi ka tiko 'go e matada. Era vakararamataki talega na veitabana vakailavo era dau soli dinau, era tokona talega na veisau ogo. E sega ni dodonu vei iratou na wekadatou na i To ni Veisaqa meratou coqa na lomadra na lewenivanua.

Turaga na Sipika, eratou a vakasala na Tabacakacaka ni Qele Maroroi, ke a rawa ni rogoci na domodratou ni se bera ni a pasitaki na Bill No. 17. Ia, e a mani sega, sa mani yaco kina na vakatulewa o koya eda sa mai raica ka da sa mai veivosakitaka tiko ena siga vinaka nikua.

Sa dodonu meda vakadeitaka talega na nodra veivakabauti na lewenivanua. Qo, era solia tale na veivakadonui ni iTLTB me baleta na soli ni vesu ni qele, na nodra veivakasalataki na i taukei ni qele, gagadre meda cakava na veika dodonu.

Au sa mai gusudra na i taukei ni qele kei na Vanua Vakaturaga e Viti ena neimami tokona na Lawa Vakaturi eda mai veivosakitaka 'go ena loma ni Palimedi. Vinaka vakalevu.

HON. PROF. B.C. PRASAD.- Mr. Speaker, I rise to strongly support the motion before us, to amend the Act that we are considering today.

Mr. Speaker, Sir, effectively, it is repealing the changes enforced through what was notoriously known as Bill No. 17.

On 30th July, 2021, we can remember all too well the passage of the notorious Bill No. 17, lesser known as the iTaukei Land Trust (Budget Amendment) Act 2021 and how it was passed in Parliament by the then Government, of course, now in the Opposition.

They, Mr. Speaker, railroaded this amendment under Standing Order 51 with no consultation whatsoever with the primary stakeholders, who are our iTaukei customary landowners. How could we forget, Mr. Speaker, yet another dark-stained or draconian political intimidation and persecution of dissenting voices, such as many of ours, now sitting on this side of Parliament, when we were held up by the CID Police for repeated questioning. The honourable Prime Minister was taken in as well about this law when we made public our statements against it.

The Bill was tabled in Parliament and as Members of Parliament, we have the right to talk about that Bill, but we were held up by the Police during COVID-19 curfew hours and repeatedly questioned not once, in my case four times, Mr. Speaker.

Mr. Speaker, how could we ever forget those moments when it became clear to the nation that the Parliamentary Privilege and our views on Bill No. 17 as elected representatives of the people were meaningless to the Opposition side now, and all those who were enabling that to happen? Basically, those who were drunk on power at that time.

If you look back to the *Daily Hansard* of the debate that occurred on Friday, 30th July, 2021, Mr. Speaker, Sir, the justification from the other side fooled no one, least of all the people of Fiji. The other side who was there that day all said in many different ways (I remember that very vividly) that the intention of the law change was to improve business efficiency by eliminating delays in getting iTLTB consent for mortgages. And we were just told by both the honourable for iTaukei Affairs and honourable Attorney-General that even the banks do not oppose this Bill.

I know, Mr. Speaker, we consulted with a number of lawyers when we were debating this Bill at that time. Many of them told us that, in fact, the iTaukei Land Trust Board was actually more efficient than the Lands Department in terms of facilitating the consent for mortgages and other things. Yet, yet they arrogantly and disrespectfully crushed any opportunity for process of consultation with the owners of the asset, which the iTLTB is merely a custodian of.

The other side, Mr. Speaker, alluded to slow iTLTB consent processes, yet the former Prime Minister who was the Chair of iTLTB had every opportunity since 2015 to reform iTLTB business processes to minimise administrative hurdles that were slow and cumbersome. And I am sure that the iTLTB would be paying attention to this particular issue.

In our position to the amendment of all of us on this side who were there, Mr. Speaker, we were hit with scorn, ridiculed, allegations of racial rhetoric, yet now, that we sit on this side, we are in a position to know that the marketing push for this law change was perhaps not as glossy as they made the sales.

Mr. Speaker, Sir, today, I have the utmost joy in supporting the motion to repeal the amendment to the Act and fully endorse the reversion to the law as it was in June 2021 before the FijiFirst Government tinkered with it and it sealed its fate at the 2022 false because of their arrogance in taking away liberties that were not theirs to take.

Mr. Speaker, Sir, when the 1940 iTaukei Land Trust Act was enacted, it was on the basis of three founding pillars:

1. Consultations with landowning units throughout the length and breadth of the Fijians.

2. Confidence. With consultations, Ratu Sir Lala Sukuna, an embodiment of wisdom and chiefly authority, gained the confidence of the landowners of creating the idea for a Board to administer the land.
3. Trust. With confidence gained, the landowners gave their trust and consent to the enactment to establish the Board which has served them to the present day.

And very aptly spoken by Ratu Sir Lala Sukuna, and I quote, “These are acts of trust, unmatched in our time”. We ought to take a lesson from this historical process of consultation, Mr. Speaker, Sir, to concur with landowners and assure them that their trust is not being undermined. This must be done at all times, but consultation as we know was not the style of the FijiFirst Government. The amendments were rushed through Parliament in July 2021. It was an act of arrogance and utmost disrespect of the worst crime.

Before I conclude, let me say this; ever since Independence, all Governments and all political parties have respected the primacy of land rights of Fiji’s indigenous people. The National Federation Party (NFP) and its respected leaders of the past - (the Party began in the 1960s as a party representing tenant farmers), we have always respected the rights of indigenous people through their land.

Through dialogue and consultation, Mr. Speaker, we have had a history of stability and economic prosperity through that consultation and dialogue. We have always recognised that matters concerning iTaukei land are matters for the iTaukei. We agree that any changes to law affecting iTaukei land should be widely consulted on and decided upon by the iTaukei landowners. I strongly support the Bill.

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, I have raised our Point of Order and I just want to clarify, once again, our position for the record of Parliament because we believe, according to Standing Order 61, that we need to be on the right footing and that is why the Opposition are not participating in the deliberations, Mr. Speaker, Sir, for the record of Parliament.

MR. SPEAKER.- Well noted, honourable Leader of the Opposition.

HON. S.D. TURAGA.- Mr. Speaker, Sir, may I just slowly read Standing Order 61, and I quote:

“...a member must not refer to any matter in relation to which a judicial decision is pending.”

Any matter does not apply. This is a Bill.

That Standing Order refers to, as I have said earlier, in case of discussion when a right is given to a member to speak on, you cannot refer to a matter that is pending in Court. So, the objection is really misplaced and misconceived.

Mr. Speaker, Sir, the honourable Deputy Prime Minister and Minister of Finance has articulated his views clearly, crystal clear. Once and for all, we have someone who understands the land tenure system and the value of the land. It is quite shocking that our *iTaukei* brothers on the other side (honourable Members) cannot see that.

It did not go through the consultations as demanded by law. The very people who were supposed to be consulted were not consulted and today, we are here to resolve the issue. The issue of this Bill is actually regarding some problems administratively when there is a delay.

Mr. Speaker, Sir, the answer to that is administrative, create a system within the administration of iTLTB to fast-track the delay. But what they have done is, they have created a totally new Bill and a more controversial one.

I am thankful to the Coalition Government, to the people of Fiji, to the people sitting out in the gallery. Mr. Speaker, Sir, as I have said, as a paramount chief of Fiji, you have participated in the deliberation of Bill No. 17 and now it is only befitting that you, in your Chair as Speaker, in this Easter weekend to listen to a very important Bill that is the heart, soul and spirit of the *iTaukei* - the land. I commend this Bill.

Question put.

Motion agreed to.

HON. OPPOSITION MEMBERS.- We opposed.

MR. SPEAKER.- Yes, you have decided not to vote so that is your decision.

HON. M.S.N. KAMIKAMICA.- Get your act together.

MR. SPEAKER.- Yes.

[iTaukei Land Trust (Amendment) Bill 2023 (Bill No. 2 of 2023), moved under Standing Order 51, passed and enacted by the Parliament of the Republic of Fiji (Act No. 2 of 2023)]

QUESTIONS

Oral Questions

Role of the Ministry of Multi-Ethnic Affairs (Question No. 78/2023)

HON. K.K. LAL asked the Government, upon notice:

Can the honourable Minister for Multi-Ethnic Affairs and Sugar Industry inform Parliament on the current role of the Ministry of Multi-Ethnic Affairs and what has the Ministry achieved so far?

HON. C.J. SINGH.- Mr. Speaker, Sir, honourable Ketel Lal is like my little son...

HON. J. USAMATE.- Answer the question!

HON. C.J. SINGH.- I will come to that. I attended his 21st Birthday and I gave him a gift. I did not realise that he will sit on the other side of Parliament.

(Laughter)

HON. K.K. LAL.- Mr. Speaker, Sir, a Point of Order.

MR. SPEAKER.- Honourable Member, you started this. Before you stood, you are already firing away.

(Laughter)

HON. K.K.LAL.- A Point of Order, Mr. Speaker, Sir.

MR. SPEAKER.- Yes, Point of Order, honourable Member.

HON. K.K. LAL.- Standing Order 60 - relevance. I asked a very simple question to the honourable Minister, however, he wants to go off track, so I request, Mr. Speaker, if you can ask him to answer the question that is before Parliament.

MR. SPEAKER.- He is just getting there. Honourable Minister, please, provide the answer as required.

HON. C.J. SINGH.- Last week, Mr. Speaker, Sir, our Deputy Prime Minister had alluded in this Parliament about the Multi-Ethnic Programme and what is going to happen in the future. I think honourable Ketan Lal was daydreaming then. If he had listened to the honourable Deputy Prime Minister, he would have asked his question correctly.

(Laughter)

MR. SPEAKER.- Order!

HON. C.J. SINGH.- I will answer the question now.

Mr. Speaker, Sir, I rise to respond to the question from the honourable Member. It has been three months that I have been in this role as the Minister, and I am pleased to inform Parliament on the developments in the Ministry.

Firstly, I want to thank the People's Coalition Government for re-establishing this Ministry that provided an equitable opportunity to address the development needs of all diverse cultural communities and its implementation towards self-help and educational assistance programme in the country.

Mr. Speaker, Sir, please, allow me to provide a brief background on the rationale behind the initiatives of the prior Government in developing the programmes from 2001 to 2010. I have gained inside knowledge of how this Ministry's objectives have evolved during the decade.

In 2001, the Ministry of Multi-Ethnic Affairs facilitated three programmes that included Multi-Ethnic Community Development, Cultural Enhancement and Education Assistance with grants budgeted of \$1 million to the poor and the disadvantaged.

By 2005, Mr. Speaker, Sir, there was an inclusion of the fourth programme – National/District Advisory Councils, which provided a link between the Ministry and the community, as well towards identifying and implementing self-help projects at community level. The budget grant increased from \$1.5 million, and the Ministry had a total expenditure of \$8 million.

Mr. Speaker, Sir, from 2007 to 2010, the Ministry's role had advanced from not only providing self-help and educational assistance, but to a more intensive role of preservation of different cultures in Fiji.

From 2007, there was a major increase in grant from \$1.5 million to \$1.6 million in 2006 and increased to \$21.247 million in 2007. The total expenditure of the Ministry in 2010, Mr. Speaker,

Sir, was approximately \$26 million with grants estimated at \$9 million. However, in November, the former Minister for Economy and Attorney-General had announced that the Ministry of Multi-Ethnic Affairs be dissolved and that the functions are integrated with other Ministries which was effective on 1st January, 2011.

The development of the Ministry, Mr. Speaker, Sir, led to the transfer of the Multi-Ethnic Affairs Scholarship to the Public Service Commission and the Ministry of Culture managed all cultural programmes while the Ministry of Provincial Development was responsible for the Rural Advisory Council.

Mr. Speaker, Sir, I am most delighted, indeed, that the question has been posed by the honourable Member, which gives me the opportunity to re-emphasise the core existence of the Ministry of Multi-Ethnic Affairs and its role, and that is to revamp and continue to provide an equitable opportunity to address the development needs of all diverse cultural communities and implementation towards self-help and educational assistance programmes.

The Ministry of Multi-Ethnic Affairs' operations practically came into effect on 27th February, 2023 with the absorption of 10 staff from the Ministry of Waterways.

Mr. Speaker, Sir, the primary role of the Ministry as advisor to the Government and also implementer, is to include all ethnic groups in Fiji, especially the poor and the underprivileged via diverse programmes. The Ministry will provide advice to all ethnic groups on scholarships, cultural activities and administer funds to support strategic engagements and partnership.

The Ministry of Multi-Ethnic Affairs, Mr. Speaker, Sir, is currently in its planning stage, given that it is only a month old and as per its core role and responsibilities, we have reorganised our structure and are preparing for the budget for the next financial year, together with strategic and operational plans.

At this juncture, Mr. Speaker, Sir, I would like to say that from my last trip to New Zealand, I have managed to talk to Dr. Rajendra Prasad, a very prominent person. He was a politician in New Zealand and is of Indo-Fijian descent.

Dr. Prasad led Massey University at Albany during its establishment in 1993 and was Race Relations Conciliator between 1996 and 2001. He was appointed as the first Chief Commissioner of the newly established Families Commission in 2008. He actually saw me, together with a prominent lawyer, Mr. Rahde Nand, and he has volunteered at no cost to the Fiji Government, to help us establish and write the framework for Multi-Ethnic Affairs. He has also said that his airfares and accommodation will be taken by the New Zealand High Commission. So, you can see how people are keen to assist us, to set up this Ministry.

Finally, Mr. Speaker, Sir, while in the process of acquiring all the needed resources, the Ministry is consulting other stakeholder agencies and experts to develop sound policies as per the mandate of this Coalition Government.

With this background, Mr. Speaker, Sir, we expect to be in full operation by the fourth quarter of this year, and we look forward to serve our diverse communities. *Vinaka.*

HON. R.R. SHARMA.- Thank you, honourable Minister for enlightenment about the question. You have spoken about some grants given to your Ministry, so could you, please, be specific on some of the projects that these grants funded and how this has enhanced participatory opportunities for the people of different backgrounds, especially for the beneficiaries contributing at

the national level for inclusion, equality and prosperity of the country.

HON. C.J. SINGH.- Mr. Speaker, Sir, I have been very clear that we are putting up a policy framework of this Ministry and once this is being done, the reply will come to you. *Vinaka*.

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, all that he stated in his statement were previous achievements of the Ministry from 2000 to 2010. We have not seen the framework. The Ministry has been established since 24th December, 2022. What is happening in the Ministry right now, Mr. Speaker, Sir, in terms of achievement?

HON. C.J. SINGH.- Mr. Speaker, Sir, the difference between that time and us is different. They never consulted, we consulted.

(Laughter)

HON. K.K. LAL.- Mr. Speaker, Sir, my supplementary question to the honourable Minister, has the Ministry implemented any initiatives to enhance culture awareness and sensitivity among the members, including public servants and law enforcement agencies?

HON. C.J. SINGH.- Mr. Speaker, Sir, again, honourable Ketan Lal does not know that we are going to celebrate the Girit Day and that comes under Multi-Ethnic Affairs. What else do you want?

(Laughter)

HON. J. USAMATE.- Mr. Speaker, Sir, we have been talking about institutional integrity. We have been talking about wastage. Why are we wasting time? Do you go into that Ministry with no concept with no idea? Do you have to get someone from New Zealand to come and tell you what to do? My question is, why are you wasting time? Why are you not delivering services? Why the wastage?

HON. C.J. SINGH.- Mr. Speaker, Sir, I hope this is the final question from the other side.

(Laughter)

HON. C.J. SINGH.- Now, you should realise, I have two portfolios. The sugar industry also is my priority. Therefore, I am also taking on that portfolio for the last three months...

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. C.J. SINGH.- ... and this will be done from next month. *Vinaka*.

(Laughter)

New National Rehabilitation Centre
(Question No. 79/2023)

HON. I. TUIWAILEVU asked the Government, upon notice:

Can the honourable Minister for Health and Medical Services update Parliament on

plans for a new National Rehabilitation Centre to replace the current Twomey Hospital in Tamavua?

HON. DR. RATU A.R. LALABALAVU.- Mr. Speaker, Sir, I thank honourable Tuiwailevu for his question.

Mr. Speaker, Sir, work on the new National Rehabilitation Centre in Tamavua is expected to start soon. Cabinet has approved a subsidiary arrangement between the Ministry of Health and Medical Services and the Korea International Cooperation Agency (KOICA), to establish the Fiji National Rehabilitation Centre.

Mr. Speaker, Sir, as arranged by the Korean Government through KOICA, they will provide a Grant-in-Aid of not more than US\$10 million, which is equivalent to FJ\$22.2 million. The Government and the people of Fiji are grateful to the people of Korea through KOICA for their generous assistance.

Mr. Speaker, Sir, the old Rehabilitation Centre, as we all know, in Tamavua has been declared as non-compliant with OHS requirements and this is due to non-maintenance for buildings and facilities as they were built decades ago. Therefore, part of the plan is to decommission and demolish the current building and prepare the land for the construction of the new rehabilitation hospital.

Mr. Speaker, Sir, the relocation plan also includes:

- Relocation of stores to shipping containers - containers need to be purchased and converted to office and storage space;
- renovation of stores and adjacent areas and convert it to rehabilitation clinic;
- Nurses and doctors' office space;
- construct wheelchair accessible washrooms for male and female;
- construct waiting area for outpatients;
- construct ramp for waiting areas to the clinic;
- construct ramp from main road to the carpark; and
- upgrade power supply.

Mr. Speaker, Sir, the Ministry of Health is expected to shoulder the initial operational cost to demolish the old Rehabilitation Centre, as well as the cost for site preparation, relocation cost or moving health services from the old Rehabilitation Centre to the Tamavua Twomey Hospital, Sir.

Mr. Speaker, Sir, the latter has been done in the previous term of Parliament through the previous Government, in terms of moving the patients that were in the old Rehabilitation Centre down to the Tamavua Twomey Hospital.

Mr. Speaker, Sir, the Government through the Ministry will also facilitate other administrative measures for the design and construction of the building.

Emigration and Immigration Trends (Question No. 80/2023)

HON. V. NAUPOTO asked the Government, upon notice:

Can the honourable Minister for Home Affairs and Immigration inform Parliament on the recent emigration and immigration trends?

HON. P. TIKODUADUA.- Thank you, Mr. Speaker, for the opportunity to reply to the honourable Member's question and I thank him for the question.

Mr. Speaker, before answering the question, I would like to take this time to wish a very special person a Happy 90th Birthday. He is Father Allan Finn, I have mentioned his name in this Parliament seven times during my Maiden Speeches since I have been a Member of Parliament. He came from Australia in 1964, baptised me and married me off and he is still well and alive. I would like to wish him a very happy birthday today. Thank you, Mr. Speaker, for that.

Mr. Speaker, in answering the honourable Member's question, identifying trends require detailed studies over a long time period. Accurate data on immigration is difficult to capture. This is because data collected at exit points indicate events and not individuals because it may indicate the same person leaving multiple times. But in terms of medium to long term emigration which means, people who leave for more than three months to those leaving permanently, more people leave Fiji than those who are coming in. In fact, the size of our emigrant population compared to Fiji's population sits from 20 percent to 30 percent. This means that if Fiji has a population of 90th a million, 200,000 to 300,000 are living outside of Fiji.

Australia remains the highest destination for emigration which, in 2019 alone, sits over 70,000. Between 2000 and 2016, 51 percent of Fijians leaving for Australia went through the skills stream. These figures are expected to increase because of the Pacific Labour Scheme.

Permanent and long-term migration from Fiji has continuously increased over the years - massive migration including permanent departure of highly qualified and professionally trained people. Contemporary emigration dynamics have included increased temporary migration to a growing range of destinations, driven by labour opportunities. Fiji also battles skill losses due to migration and waves of immigration in the 1980s to 2000 saw the loss of up to half of its skilled professionals.

Mr. Speaker, Sir, Fiji is a hub, amongst the Pacific Islands, for work, education and training, and a major tourist destination from around the globe. Although modest in number, contemporary immigration has played a crucial role in Fiji - filling gaps in specialist positions, strengthening public services, including medical services, stimulating foreign investment and providing low-cost labour.

The number of permits issued has fluctuated significantly during the year 2018 and 2021 between 10,573 and 18,468 annually. Over the course of four years, most permits were issued for extension to visitors' permit which is around 14,956. Students were the largest category with 11,822 permits issued between 2018 and 2021. This was followed by long term work permits and exemption status effectively.

Mr. Speaker, Sir, irregular migration encompasses illegal entering, either by evading border controls or using false documents, overstaying of a valid period of staying, or violating the terms of stay - most commonly working when not authorised to do so. Human trafficking when it occurs across international borders, is an extreme form of irregular migration involving coercion and exploitation.

Data on denials of entry to Fiji are collected by Immigration Officials at the border and stored in the Integrated Border Management System (IBMS). Most denials are at Nadi International Airport, Fiji's largest port of entry. Denials can be for a range of reasons, including not meeting the correct entry requirements, not being considered genuine visitors, or links to a criminal activity. In recent years, border officials have identified an emerging trend of motorcycle gangs connected to criminal activity, trying to enter Fiji from either Australia or New Zealand.

Many of the regular migrants in Fiji are visa overstayers. In 2018, over 11,800 people were estimated to be illegally in the country after overstaying their visa. The largest groups are students from the Pacific Region, with about 3,000 students overstaying in 2018, mainly from the Solomon Islands. Students sometimes enrolled in universities while on visitors' permits, often overstayed as well. Overstayers are detected on departing the country and are issued a notice prohibiting them from entering the country for a set period.

Investigations by the Immigration compliances may also identify overstayers for removal from the country. Some can apply for an uplift or prohibited immigrant to re-enter, which is on the discretion of the Permanent Secretary. Prohibited immigrants have been removed or returned voluntarily in the four years between 2018 and 2021.

Sir, it has been demonstrated that remittances sent from Fijians abroad have a positive and significant impact on driving long term economic growth and have taken on a significant role in the economy. They specifically aid in the reduction of poverty and mitigate the effects of domestic economy shocks, like natural disasters. More Fijians have joined the cash economy and formal banking systems as a result of remittances, which have had a variety of positive effects.

Mr. Speaker, Sir, the impact of the country profile 2020 on social indicators like education, however, immigration has also brought about social problems, like family dissolution, lack of able-bodied young men from rural areas and shifts in how families and communities interact.

The emigration of skilled workers has been particularly concerning for Fiji's small labour market. Between the 1980s and 2000, there were waves in emigration that occurred following a number of *coups*. Important industries, like education and healthcare, were particularly hard-hit by the emigration of professionals and skilled workers.

There are few asylum seekers entering and leaving Fiji. Trafficking in people too through Fiji is a constant problem that includes the sexual exploitation of children and trafficking of children in Fiji for work. In Fiji, most of the irregular migration is caused by visitors who stay longer than their visa allows.

To conclude, Mr. Speaker, Sir, Fijian immigration patterns changed dramatically over the years. Increased number of Fijians have sought permanent settlement in high income countries, and these higher emigration flows have been sustained.

It is estimated that more Fijians have left Fiji permanently. Australia has been the preferred destination country, followed by Canada, the United States and New Zealand. Today, skilled based migration programmes in Australia, New Zealand and other countries continue to attract the most qualified professionals.

However, research suggests that skilled losses may be less significant than previously thought based solely on emigration figures because not all of these young men will actually emigrate. The prospect of migration may encourage them to stay in school and receive additional training, resulting in a net increase in the skill levels of Fiji's domestic labour market.

MR. SPEAKER.- Before I offer the floor for supplementary questions, I intent to adjourn Parliament for lunch and we shall resume at 2.30 p.m. when the bell is sounded.

The Parliament adjourned at 1.03 p.m.

The Parliament resumed at 2.36 p.m.

HON. V. NAUPOTO.- Mr. Speaker, a supplementary question to the honourable Minister and to put that question into perspective, I think the dynamics of labour mobility now has changed internationally and locally because of the PALM Scheme and all those who are going. I think COVID has also played a big role - people changed jobs and they find new businesses that they would prefer to go to.

The push and pull factors for emigration and migration in Fiji is unique in a way because the same wages that push people away from Fiji pulls people from big population countries, like Bangladesh and India. For them, the wages that push us away is good enough for them and, therein, that labour mobility, the flow that happens.

There is a tool that we can use very quickly to analyse that and, that is, the Immigration departure forms that we fill when we go out of the airport. I just travelled to Tonga recently and I think that is the same form that was there for years that you fill in. It is really a form that collects data that you can very quickly analyse, so strategic planning would love to have that data as their planning for the country.

My question is when was that form last amended and will it be in the interest of the Ministry to have a look at it and factor in the dynamics of labour mobility that is happening now to capture that data?

HON. P. TIKODUADUA.- I thank the honourable Member for his question. Specifically, for the form, I cannot tell you as to when was the last time it was looked at, but it is definitely time for review. You will recognise, Mr. Speaker, that in countries like Australia, they do not have departure cards anymore. A lot of that information is contained within the passports, within your travel details, so a lot of it is really encompassed in there and they do not fill it, but we should have a look at that now.

The other day when I talked about the systems we have at our border, the IBMS, it is very restrictive at the moment in terms of trying to inbuilt new things into it. Obviously, as a former Director Immigration, the honourable Member would be aware that the system has a lot of limitations in terms of how we can capture new information within the IBMS where things like departure cards, after being reviewed, can be collected digitally.

In the new process under the Migration Information and Data Analysis (MIDA) System, we would now like to digitise arrivals into the country. Similarly, we could also do that under MIDA when we leave Fiji, so that is something that we would like to do, but this has to change. As I have said, unfortunately, I was am not aware of the last time this form was actually checked.

The new arrival card has actually changed, there is now a new one. I think after what happened, someone designed the card and it became a little bit too big for the scanner. So, that also needs to change.

Yes, on your other comment about immigration and emigration of people that leave and those who come, that is something we need to look at seriously because majority of the drift of our people going away or migration to overseas countries, like Australia, New Zealand and the US, more than 51 percent are actually skilled labour. When we lose, we actually have to try and fill in the requirements for our local labour market, and that is something Government needs to look at seriously in light of where we are getting our migrant workers from.

So, you will see a whole range of Bangladeshis, Sri Lankans and Philipinos. With them also comes certain challenges when we look at these people coming in. There is always a hype amongst people when they say, "Ah, we do not want people to come. We want to use our people here". But half of the time, Mr. Speaker, our people do not quite reach the level of competency, may be qualification that others would bring into the country.

Mr. Speaker, that is something Government must seriously consider, and this is one of the points that the former PS Immigration had left with me because there is never enough in Fiji to look after our local market, particularly now that tourism is picking up, as well as construction and other sectors of our economy.

HON. F.S. KOYA.- The honourable Minister is laughing because he knows what I am about to ask him, Sir.

Honourable Minister, you mentioned in your response something to do with motorcycles and motorcyclists. Please, remember, Sir, I am a 100-strong and the head of the organisation here that looks after all motorcyclists and not all of us are bad or actually good bunch.

I had told him I was going to ask him that but just get into the question. Honourable Minister, in terms of our passports (since all the questions is related to migration and immigration) since we have digitised, how many airports, including our own at Nadi International, are we able to just swipe and walk through?

HON. P. TIKODUADUA.- I stand to be corrected but the short answer is, zero. I am sorry, no offence to bikers, honourable Member, I am sure they make our highways look beautiful, thank you.

HON. I.B. SERUIRATU.- Just a supplementary question to the honourable Minister; I am very interested in the IBMS. What actually is the problem, honourable Minister, is its compatibility with what the other stakeholders are using or is it the age of technology or is it the capacity within Immigration itself?

HON. P. TIKODUADUA.- I thank the honourable Leader of the Opposition for his question. There is a whole range of challenges for IBMS. One of the biggest challenge is that, there are certain functions of immigration that the current system when it was taken aboard, we were not able to use IBMS for.

Now, I think there are four functions of Immigration that it cannot do. It is actually inbuilt, but we cannot use it. The reason is that the supplier, a company from Sri Lanka when they gave it to us, every time we want it, it requires us to pay this astronomical fee which really should have been part of it at the beginning. So, this has been very, very prohibitive for us.

The system also, whilst there are those that are inbuilt and we cannot use, there are many others where the system can actually talk to others. Sir, IBMS is really limited and is actually quite restrictive. We are getting it from MIDA now, which is now going to allow us and we are getting it for free, and as I have said the other day, that will allow us to talk better to all the other stakeholders that needed immigration information - that they could use data from there. That is what I have been told that has really been the major restriction. So, that is why the shift - apart from the cost, there are certain things that IBMS cannot do, that MIDAS will now give us the full complement of the kind information we need to process.

(Question No. 81/2023 was withdrawn)

Review of the National Housing Policy
(Question No. 82/2023)

HON. P.D. KUMAR asked the Government, upon notice:

Can the honourable Minister for Housing and Local Government update Parliament on the review of the National Housing Policy and explain new areas that the revised Policy will cover?

HON. M.K. NALUMISA.- Mr. Speaker, Sir, I rise to respond to the question posed by the honourable Member.

Mr. Speaker, housing is fundamentally a basic need that is enshrined in Section 35 of the 2013 Fijian Constitution which guarantees the right for all Fijians to accessible and adequate housing. It is a significant and interlinked instrument of socio-economic policy that shapes and influences both, the living condition and welfare of the population and development of the national economy.

In 2011, Mr. Speaker, Sir, Fiji adopted its first National Housing Policy, as a formative policy document to cohesively address the fragmented approach to housing demand and supply that existed at that time for the housing sector in Fiji. This resulted from identifying the need to have a more enabling approach to assist all stakeholders in the housing sector to collectively perform. The Policy had an Implementation Plan for a period of 10 years before its next review.

Mr. Speaker, Sir, in 2019, the review of the National Housing Policy commenced, proposing to establish an enhanced and streamlined regulatory and policy framework with appropriate institutional structures. To assist the Ministry with the review of the Policy, the Housing Sector Policy Advisor, Mr. Keith Hornby, was engaged and funded through the New Zealand Ministry of Foreign Affairs and Trade from 2019 until 2021.

Mr. Speaker, Sir, the Ministry had completed the preliminary analysis phase of the policy review that highlighted the scope and extent of the implementation of the 2011 National Housing Policy and the need for a revised Housing Strategy that responds to the current dynamics of housing supply and demand.

New areas of strategic focus and areas of legislative review and reform, Mr. Speaker, Sir, under this preliminary assessment, some key issues and challenges that were identified were:

- access to development and service land;
- housing affordability;
- access to finance and insurance;
- dwelling quality adequacy;
- outdated legislative and policy frameworks; and
- non-existence of a monitoring mechanism to assess the housing sector performance.

Mr. Speaker, Sir, following the completion of the preliminary analysis, the Ministry was prepared to pursue with the consultations that was planned into two phases, the first being the relevant stakeholders that would initiate a draft National Housing Policy to be used in the second phase which is a wider public consultation. Since 2021, the review of the National Housing Policy was on hold until all the restrictions were lifted, while we adapted to the new norm.

Mr. Speaker, Sir, the Ministry will be resuming works on the review of the Policy and will engage a consultant through an Expression of Interest (EOI) to complete what was left out. We are

also exploring options of getting some assistance from the New Zealand Government to try and assist us in this area. We are meeting the New Zealand Embassy Official in the next two weeks and hopefully, we will get some positive feedback on how they can assist the Ministry in moving this Policy forward.

Mr. Speaker, Sir, in response to the key challenges identified in the preliminary analysis, the Ministry will be exploring further options through consultations with stakeholders that will develop the revised policy framework. There are areas that have been identified to be explored to be part of the revised policy and these are some of the key areas:

1. To understand the demand for housing both, current and emerging trends. It is very important because we will be able to provide an understanding of the changes in the medium to long term demand, particularly in the urban areas.
2. Land use and infrastructure planning, that is, to have a better engagement with land management agencies, such as Department of Town & Country Planning and other service providers, such as roads, health, education, et cetera, to ensure adequacy of zone and service land.
3. Review or reform the current legislation, most probably the review of the Housing Act to update the legislative framework in the housing sector.
4. Review the existing Government subsidies, grants and physical incentives, most probably to identify the effectiveness of the current mix of housing interventions by Government.
5. Scaling up of finance insurance products for the housing sector, basically to support existing efforts to scale up bundled insurance product with housing components and encourage micro-finance for housing improvement and construction.
6. Increasing climate-resilient housing stock by identifying options and opportunities to strengthen and improve the resilience of national housing stock in both, rural and urban areas, and introducing a regulatory framework to strengthen the monitoring and enforcement of minimum housing standards across Fiji.
7. Review of building and construction legislation by exploring the existing building codes or legislation, and capacity for a wider construction sector.
8. Research and monitoring framework for the housing sector.

Mr. Speaker, Sir, the Ministry intends to finalise the review of the Policy, following the two phases of consultations and further appointment of the Advisory Committee comprising of key stakeholders, who will guide the Ministry in formulating the final policy document.

HON. P.D. KUMAR.- I thank the honourable Minister for his very detailed up-to-date information on the new Housing Policy that is being made by the Ministry. Currently, there is no specific dedicated programmes to improve the collection and reporting of housing-related data, such as adequacy, demand, supply, pricing, benchmark on rent and prices, and other analysis. I know that the Bureau of Statistics is able to provide information up to a certain level. My supplementary question is, how will the new Housing Policy address this gap?

HON. M.K. NALUMISA.- Thank you, honourable Member, for a very good question. Something that is actually a challenge for the Ministry is to actually review and identify the profile

of what is happening in the housing sector because if you look at this sector, we not only have statutory bodies that provide housing services to the people of Fiji, there are also other developers out there. Our private developers also assist in the provision of housing, as well as affordable housing in our country.

It is something that the Ministry will consider looking into because it is a big challenge in trying to actually collate information from respective agencies. It is something that I also encourage at the beginning when I took over, that is, trying to have some kind of dashboard to be able to collect information from agencies because once we get those information, we will be able to do a profiling of all the activities that happen within the housing sector in our country. It is something that we are going to review and, hopefully, that we are also going to engage.

As I have said, even if you look at the Bureau of Statistics, no information is provided because we have to look at both, formal as well as informal housing sector. That is something that we are gearing towards - getting a system in place to be able to gather as much information as possible to help us in moving our housing sector forward.

HON. J. USAMATE.- Thank you, Mr. Speaker, Sir, for the opportunity to ask this supplementary question. I congratulate the honourable Minister and the Ministry for the work that they are doing and all those who might also have been working on this National Housing Policy.

One of the things that we have noticed, Mr. Speaker, Sir, over the past few years is the escalating land prices all around Fiji. There have been a number of things that Government had done in the past, in particular, some of the foreigners who buy land in the urban areas. There are restrictions on that - to try to make sure that the land prices are controlled, and we have tried to stop people from just buying land for speculation, so the price is going up.

On top of that, Mr. Speaker, Sir, as a Minister over the past few years, we have noticed that even civil servants have struggled to get housing. Government has tried to address it in the past by trying to address their pay. We have seen the Singapore experience where they build up and over time, the kind of shanty towns they had all over Singapore has disappeared. I am wondering, as part of this National Housing Policy and the developments that we have done in strata titling and given the price of land, is building up going to be the focus of this Housing Policy, given the situation that we currently face?

HON. M.K. NALUMISA.- Thank you, honourable Member, for the question. For housing, if you look at the valuation of land or property, it revolves around what is happening around that area. I am not a valuer but that is something that normally happens when you want to determine valuation for a property, or should you try and consider developments that are happening around your area, that is also going to determine the kind of valuation or price you are going to expect for that particular property can offer.

The issue that was also brought up by the honourable Member, especially the shortage of having good land for better housing, one of the ideas that came up is for us to try and build vertically, instead of constructing houses horizontally or in single units or double terrace. The idea is good but one thing that we must consider is that, it is something that is going to be provided in a small area of land. You can maximize the number of units that you can get from a parcel of land but at the same time, you must also be mindful that as you go up, the price of construction increases. So, the higher you go, the higher the construction cost, and that is also a reflection on the kind of cost that it is going to offer or sell to the public.

At the moment, the Ministry is also considering various models. It is also going to have PPP,

it is something that IFCs also plays a lead role in – in the provision of that. Those are some of the models that we are trying to see, whether we will be able to come up with the best model that we are going to provide, which gives us the right mix and the right pricing structure so that at the end of the day, the price of a strata unit or price of the dwelling or flat is affordable to the people of Fiji.

I think something that we must also understand is the importance of understanding the various pricing models, that is, if you want to build more available houses. At the same time, if you look at the economy of scale, I think if you are going to build more apartments, you can also reduce the price because it is going to spread out the cost, so that is something that IFC is also considering.

If you want to get in good contractors, then you must also have more construction of apartments which should be able to, at least, bring the cost of the units down to some extent. At the same time, we are also looking at some of the mechanics, like the provision of Government subsidy or grant that is also going to assist in making these flats more affordable to the people of Fiji.

HON. I.B. SERUIRATU.- I thank the honourable Minister for his responses. My question to the honourable Minister is concerning affordability and standards, and one of the key factors in this is building codes.

Honourable Minister, you talked about the old laws and I know because we do not have the DRR Policy and this is an issue that comes up, particularly post-disasters. What is the progress in that area in terms of the wider consultations as well?

HON. M.K. NALUMISA.- Thank you, honourable Member. I think in my presentation, I had mentioned some of the key areas that we have identified as part of the new National Housing Policy and one of those is the revision of the building legislation. That is something that we are going to do when we start the process but it is something that we are going to seriously consider, to ensure that we all have one standard across Fiji. That is something that we want to strengthen and also want to ensure that the building code is reviewed and also applied by all the developers or all building contractors who are going to build houses in the country. So, that is something that we are seriously considering and it is part of our review of the National Housing Policy.

Ongoing Partnerships – Fiji as Tourism Destination
(Question No. 83/2023)

HON. I.S. VANAWALU asked the Government, upon notice:

Can the honourable Deputy Prime Minister and Minister for Tourism and Civil Aviation update Parliament on some of the ongoing partnerships in place to promote Fiji as a tourism destination?

HON. V.R. GAVOKA.- Mr. Speaker, Sir, I thank honourable Vanawalu for the question.

Mr. Speaker, Sir, partnership is key for prosperity. For a sector such as tourism that connects to almost every other sector in our economy - construction, agriculture, health, fisheries, culture and others, we need strong and sustainable partnership to ensure that we meet our current and future needs. Sir, I will share a few of the ongoing and new partnerships and policy and in marketing and promotion.

On policy, Mr. Speaker, Sir, as I have said earlier in this august Parliament, the Ministry of Tourism and Civil Aviation is currently developing the National Sustainable Tourism Framework with technical support from the International Finance Cooperation (IFC), who have been tremendous partners. Through this partnership, we have established a Committee with the private sector who

would drive its development.

The Ministry, through the consultation phase, has partnered with agencies to lead critical areas of discussion. These are:

- Fiji's Agri-Tourism Group, to look at linkages with agriculture;
- Mareqeti Viti, to align planning with conservation;
- Academic such as the University of the South Pacific and Massey University, on planning with resilience; and
- we will continue our partnership with IFC on developing tourism standards and undertaking more tourism-related licensing and business reforms.

Mr. Speaker, Sir, I have mentioned in this august Parliament our 10 year partnership with the World Bank Group on the development of Vanua Levu as a tourism destination. Under this, we will be working closely with key Government agencies and utilities, such the Water Authority of Fiji and Fiji Roads Authority.

Mr. Speaker, Sir, I also spoke about community-based tourism and how we are working with agencies such as MSME Fiji and the Ministry of iTaukei Affairs.

Mr. Speaker, Sir, I recently met the United Nations Development Programme (UNDP) Resident Representative and her Team to see how we can work together on strengthening community-based tourism more systematically.

Mr. Speaker, Sir, one of the Ministry's most recent partnerships is with the National Trust of Fiji where we sign a Memorandum of Understanding. We are rich in history from the Momi Battery Historical Park to Fiji's UNESCO World Heritage Site of Levuka, Heritage Tourism is something we want to pursue and promote.

Mr. Speaker, Sir, bilaterally, we are working with the Government of Indonesia on operationalising an MOU on Tourism. We are also looking to sign one with the Government of Japan, to see how we can draw international best practices to our tourism planning and promotion.

On partnership and marketing, Mr. Speaker, Sir, Tourism Fiji recently launched our new brand, 'Fiji where happiness comes naturally'. I would like to emphasise that this is a new brand for Fiji where happiness comes naturally, which I believe is spot-on in terms of communicating what we are famous or special for, which is happiness.

It is already performing well in our markets. I am told that website traffic and users is higher, so more people are searching. Tourism Fiji continues to work with key campaign partners who take our brand and our story to key markets. These includes; partners such Hello World, My Fiji, Costco Expedia, Pacific Travel House, Flight Centre and Thomas Cook. Some of these trade partners reported their strongest months for Fiji in their history. Sir, these are generally travel agents who create package bills with accommodation to car rentals, and promote and sell them in key markets.

Mr. Speaker, Sir, Tourism Fiji is also leveraging sports tourism. They have partnered with the Fijian Drua to reach rugby fans across Australia and New Zealand.

Aligned to the brand, the Tourism Fiji has also launched significant marketing partnerships with the global retailer - Rip Curl and Credit Card Giant, Mastercard. Both campaigns involved tapping into the significant medium and the presence of these brands to continue to grow the desire for Fiji as a tourism destination of choice.

Mr. Speaker, Sir, in closing, there are other events that Tourism Fiji has formed partnerships with to promote tourism. These include:

- Key events such as SPARTAN;
- the relaunch of direct flights to Hong Kong and Narita with Fiji Airways;
- the recent Tourism Investment Summit in partnership with Investment Fiji, supported by HFC Bank, Telecomm Fiji and IFC; and
- partnership with Pacific Recycling Foundation which aims to increase recycling across our tourism properties and promote sustainability.

Thank you, Mr. Speaker, Sir.

HON. F.S. KOYA.- Thank you, Sir, I was going to give way to

HON. I. NAIVALURUA.- Carry on, Sir.

HON. F.S. KOYA.- Mr. Speaker, Sir, I thank the honourable Minister for the explanation on some of the thoughts that you had last week and this week about new destinations, et cetera, that we may be looking at, aside from the traditional ones and the ones that we have had within North America. With the new destinations, and then I see that you are talking about ongoing partnerships in place to promote Fiji as a destination, what are the guidelines that we actually follow when Tourism Fiji goes ahead and seeks partners in a particular destination? How do we actually appoint them as an agent for promoting Fiji as a destination?

HON.V.R. GAVOKA.- Mr. Speaker, we spoke about the plans to expand into the USA. Currently, on the West Coast of Continental America, including Canada, we fly into Vancouver, San Francisco and Los Angeles. With the arrival of the two A350s, we are thinking of Seattle, Dallas or Houston and even Chicago, that is, in the United States.

The core of the messaging for the American market, Mr. Speaker, is the mid-American market. Up to this point, most American travellers are the high-end stuff - more the adventure, the dive to Taveuni, Savusavu and Vanua Levu, in particular.

What we are now reaching is the Mid-American market - the families, the couples. The line is this, Fiji is only three-and-a-half hours away from direct flight from Hawaii, yet it is cheaper and more authentic. So, the market that goes through Hawaii, we are converting some of that - a small percentage, but it will accrue to Fiji in a big way.

We know how many Americans go to Hawaii every year, a percentage of that can make a big difference on the American numbers to Fiji, and it is working very well, Mr. Speaker. As we speak, the load factor from San Francisco and Los Angeles are quite high, and we believe that going further into the Mid-West and even East Coast will bring us the numbers that we want.

In terms of partnership, there are a number of huge conglomerates in there - Costco in particular, is very big. As honourable Koya may know, Costco is huge supermarket and very big travel section. They are now part of us in California and we expect that to spread across the United States. That is one, there are more work that are coming online to be outlets for selling Fiji.

HON. I. NAIVALURUA.- Mr. Speaker, Sir, the SMEs play a critical and pivotal role in the implementation and realisation of partnership that happens which we have heard from the honourable Deputy Prime Minister. Can he update Parliament on the plans for current or new SMEs in the tourism sector to enter and re-enter the market?

HON. V.R. GAVOKA.- Thank you, honourable Member. A new area, Mr. Speaker, that we are seriously looking into is a version of Airbnb. Airbnb is now a huge segment and phenomenal now in travel. We want to bring that into our villages. It is community tourism, but we would like to work with our villagers, with the provincial administration and the Great Council of Chiefs (GCC) to set up a structure that can allow that kind of accommodation into our villages.

We believe it is a great feat that people can come, we give them a part of the village where accommodation is of that standard, but then they become part of the village and the experience that they get out of it. That is an indication of an area that we are considering.

HON. F.S. KOYA.- Mr. Speaker, Sir, with the Airbnb perspective, honourable Minister, as you and I both know, it is an area that can grow into a phenomenal part of tourism. The question is, with the current licensing that exists with respect to hotel licences and I know there is a dire need to change hotel licensing, will you be looking at making sure that all our communities are safe in terms of legislation surrounding that particular area?

It would be catastrophic for us in terms of insurance coverage, et cetera, that needs to be done and these are tourists. You know as well as I do that at the moment, at a drop of a hat, we could be liable for million dollars. My point is, will you be ensuring that there are some legislation that come through Parliament so that we actually cover that area specifically for Airbnbs and our own communities around the country?

HON. V.R. GAVOKA.- Mr. Speaker, that is a good point from the honourable Member. Indeed, we are heading in that direction. I mentioned the GCC, in that, we have to have bylaws in our villages that bring in discipline where this type of legislation can work. You are going to have visitors in your community, not our *tavale* or someone from the other community, these are people from abroad and they need to be protected.

We need to empower our provincial administration, district administration, turaga ni koro (village headmen) and villagers to put in place these types of accommodation, with the regulations that can help protect or support the operation. It is very sensitive. I know they will enjoy living in our villages - living in our midst, it is a cultural experience, but what is being highlighted today is also something that we need to be mindful of. We will do all that before we get into this.

In the Yasawas, we already went to talk to some of the villagers, but it has to come from the provincial council and there has to be a buy-in from everyone at the village level. These are visitors. They are with us, we look after them, we know that we are friendly, we will look after them but there are certain elements that need to be observed and certain discipline has to come into the equation.

(Question No. 84/2023 lapsed)

Collaboration Between Institute Louis Malarde and Fiji CDC
(Question No. 85/2023)

HON. A.V.B.C. BAINIVALU asked the Government, upon notice:

Can the honourable Minister for Health and Medical Services update Parliament on the collaboration between the Institute Louis Malarde and the Fiji Centre for Disease Control?

HON. DR. RATU A.R. LALABALAVU.- Mr. Speaker, Sir, I thank the honourable Bainivalu for her question. Cabinet has approved an agreement with the Government of French Polynesia to strengthen Arthropod-borne Viruses (Arbovirus) diagnostics, surveillance and research capabilities

within the Fiji Centre for Disease Control (Fiji CDC). Arbovirus is an acronym for Arthropod-borne viruses, so it is a virus transmitted by arthropods which are insects, for example, mosquitoes that spread diseases such as dengue, *zika* and *chikungunya*.

The project known as the Fiji SHARE Project stands for the Surveillance of Human Arbovirus at Risk of causing Epidemics in the Pacific is an ongoing programme and the Project will be jointly implemented by the Fiji CDC and the Institute of Louis Malarde (ILM), which is a research and public health institute under the responsibility of the Ministry of Health of French Polynesia. This Project is focused on the progressive transfer of technical expertise and the research experiences from the ILM to the Fiji National Public Health Laboratory at the Fiji CDC. So, ILM and our CDC have collaborated for more than 10 years and this support will further strengthen the role of the Fiji CDC in the region.

I am sure when honourable Members from the Opposition were in Government, they would be aware that Fiji CDC now have some capabilities in terms of testing. It was not there before but is there now. It is there to build up capabilities in terms of any surge in new outbreaks.

HON. I.B. SERUIRATU.- Thank you, honourable Minister, for your response. Just a quick question based on the COVID-19 experience, the thought of decentralisation, because we had serious issues when the Fiji CDC was compromised. I would like to hear from the honourable Minister if that is under consideration as well, particularly, planning better for the next one.

HON. DR. RATU A.R. LALABALAVU.- Mr. Speaker, Sir, a very important question. In terms of decentralisation, we fully agree with that. Again, in terms of decentralising the capabilities of the Fiji CDC, it was commissioned earlier on in Nadi as part of the Border Protection Unit. There is also a laboratory and you are more than welcome to visit. The reason why it is strategically placed there is because of the airport. Also, in Vanua Levu, we will soon go there.

I have just been to Labasa and commissioned a Ty-5 Laboratory that will deal with research capabilities and how to combat typhoid, especially in the North Division. So, in terms of that, we are looking at expanding the capabilities of those laboratories to cater for the role of decentralisation. Similar set up in Nadi as in Labasa, so at the moment, it is being used by the Ty-5 project and hopefully, later on, we can expand it to the role of Fiji CDC in decentralising its services.

HON. P.K. RAVUNAWA.- A supplementary question to the honourable Minister. Mr. Speaker, Sir, CDC holds a lot of sophisticated medical equipment which are not cheap and quite expensive. My supplementary question is, the local expertise in the sustenance of the maintenance of these machines that are operated in our laboratory, would you consider expanding our Biomedical Engineers in terms of capacity building to handle things if there is a problem with our machines?

HON. DR. RATU A.R. LALABALAVU.- Thank you, honourable Ravunawa, for your supplementary question. Yes, Mr. Speaker, in terms of increasing the capabilities and the capacity within our Biomedical Department, it is an ongoing issue as well. We are trying to increase capacity in terms of their training and know-how in terms of the various sophisticated machines that we do have here in Fiji, especially in the CDC.

In the next financial year, we are pushing for more positions in the Biomedical Unit, and not only that, in terms of training capacity as well. There is an ongoing project called the Oxygen Project under Cure Kids and that project has oxygen officers in the four Divisions.

At the moment, in trying to expand the capacity of our Biomedical Engineers, we are trying to absorb those officers into the Ministry once the funding with our donor partners has finished. We

are looking into that, in expanding the capabilities and capacity.

Written Questions

Lautoka Swimming Pool Saga
(Question No.86/2023)

HON. I. TUIWAILEVU asked the Government, upon notice:

Can the honourable Minister for Housing and Local Government update Parliament on the following:

- (a) What is the current legal status of the publicly funded Lautoka swimming pool; and
- (b) In the interest of transparency to taxpayers, all the contractual documentation, contract variation costs, contract disputes and supporting documents pertaining to the Lautoka Swimming Pool saga?

¹ HON. M.K. NALUMISA.- Mr. Speaker, Sir, I will table my response at a later sitting date as permitted under Standing Order 45(3).

Recruitment of Healthcare Professionals
(Question No.87/2023)

HON. P.K. RAVUNAWA asked the Government, upon notice:

Can the honourable Minister for Health and Medical Services inform Parliament on the number of doctors, nurses, oral health and allied healthcare professionals has the Government recruited?

² HON. DR. RATU A.R. LALABALAVU.- Mr. Speaker, Sir, I hereby table my written response to Written Question No. 87/2023.

Update – Fiji Passport
(Question No.88/2023)

HON. L.S. QEREQERETABUA asked the Government, upon notice:

Can the honourable Minister for Home Affairs and Immigration inform Parliament of the following:

- (a) What is the international ranking of Fiji's Passport;
- (b) Can the Ministry present a complete list of countries that a Fiji Passport Holder can enter without a visa; and
- (c) The Minister to present a complete list of enlist countries that do not allow the holder of a Fiji Passport to enter without visa?

HON. P. TIKODUADUA.- Mr. Speaker, Sir, I thank the honourable Member for the question. I will table my response at a later sitting date as permitted under Standing Order 45(3).

¹ Editor's Note: Reply to Written Question No. 86/2023 tabled by the honourable Minister for Housing and Local Government is appended as Annexure I.

² Reply to Written Question No. 87/2023 tabled by the honourable Minister for Health and Medical Services is appended as Annexure II.

ADJOURNMENT

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

That Parliament adjourns until Monday, 12th June, 2023 at 9.30 a.m.

HON. A.V.B.C. BAINIIVALU.- I second the motion, Mr. Speaker, Sir.

Question put.

Motion agreed to.

MR. SPEAKER.- Honourable Members, that concludes the end of our sitting for this week and I thank you all for your contributions throughout the week.

I now declare that Parliament adjourns until Monday, 12th June, 2023, at 9.30 a.m.

The Parliament adjourned at 3.30 p.m.

ANNEXURE I**Reply to Written Question No. 86/2023 tabled by the honourable Minister for Housing and Local Government. (Ref. Page 1009)**

**MINISTER FOR HOUSING AND LOCAL GOVERNMENT
(HONOURABLE MACIU KATAMOTU NALUMISA)**

Response to the Question by Hon. I. Tuiwailevu is as follows:

- (a) The Lautoka Swimming Pool is a major capital development project, which remains incomplete due to dispute between the Lautoka City Council (LCC) and the Lead Consultant/Contractor. The Pool, if constructed in a timely manner would have generated revenue that would have supported the Council's financial position.

The Lead Consultant and one of the contractors challenged the Council's decision to terminate the Contract and instituted legal proceedings against the Council. The LCC terminated the contract of the Lead Consultant in 2020, due to poor project management and poor metal work done by the contractor responsible. Furthermore, the project progress was slow. The Contractors were not able to meet the set timelines.

Given this contractual disagreement, a meeting was called to discuss the issues and find a workable solution. The resolution was to carry out a Peer Review Exercise. A Terms of Settlement was drafted between the LCC and the Lead Consultant, due to a civil litigation instituted by the Lead Consultant's solicitors for the initial termination of the consultant's Contract. This was to ensure that the matter is put on hold, whilst the peer review process is carried out by the Construction Implementation Unit (CIU) from the then Ministry of Economy.

A Terms of Reference was drafted by the CIU to engage a consultant for the Peer Review. The Terms of Reference was discussed in detail with CIU, LCC, Lead Consultant's solicitors and the Office of the Solicitor-General.

The initial Terms of Settlement and the Terms of Reference was vetted and finalised by the Office of the Solicitor-General. The CIU undertook the advertisement and recruitment of a consultant to carry out the Peer Review. A Peer Review was to assess the work carried out by the Lead Consultant and the Contractors. This was to ensure that the work was carried out in accordance with the scope of works in the Contract between the Lautoka City Council and the Lead Consultant and other relating Contractors.

From the Expression of Interest and the assessment undertaken of the applicants, an independent Consultant had been engaged by the Ministry of Local Government to carry out the said Peer Review. The parties to the Contract had withdrawn the case against LCC, from Court, as the Peer Review exercise had commenced.

It is worth noting that the Peer review exercise has been completed and the parties are yet to determine the way forward based on the findings and recommendations in the Peer Review Report.

The Peer Review exercise was undertaken in 2022, with a final report submitted in June 2022. This Peer Review Report is currently being considered by the Ministry of Finance and Ministry of Local Government to determine the feasible way forward.

There were no works and/or construction undertaken on the Project during the Peer Review process. Therefore, there is no pending legal matter in relation to the Lautoka Swimming Pool and the construction is yet to be completed.

- (b) The Lautoka Swimming Pool Project started with a lot of enthusiasm by the Lautoka City Council in 2015. The Council carried out the tender and appointment of the Lead Consultant and Contractors within the provisions of the Manual of Accounts that was used by Councils to guide their operations previously. This is now replaced by the Finance Manual for Municipal Councils.

One of the challenges faced by the Council was the lack of technical expertise in-house. This shortage of experts is a perennial problem faced by most Councils. Hence, this led the Council to rely heavily on the Project Architect, who also assumed the role of the Project Lead Consultant.

The Council, as a statutory body (by virtue of section 8 of the Local Government Act 1972) made independent decision on the procurement process. The decision by the Council to award the contract to the contractors was within the ambit of the provisions of the Manual of Accounts.

In August 2015, the Council made a submission to the Ministry of Local Government with respect to the Project background information and engagement of an Architect Consultant to provide the concept design and detailed drawings. Architect Consultant to provide the concept design and detailed drawings.

The Council submitted their proposal to the Ministry of Local Government for budget consideration, for the construction of a Swimming Pool for all users comprising of two pools, which will include:

1. competition pool of FINA compliant (size) 50m x 8 lanes; and
2. community pool of 25m x 6 lanes and associated facilities.

In September 2015, a “Call for Tender” was advertised for Architectural Consultancy Services in the local dailies twice by LCC. The LCC formed a Committee to evaluate the tenders received. The Evaluation Committee comprised of a representative from a private technical firm with engineering background.

The Committee recommended an architectural firm which was awarded the contract on 27th July, 2016. The appointment of the Consultant was made in accordance with the Manual of Accounts and consultation with the Ministry of Local Government.

The variation on the cost of the project arose when the initial concept was amended. The initial Project was for two swimming pools - a FINA compliant competition pool(50m x 8 lanes) and a community pool of 25m x 6 lanes.

The project included the construction of associated facilities for the pool, which includes one medical room, two sets of public convenience for male and female with access for physically challenged individuals, two sets of change rooms, a pool attendant’s room,

storage room and 1 ticket booth. The estimated cost for the initial Project design was \$2 million.

The budget for the new Concept Proposal, after several site visits and site meetings, increased to \$3 million and then to \$7.8 million. This was due to the change in scope of works as outlined below:

- 10 lane Competition Pool;
- 4 lane Community Pool;
- 4 lane Warm Up Pool; and
- Sports Village with 1,000 seater stadium.

The above was approved by 17th January, 2017.

The Lautoka City Council and the Lead Consultant executed the Consultancy Agreement for the Swimming Pool Development on 18th December 2017, when the Project Cost had escalated to \$12.6 million due to further changes in scope. The changes were as follows:

- 10 lane Competition Pool;
- 8 Lane Warm Up Pool;
- 1 Children's Pool; and
- All to be at Olympic International Standard.

It is important to note that an Olympic Standard Swimming Pool Facility is a competitive and for high performance swimming classification, which amongst the above-mentioned, required specialised pool equipment, timing system, water quality control equipment, balance tank to maintain water quantity and level, floodlights of 1,500 lux and other facilities, such as changing rooms, shower rooms, et cetera.

In addition, the site for the pool was changed after a site visit was conducted by the Ministry of Local Government. The new site required more civil works and it was on a higher level. The change in the project scope led to the increase of the project cost.

When the Contract was executed by the LCC in December 2017, the total project cost increased to \$12.6 million. The estimates from the beginning were based on the calculations by the Project Consultant, of market prices of construction material and labour at that time. The Project Team included a Quantity Surveyor who worked with the Project Architect in terms of project supervision for the progress payments.

The tender for the construction work was also publicly advertised and the company with experience and expertise in the construction of swimming pool did not want to be involved with the construction of the associated facilities. Hence, the Council had two contractors engaged for the project, one specifically to construct the three pools (as Contract A) and the other contractor engaged for the associated facilities, which were the change rooms, restrooms, medical room and kiosks (as Contract B). Those two contracts were separately awarded to the contractors, whilst the Project Architect was tasked to evaluate the bidders' submission and forward to the Council the evaluation paper with his recommendations.

The awarding of the contracts was carried out as per the procurement guidelines that was used by all Municipal Councils. It is important to note that the composition of the Evaluation Committee that carries out evaluation had an important role in awarding the respective tenders.

In summary, the process for the Lautoka Swimming Pool Project started in 2015, with LCC expressing interest to construct a pool for the residents and ratepayers of Lautoka. The Expression of Interest was called for the Project Consultants. The cost estimates provided by the Consultant for the project was on the initial scope. The scope was changed by the Ministry of Local Government in 2016, when approval was being sought by LCC.

In 2016, only civil works and leveling of ground had started. The changes by the Ministry increased the project cost estimates from \$2 million to \$7.8 million and when the tender for the construction was called and quotations received, the actual project cost reached \$12.6 million. The concept of the Lautoka Swimming Pool was approved in January 2017.

Furthermore, the contract was executed in December 2017, with construction of the swimming pool started in 2018. In 2020, LCC had terminated the contract of the Project Consultant and Contractors due to the delay in works and not meeting project timelines for completion. Since 2020, there has been no construction undertaken at the site, as all the parties involved agreed to have a Peer Review exercise undertaken. In 2022, the Peer Review was done, and the Report is currently with the Fiji Government, which is being discussed with LCC to formulate a feasible way forward for the completion of the project.

Since 2018, there was an improvement in the major Capital Project tender process, as it was handled by the Fiji Procurement Office within the Ministry of Finance, Strategic Planning, National Development and Statistics. The Government Tender Board consists of appropriate technical personnel required to evaluate submissions and make pragmatic recommendations.

Furthermore, I would like to reiterate that the Ministry of Local Government has developed a new Finance Policy for the Councils, which sets out specific provisions on the procurement process. The Ministry of Local Government consults relevant stakeholders to ensure appropriate implementation of Development Projects.

The above response is submitted. Thank you.

ANNEXURE II

Reply to Written Question No. 87/2023 tabled by the honourable Minister for Health and Medical Services. (Ref. Page 1009)



**MINISTER FOR HEALTH AND MEDICAL SERVICES
(HONOURABLE DR. RATU ATONIO RABICI LALABALAVU)**

Response to the Question by Hon. P. Ravunawa is as follows:

As I have alluded in my Maiden Speech, the Ministry of Health and Medical Services needs well supported, appropriately remunerated and strong healthcare professionals.

Nurses

While more than 800 nurses resigned last year, a total of 206 nurses were recruited in November 2022 (this financial year 2022-2023). In addition, there is open advertisement for Registered Nurses positions whereby a registered nurse can apply for a post at any time. Under this process, we have managed to recruit 18 Registered Nurses. Another 162 Registered Nurses are expected to be recruited in May this year.

Doctors

A total of 150 medical interns were recruited in January of this year and today, 80 Medical Officers (MOs) have been recruited, with the remaining to be recruited as soon as they complete their internship.

Oral Health

There are a total of 205 oral health practitioners with another 25 to be recruited before the end of the 2022-2023 financial year which will bring the total to 230. There are many vacancies in Dental Hygienist positions which is due to the unavailability of graduates and the Fiji National University is currently reviewing their programme.

Allied Health

Allied Health professionals are involved in the delivery of health or related services pertaining to the identification, evaluation and prevention of diseases and disorders; dietary and nutrition services; rehabilitation and health systems management, among others.

We have a total of 717 established allied health workers, and we have recruited 558 more with 87 more posts yet to be filled during this financial year. Allied health professionals, to name a few, include Biomedical Engineers, Dieticians, Physiotherapists, Pharmacists, Medical Imaging Technologists, Laboratory Assistants and Environmental Health Officers.