

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

WEDNESDAY, 12TH MARCH, 2025

[CORRECTED COPY]

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WEDNESDAY, 12TH MARCH, 2025

The Parliament met at 9.37 a.m. pursuant to adjournment.

MR. SPEAKER took the Chair and read the Prayer.

PRESENT

All Members were present, except the honourable Minister for Lands and Mineral Resources and honourable S.S. Kirpal.

MINUTES

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

That the Minutes of the sitting of Parliament held on Tuesday, 11th March, 2025, 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.

COMMUNICATIONS FROM THE SPEAKER

Welcome

I welcome all honourable Members to today's sitting, and all those who are joining us in the gallery and those watching the live broadcast on television and the internet.

Visitors - International Secondary School

Honourable Members, today, we are joined by the Year 12 students and teachers of International Secondary School - welcome to Parliament.

(Acclamation)

It is a pleasure to have you here today and by being here, you are not only witnessing the heart of our democratic process but also taking an important step in understanding how decisions are made and shaped in this nation. I hope that this experience not only ignites your curiosity but also deepens your appreciation for the principles that guide democracy.

I understand that the composition of your class is what can be termed as a microcosm of the United Nations (UN) itself, representing not only Fiji, but other countries from our region and from all over the world. Amongst you are students from Cuba, China, Ethiopia, Italy, Uganda, France, Sri Lanka, New Caledonia, Australia, as well as our very own.

I assume your parents work in the Embassies and High Commissions that represent your countries here in Fiji, or work with the UN and its many agencies. They all help establish and foster friendly relations and cooperation with this Parliament, this Government and our people of Fiji. Once

again, welcome and enjoy your brief stint here in Parliament.

PRESENTATION OF REPORTS OF COMMITTEES

Consolidated Review Report – Fiji Independent Commission Against Corruption 2018-2020 Annual Reports

HON. L.S. QEREQERETABUA.- Mr. Speaker, the Standing Committee on Foreign Affairs and Defence hereby submits to Parliament the Consolidated Review Report of the Fiji Independent Commission Against Corruption 2018-2019 and 2019-2020 Annual Reports.

Before I go into my notes, Mr. Speaker, I would like to take this time to pay tribute to the late Dr. Moape Bavou, one of Fiji's most esteemed Physicians and who was lately the Head of Gynaecology at the CWM Hospital. To his family and to his loved ones, please, accept our deepest condolences.

Mr. Speaker, the Fiji Independent Commission Against Corruption (FICAC) was established in 2007 under the Fiji Independent Commission Against Corruption Act 2007 and continues to be in existence by virtue of Section 115 of the Constitution of the Republic of Fiji.

Mr. Speaker, Sir, FICAC was established to eradicate the prevalence of corruption and systematic abuse, and the misuse of public funds and office throughout the public sector. The Act gives FICAC investigatory, advisory and prosecutorial powers covering *inter alia* corruption, election, bribery and fraud-related offences.

The Committee was referred the Fiji Independent Commission Against Corruption 2018-2019 and 2019-2020 Annual Reports on 6th December, 2024. The Committee had called for a face-to-face public submission from FICAC on 22nd January, 2025. This session was broadcasted live on the Parliament *Facebook* page and aired on the Walesi Parliament Channel. The Report captures the trends in the various activities reported in the reporting period. The report contains four recommendations for consideration.

I wish to thank FICAC for compiling and submitting its Annual Reports from 2018-2020. I would like to express my gratitude to the FICAC Commissioner and her staff for their unwavering support during this review.

I also thank the members of the Standing Committee on Foreign Affairs and Defence for their efforts in compiling this bipartisan Report, as well as the secretariat, for their invaluable support.

On behalf of the Standing Committee on Foreign Affairs and Defence, I submit this Report to Parliament.

(Report submitted to the Secretary-General)

HON. L.S. QEREQERETABUA.- Mr. Speaker, pursuant to Standing Order 121(5), I hereby move:

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

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

MR. SPEAKER.- Parliament will now vote.

Question put.

Motion agreed to.

Review Report - Fiji National Sports Commission 2022-2023 Annual Report

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, this Committee was referred the Fiji National Sports Commission August 2022-July 2023 Annual Report on 2nd December, 2024. The referral of the Annual Report was done in accordance with Standing Orders 38(2), whereby the Committee was assigned to investigate the contents of the Report and provide a report to Parliament at a future sitting. While this Report is outside the usual mandate of this Committee, the referral was made to ease the workload of other Standing Committees.

The Fiji National Sports Council (FNSC) is the Fiji Government agency responsible for supporting and investing in sports. It was established in 2013 under the Fiji National Sports Commission Decree No. 5 of 2013 and operates in a corporate body governed by a Board of Commissioners appointed by the Minister for Sports.

The Fiji National Sports Commission Annual Report analyses the objectives and functions as set out in the Fiji Sports Commission Act 2013, looking at Key Performance Indicators (KPIs) and achievements. None of these could have been achieved without the assistance and partnership with their National Sports Organisations (NSOs), the Government, their international sports partners and their sporting communities throughout Fiji.

The Commission would continue to contribute, over the next 10 years, to the growth and development of sports in the country, the success of athletes, and to the health of the nation, but they cannot do this alone. Sports is all about teamwork and the Commission wishes to include all those who have partnered with them over the last 10 years, including the NSOs, the Government, their international partners and the community.

The Committee has 12 recommendations for consideration and on that note, I wish to thank the FNSC for compiling and submitting its Annual Report from August 2022-July 2023.

I would also like to thank the Members of the Standing Committee and the Secretariat especially, for compiling this bipartisan Report and their support during this process. I also wish to acknowledge the immense participation and contributions of honourable Joseph Nand and honourable Alipate Tuicolo, who both sat in as Alternate Members during the deliberation of this review report.

Mr. Speaker, Sir, I now submit this Report to Parliament.

(Report handed to the Secretary-General)

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, pursuant to Standing Orders 121(5), I hereby move:

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

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

MR. SPEAKER.- Parliament will now vote.

Question put.

Motion agreed to.

Consolidated Review Report - Levuka Town Council 2016-2017 Annual Report

HON. I.S. VANAWALU.- Mr. Speaker, Sir, I am pleased to present the Standing Committee on Social Affairs' Review Report of the Levuka Town Council 2016-2017 Annual Report. As mandated under Standing Order 109(2)(b), the Committee looks into issues related to health, education, social services, labour, aviation, culture and media.

The Committee reviewed the Annual Report and identified important issues which were then brought to the attention of the Levuka Town Council for their necessary action.

Mr. Speaker, Sir, the Committee also visited Levuka Town Council and identified a major concern - the town's heritage status. The Council requires funding to maintain the monumental heritage buildings within the municipality.

The Committee recognises the need for a solid collaboration between the Levuka Town Council, the Ministry of Local Government and the Department of Culture and Heritage to maintain the Levuka heritage status.

Mr. Speaker, Sir, furthermore, the Committee also witnessed the new Levuka Market, which was opened on 20th November, 2024, another revenue source for the Council.

I sincerely thank the Acting CEO and the Special Administrator of Levuka Town Council, his team and the Permanent Secretary of the Ministry of Local Government and her Officials for their valuable contributions to this review process.

Mr. Speaker, Sir, finally, I would like to thank the current and former Members of the Standing Committee on Social Affairs - the honourable Ratu Rakuira Vakalalabure, honourable Sashi Kiran, honourable Iowane Naivalurua, honourable Viam Pillay and honourable Parveen Bala, for their valuable input and support. I would also like to thank honourable Taito Matasawalevu, honourable Joseph Nand, honourable Alipate Tuicolo and honourable Shalen Kumar, for their assistance on several occasions as alternate Standing Committee Members.

On behalf of the Standing Committee on Social Affairs, I commend this Report to Parliament.

(Report handed to the Secretary-General)

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

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

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

MR. SPEAKER.- Parliament will now vote.

Question put.

Motion agreed to.

Consolidated Review Report – Nasinu Town Council 2011-2017 Annual Reports

HON. I. S. VANAWALU.- Mr. Speaker, Sir, I am pleased to present the Standing Committee on Social Affairs' Consolidated Review Report on the Nasinu Town Council 2011-2017 Annual Reports. As mandated under Standing Order 109(2)(b), the Committee looks into issues related to health, social services, labour, aviation, culture and media.

The Committee reviewed the Annual Reports and identified important issues, which were then brought to the attention of Nasinu Town Council for their necessary action.

Mr. Speaker, Sir, apart from its primary function of collecting rates and providing service to ratepayers, the Nasinu Town Council now faces many other challenges. These include the drug situation, the town security situation and the increase of informal settlements within the municipality.

The Committee is of the view that given the current situation, the Municipal Council must review its functions and operational procedures as a matter of urgency to address the serious issues within the municipality.

The Committee commends Nasinu Town Council's plans to make Nasinu a smart and sustainable city by 2030 and promote sustainable development in all projects and policies in alignment with the National Development Plan and Sustainable Development Goals. Furthermore, the Ministry of Local Government must guide and oversee the Council's operations, compliance, operational efficiency and effectiveness.

I would like to sincerely thank the Special Administrators, the Acting CEO of Nasinu Town Council and his team, the Permanent Secretary of the Ministry of Local Government and her Officials for their valuable contributions to this review process.

Finally, Mr Speaker, I would like to thank the current and former honourable Members of the Standing Committee on Social Affairs - honourable Ratu Rakuita Vakalalabure, honourable Sashi Kiran, honourable Iowane Naivalurua, honourable Viam Pillay and honourable Parveen Bala, for their valuable input and support. I would also like to thank honourable Taito Matasawalevu, honourable Joseph Nand, honourable Alipate Tuicolo and honourable Shalen Kumar, for their assistance on several occasions as alternate Standing Committee Members.

On behalf of the Standing Committee on Social Affairs, I commend this Report to Parliament.

(Report handed to the Secretary-General)

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

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

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

MR. SPEAKER.- Parliament will now vote.

Question put.

Motion agreed to.

ACCESS TO INFORMATION BILL 2025

HON. G.E. LEUNG.- Mr. Speaker, Sir, pursuant to Standing Order 51, I move:

That the –

- (a) Access to Information Bill 2025 (Bill No. 05/2025), be considered by Parliament without delay;
- (b) Bill must be pass through one stage at a single stage of Parliament;
- (c) Bill must be referred to the Standing Committee on Justice, Law and Human Rights;
- (d) Standing Committee on Justice, Law and Human Rights must table the report on the Bill in the April Sitting of Parliament; and
- (e) Bill must be debated and voted upon by Parliament in the April Sitting and that the right of reply be given to me as the Member moving this motion.

HON. RO F.Q. TUISAWAU.- Mr. Speaker, Sir, I beg to second the motion.

HON. G.E. LEUNG.- Mr. Speaker, Sir, I will defer speaking on this motion until the second reading, and I thank you for this opportunity.

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, I would like to take this opportunity to thank the honourable Attorney-General. I believe, last week, we had an informal discussion about the Bills coming under Standing Order 51 and being referred to the Committees. I thank the honourable Attorney-General for taking that on board and sending this Bill to the Committee.

I think it is very important that the Committee gets to review this kind of Bills and report back to Parliament, so everyone gets to contribute. On that note, once again, thank you honourable Attorney-General.

HON. G.E. LEUNG.- Mr. Speaker, Sir, the reference to the Committee will provide the Committee with an opportunity to have a full and informed discussion about the contents of the Bill and to suggest ways in which the Bill could be improved. We welcome that opportunity to have those discussions.

MR. SPEAKER.- Parliament will now vote.

Question put.

Motion agreed to.

AUDIT BILL 2024

[Mr. Speaker resumed his seat as Chairman of the Committee of the Whole House]

In Committee:

Clauses 1, 2, 3, 4 and 5 agreed to.

Clause 6

HON. A.A. MAHARAJ.- With regards to Clause 6, I would like to get a clarification on Clause 6(1)(f). We had a lengthy discussion on this Subclause. We do understand that the Office of the Auditor-General is an independent constitutional office and so is the Office of the Solicitor-General.

If you look at Subclause (1)(e), there is reference that the legal opinion can be sought by the Solicitor-General. The power is also given to the Auditor-General to seek legal advice from a private practitioner. Can we get some clarification on that whether the duplication is needed? On the other side, the Office of the Solicitor-General can only be audited by the Office of the Auditor-General (OAG). However, both are independent offices.

If we are restricting the audit to be undertaken by the OAG, on the other hand, should we continue to give them leeway or we seek private legal advice, or should it be restricted to the Office of the Solicitor-General? Once we get some feedback, then we can do an amendment, Mr. Chairman.

HON. PROF. B.C. PRASAD.- Mr. Chairman, there is absolutely no contradiction and no problem with that. The idea is that the OAG's 'independence', which is the key operative word there. Subclause (1)(f) provides the Auditor-General with that independence to seek additional legal advice from the private practice. In fact, it strengthens the independence of the OAG, Mr. Chairman, so there is no contradiction there.

MR. CHAIRMAN.- That is my understanding, honourable Maharaj.

HON. S.D. TURAGA.- Mr. Chairman, we may recall the incident on the RFMF Regimental Fund where the office had to seek opinion from outside. So, there are some situations where that will be required. I hope that clears the air.

HON. G.E. LEUNG.- Mr. Chairman, by way of clarification on Clauses 6(1)(e) and (f), Clause 6(f) reinforces the independence of the Auditor-General. There may be some limited circumstances not contemplated whereby the Solicitor-General is unable to dispense that independent legal advice. In that situation, Clause 6(1)(f) allows that elasticity for the Auditor-General to go outside the Office of the Solicitor-General. In my view, that strengthens the independence of the OAG but primarily, the first point of call for legal advice would be from the Solicitor-General.

MR. CHAIRMAN.- Honourable Maharaj, are you happy with the clarification?

HON. A.A. MAHARAJ.- Yes, Mr. Chairman.

MR. CHAIRMAN.- There have been no other comments, Parliament will now vote.

Question put.

Clause 6 agreed to.

Clauses 7, 8, 9, 10 and 11 agreed to.

Clause 12

HON. A.A. MAHARAJ.- Mr. Chairman, with regard to Clause 12(1), I would like to move:

That the words, “Public Accounts Committee” be inserted after the word “Parliament”.

HON. S.T. KOROILAVESAU.- I beg to second the motion.

HON. A.A. MAHARAJ.- Mr. Chairman, over a number of years since 2014, we have seen the Public Accounts Committee (PAC) evolve. When PAC started way back in 2014, we saw that there was a lot of backlog going back to 2000 and we were trying to play a catchup game. Even today, we are looking at reports that are five to six years old.

We want to see, Mr. Chairman, that in years to come, the PAC will play a vital role in becoming more proactive rather than reactive to the Auditor-General’s Report that is presented in Parliament. Honourable Members who were previously part of the PAC would agree that we need to have a more proactive approach because the recommendations that are coming from PAC can be factored into policies to ensure that public funds are utilised in an appropriate way and once things are done, then we try to, at least, scrutinise what has been done.

We play the catch-up game and we are dealing with reports that are a year old or the current reports. It would be wiser for PAC to instigate a special investigation at that stage when they are scrutinising the OAG’s audit report. That is the gist of it. Even the initial draft that was circulated had PAC.

Parliament is there, but we all know that when a report comes to Parliament, Parliament takes notes of the recommendations that are presented by the Standing Committees of Parliament. If we allow PAC to request OAG to carry out a special investigation at the Committee’s (not a Member’s) discretion, then we need to carry out some further investigation before we can bring that report back to Parliament.

We have noted when scrutinising a report that is 10 years old, staff had left the entities or agencies, and we do not get the records - records are missing. However, to proceed in future, a more proactive approach for PAC at Committee stage is to instigate these kinds of reports, rather than bringing it to Parliament.

Sometimes, when the report is presented to PAC and because of the workload, it takes the PAC two to three years to present that report and by that time, the person who was involved in such fraudulent cases had resigned and left the agency. It becomes very difficult. One such example was when the special investigation report on Housing Authority came to Parliament. It was way too old for us to even instigate something because by then, some of the staff who were involved had migrated and some had left Housing Authority. If we start dealing with the current reports, it would be very beneficial for PAC to get these kinds of investigations done and bring a much better report to Parliament which can be used by Government to develop policies for the future. That is the gist of the amendment.

HON. PROF. B.C. PRASAD.- Mr. Chairman, it is interesting to hear honourable Maharaj talking about the evolvement of the PAC. If anything, the PAC, under this Government and this Parliament, has evolved in a transparent way and in a way that it does its work. For eight years, they controlled the PAC, and they muzzled the way the PAC works.

It is very simple. This motion is not only silly but is illogical because when you talk about Parliament, the PAC is a committee of Parliament. Parliament refers the report to PAC. There is a terms of reference and PAC should do its work there.

If you look at the other sections on the powers of the Auditor-General, and for the first time,

we have a Clause in this Bill that we have just approved – the liability, after this Bill is passed, the OAG is truly going to become an independent institution. That is what this Bill is intended to do.

Mr. Chairman, I think it is completely unnecessary to add the words, “Standing Committee on Public Accounts” after the word, “Parliament”, because all these Committees are Committees of Parliament.

HON. M.D. BULITAVU.- Mr. Chairman, I would like to add to the debate. I am against the amendment proposed by honourable Maharaj. It is already provided in Standing Orders 110(1)(c), whereby the functions of the Standing Committee also allows them powers to scrutinise, inquire and investigate, and that permits the PAC to undertake that role. That is something I want to raise.

HON. A.A. MAHARAJ.- Mr. Chairman, it is interesting to see the former PAC Chairman labelling my recommendation as silly. Let me remind him that total independence will not be given to the OAG. Financial independence still has not been ticked. Every other aspect has been ticked, except for the financial independence which is yet to be ticked. Once it is ticked, only then can they get full independence.

HON. PROF. B.C. PRASAD.- It is there!

HON. A.A. MAHARAJ.- It is not there. We have taken this Bill around. It is the OAG and Pacific Association of Supreme Audit Institutions (PASAI) who have come on board to say that the full independence will not be there. Please, go and read the report. It is very funny to get a response from the former PAC Chairman that this is going to be silly.

MR. CHAIRMAN.- We will put the proposed amendment to vote.

Question on amendment put.

Motion was negatived.

MR. CHAIRMAN.- Parliament will vote on Clause 12.

Question put.

Clause 12 agreed to.

Clause 13

HON. P.D. KUMAR.- Mr. Chairman, I move:

That Clause 13(3) is amended to include “part (c) as “gender responsive auditing”.

HON. J. USAMATE.- I second the motion.

MR. CHAIRMAN.- Honourable Members, if you look at Clause 13(3):

“A performance audit may, without limitation include —

- (a) an environmental audit; or
- (b) an audit of a public entity’s information technology systems.

Honourable Kumar is asking for an amendment, to add “(c)” to say, “gender responsive auditing”.

HON. P.D. KUMAR.- Mr. Chairman, the Fijian Parliament uses gender mainstreaming as a key strategy to achieve SDG 5 which is on gender equality and empowerment of women and girls. Also, Standing Order 110(2) requires Committees to consider gender equality and ensure that the impact on both men and women is explored in all works of Parliament.

Recently, the Government introduced gender response planning and budgeting for all Ministries and Departments. The proposal that I am putting forward is to include gender responsive auditing as a critical tool to examine how public funds are allocated in a way that promotes gender equity and addresses gender-based issues.

Sir, if we are serious about inclusive development, I request that gender responsive auditing is included under Clause 13(3) as a new subclause (c). It will give information in terms of the budget that is given to various Ministries and Departments across the board and how that money is utilised in terms of promoting gender equality and addressing the gender gap that we see. That is my proposal, Sir.

HON. PROF. B.C. PRASAD.- Mr. Chairman, I thank the honourable Member for the motion. My simple response to the motion is that the mover has admitted that Government has gender budgeting, gender policy, and that is a requirement for all Standing Committees - to look at the Sustainable Development Goals (SDGs), particularly gender equality in parliamentary scrutiny.

In addition to that, gender audit can easily be accommodated under performance audit. If a Standing Committee is scrutinising a report of a particular ministry, they ought to look at the policies, the performance and the achievements within that ministry with respect to gender policy, et cetera. It can also be easily done as part of the performance audit because performance audit looks at various aspects of audit. One of the elements in the performance audit could be the use of resources for a specific gender-related objective.

Mr. Chairman, the Clause adequately covers for that, plus the gender equality in parliamentary scrutiny, gender budgeting and gender policies right across different Ministries, which is more than an adequate safeguard to ensure that resources are properly utilised where it is specifically meant for promoting gender equality.

HON. P.D. KUMAR.- Mr. Chairman, Sir, the explanation given by the honourable Minister for Finance does not make sense and I will tell you the reason. Clause 13 talks about performance audit, it talks about environmental audit and information technology system that can be audited. However, I fail to understand why gender response auditing cannot be included. I have also heard him say that the Standing Committee can scrutinise this aspect very well.

We have found that Annual Reports that come to Standing Committees which is also an issue that has been raised here in Parliament by different Chairpersons for different Committees is a shortfall in the type of reporting they do under SDGs. They are not able to report, and they are not able to give the data, et cetera.

Sir, if the budget is already allocated for gender-based work, why can we not audit that money that is spread across various Departments and Ministries, to ensure that it is utilised and there are some changes happening on the ground to narrow the gap between the two genders? That is the reason why I have proposed the inclusion of gender responsive auditing. It will also make it easier for the Government to have such data for their reporting purposes as well. Again, it will help the for

Committees to scrutinise the reports better when we have such information presented.

MR. CHAIRMAN.- I will now put the proposed amendment to vote.

Question on amendment put.

Motion was negatived.

MR. CHAIRMAN.- Parliament will vote on Clause 13.

Question put.

Clause 13 agreed to.

Clauses 14 and 15 agreed to.

MR. CHAIRMAN.- Honourable Members, I have been advised that this is the opportune moment to suspend our proceedings for our tea break. Parliament will resume in half an hour.

The Parliament adjourned at 10.33 a.m.

The Parliament resumed at 11.15 a.m.

Clause 16

HON. P.D. KUMAR.- Mr. Chairman, I move that:

Clause 16 of the Bill be amended to include a whistleblower provision.

HON. S.T. KOROILAVESAU.- I beg to second the motion.

HON. P.D. KUMAR.- Mr. Chairman, through my personal experience as a civil servant in different Ministries and even working as the head of an institution, I have realised that it is very difficult sometimes when you see things going wrong in an organisation and you cannot risk your job to report any fraudulent activity or something which is not going right. In that case, it will only help the Government.

It will help the people in protecting taxpayers' money if we have that provision where any civil servant who sees anything wrong, or even in a statutory body or any organisation for that matter, that they will be able to tip-off the Office of the Auditor-General (OAG) and basically guide them where that information is. That will help in auditing and protecting the State, as well as the taxpayers' money. I feel that it is important to include a whistleblower provision to protect such individuals who would like to assist the State in ensuring that the money is used for the purpose it is given. That is what I am proposing, Sir.

MR. CHAIRMAN.- I open the floor for any interventions.

HON. A.A. MAHARAJ.- Mr. Chairman, that is another point that was discussed at length at the Committee stage. I would like to concur with honourable Premila Kumar that there are civil servants who are willing to inform the OAG because when they actually do the audit, it is not an extensive audit that is carried out throughout the year. They take samples and they generalise their report according to the samples that are taken.

However, if we are looking at improving the system and improving the efficiency of the Civil Service, if there is a fraudulent case, et cetera, which should not be done at the Ministry level or any other Government agency, civil servants should be protected. If they want to go and lodge a complaint for an audit to be carried out or be a whistleblower to inform OAG that they need to focus on this point, they should be protected.

Currently, there is no protection. Civil servants are afraid of being victimised if their name comes out. Holistically, looking at the Government system, I think we should allow it, like what is allowed under the Fiji Revenue and Customs Service Act. Under the Act, if you are a whistle-blower, you are protected and there is a specific clause as well. It would be a very good idea to bring that Oclause into this Act as well, so that any whistleblower is protected.

HON. PROF. B.C. PRASAD.- Mr Chairman, whistleblowers have a role in organisations. As an independent office, the OAG has the powers - wide powers to work out the strategies and policies within the various provisions that are there for him or her to be able to see how effectively he or she can create that communication between different ministries and entities to get the information. Part of the work that OAG does is to establish that communication, and that is why there is that independence provided. I do not think it is a very good idea to include a whistleblower policy.

A whistleblower policy is usually the way to go. In terms of the guidelines and the policies

that the Auditor-General makes, there is nothing stopping the Auditor-General from having a whistleblower policy, similar to FRCS. If people have information, they can send it to FRCS, and they can then send it to the Auditor-General.

We get a lot of anonymous letters and complaints from people. Sometimes, it is false, sometimes it is fake, and I think in this day and age of social media, there is a lot of that. The Auditor-General, in my view, has the powers and the independence to make policy guidelines as to the way in which that office wants to communicate. I think it would be wrong to put a policy into the Act.

HON. A.A. MAHARAJ.- There was just one comment I was trying to pass to honourable Kumar for the right of reply that in the FRCS, it is part of the Act. The whistleblower is part of the Act. According to that, the policy was made, but it is part of the Act.

In this context, it is not there. If you look at the audit reports, the Auditor-General always asked why a particular audit was instigated in the first place. Without that protection, they will have to give the information out of where it was instigated and why they carried out that audit. That is always part of the audit report itself, on the clarification side. If you do not have that protection, the Auditor-General will have to state that.

HON. PROF. B.C. PRASAD.- Mr Chairman, I appreciate the point. I have no problems with the whistleblower policy, but we have to be careful also, and we have seen that. We do not want to create a law which makes independent institutions go haywire on certain aspects.

We have taken a lot of advice on good practices with the international supreme audit institutions, with various advisors, and this Act has taken quite a bit of time to get through. The issue about the whistleblower which has been brought to us, the advice and practice is that it is a policy. It gives the independence to the Auditor-General to devise and frame its own guidelines of receiving complaints. Otherwise, the OAG will be flooded with information, as it happens in other independent institutions. There is so much time spent responding to those when, in fact, a lot of them can be filtered through if they have proper policies and guidelines. It would be a good idea to leave it as a policy guideline and leave that to the independent authority of the Auditor-General to do that.

MR. CHAIRMAN.- If there are no further interventions, I now invite honourable Premila Kumar for her right of reply.

HON. P.D. KUMAR.- It seems that the honourable Minister is so defensive that he does not want to change anything in the Bill itself, while we are saying that they are an independent organisation, like FRCS, which has a provision on whistle blower policy. I am trying to explain that some of us sitting here have never worked as civil servants and there are others who have worked as civil servants, and they understand better of how the system operates.

When the Auditor-General comes in and conducts the audit, as the honourable Minister has explained, that is precisely what happens. There is a sample, they only collect that much of information but if you are able to guide them and say how payments were made to the chairman or how the payment was made to so and so, that helps the Auditor-General to dig the information and protect the State and protect taxpayers' money. That is all we are asking for, Mr. Chairman. We are trying to modernise the laws here. One way of doing it is through experiences and through other mechanisms so that our law can protect the very people who are trying to help the State. That is all I have to say.

Question on amendment put.

Motion was negatived.

MR. CHAIRMAN.- Parliament will vote on Clause 16.

Question put.

Clause 16 agreed to.

Clause 17 agreed to.

Clause 18

HON. A.A MAHARAJ.- Mr. Chairman, I move:

That Clause 18(1) be amended by inserting the words, “Public Accounts Committee” after the word, “Parliament”.

HON. S.T. KOROILAVESAU.- Mr. Chairman, I beg to second the motion.

HON. A.A. MAHARAJ.- Mr. Chairman, most of my explanation is linked to my initial amendment that I initially moved under Clause 12. That is to do with ‘follow the dollar’ principle. Most of the audit institutes are now moving on to ‘follow the dollar’. Wherever the taxpayers' money goes to, the Auditor-General should have the powers to go and audit those accounts.

One of the typical examples is the Parliament of Victoria. I believe they are one of our sister Parliaments whereby we go and obtain training. If we look at the audit institute over there, they have the same concept of ‘follow the dollar’. So, all other entities whereby Government is giving grants and public funds are being utilised. I believe the Standing Committee on Public Accounts is going to scrutinise. That has been the call all this while, that wherever public fund goes, they need to bring back a report and present to Parliament. That can then be scrutinised by a parliamentary committee, and in this case, it is going to be the Public Accounts Committee.

Having said that, we have even seen in the past that public funds are given to a particular entity for a particular policy, but whether that policy is effective, whether the money is being utilised in the way it should be, or not. At present, Parliament does not have any jurisdiction to investigate that but as promised by the Government two years ago, they would like to see these kinds of reports come into Parliament.

One of the contentious reports was Fiji Airways whereby we provide grant. They provide their annual report to Parliament for the Standing Committee to scrutinise and likewise, wherever the taxpayer money goes, those reports should be coming in.

As I have stated earlier, let PAC be proactive rather than reactive. If recent reports come in and they find that there needs to be an investigation done, or a performance audit carried out for the grant that has been given to a particular entity, PAC should have the powers to instigate. That is something different to the Standing Order that was quoted by honourable Bulitavu. These are audit reports, carried out by professionals who specialise in auditing. Investigations that can be carried out by PAC is done by the Committee or by the Sub-Committee which consist of Members of Parliament, and sometimes we are not the experts. We can get the OAG involved to carry out this investigation, to get a proper report, and then present a report back to Parliament.

MR. CHAIRMAN.- I open the floor for any intervention.

HON. S.D. TURAGA.- Mr. Chairman, under Standing Order 12(2), a Standing Committee has the same powers as those of the High Court, so the powers are there, wide powers. It needs to be exercised by the Standing Committee. You may not have exercised them before. There is really no need to amend the current draft, in my opinion.

HON. PROF. B.C. PRASAD.- Mr. Chairman, unfortunately, the argument by honourable Maharaj is a bit jumbled because I think the same issue is in Clause 12. He is also trying to confuse the separation of powers.

There are things that the OAG would do as an independent institution with respect to what is happening in different ministries and entities, and the report is independently brought to Parliament which then goes to PAC. As the honourable Minister for Justice has pointed out, like any other Standing Committee, PAC has the powers of the High Court and has the powers to summon people. It has the powers to ask for information that maybe relevant to further assess what is in the Auditor-General's report.

The experience of PAC over the previous two Parliaments was very restricted. There was a lot of fear by those who chaired after me and those who were members of the Committee. That is a fact. It is interesting that honourable Maharaj mentioned Fiji Airways. For eight years while we were sitting on the other side, Mr Chairman, we kept asking for Fiji Airways to present its report to Parliament because Government is a majority shareholder. Government does not give grant directly, but Government still has so, we as a government, made sure that the report is finally presented to Parliament, and the PAC will now have the opportunity to do so.

Mr. Chairman, in view of the things that I have said and the powers of the Standing Committee, I do not think that amendment is necessary and will not add any value.

HON. A.A. MAHARAJ.- Mr. Chairman, for the information of the honourable Minister, the Fiji Airways report has not come to PAC but has gone to some other Committee.

HON. PROF. B.C. PRASAD.- It is up to the Speaker, but the fact is, after eight years of us constantly hammering the point, the report is then presented to Parliament. It is this Government that did that.

MR. CHAIRMAN.- Honourable Maharaj, you have the floor, you are exercising your right of reply now.

HON. A.A. MAHARAJ.- Mr. Chairman, I was commenting on a straight point by the honourable Minister and I am saying that it has not come to PAC. We do not need an explanation on that.

Mr. Chairman, Sir, as I have said, it is about the principle of following the dollar. We are talking about the integrity of Parliament. We say that Parliament is allowed and that will not hinder the independence of the OAG. As soon as we talk about the Standing Order Committee, I do not understand how that is going to affect or hinder the independence of the OAG because both are in Parliament and PAC is part of Parliament. The argument about one hindering the independence and the other not hindering the independence is quite funny, at this point in time, but I rest my case here, Sir.

MR. CHAIRMAN.- Thank you for that closing remarks.

Question on amendment put.

Motion was negatived.

MR. CHAIRMAN.- Parliament will vote on Clause 18.

Question put.

Clause 18 agreed to.

Clauses 19, 20, 21, 22 and 23 agreed to.

Clause 24

HON. P. D. KUMAR.- Mr. Chairman, Sir, I move:

That a new Clause be created after Clause 24 to include appeals.

HON. J. USAMATE.- I second the motion, Sir.

HON. P. D. KUMAR.- Mr. Chairman, to improve any legislation, it is important to first identify the gaps, and there is no better way to do that than by reflecting on real experiences with the OAG.

Mr. Chairman, Sir, let me share my experience. When I was the Minister for Housing, the Housing Authority engaged the OAG for a special investigation into allotment of lots and tender processes from 2010 to 2020. We had high expectations, but the investigation raised serious concerns about the capacity and integrity of the processes.

The first point is the Terms of Reference was not fully delivered. We specifically requested independent verification of applicants' income and property ownership through agencies such as FRCS, FNPF and Titles Office, that was not done. Instead, the OAG reported that they were unable to obtain confirmation from those institutions. How can we trust an audit if key aspects of the investigation was not verified?

The second point is the conflict of interest within the OAG. We discovered that some staff who were conducting the audits had acquired lots from Housing Authority. Mr. Chairman, how can we accept audit findings when those who are auditing are also beneficiaries of the very system they are supposed to scrutinise?

The third point is the lack of accountability from the OAG. When these issues were raised in writing and in a face-to-face meeting, there was no response. Nothing! Not a single letter of ours was attached to the report either which was presented in Parliament! Mr. Chairman, if audited entities have no recourse, when the OAG fails to deliver, where is the accountability?

Mr. Chairman, this brings me to the major gap in the Bill. There is no provision for appeal or grievance redress. I raised that is because the OAG do not do this work for free, there is money involved. The Housing Authority had to pay for this special investigation but at the end of the day, the product they delivered was not fit for purpose. It did not meet the terms of reference. Where can a government agency or organisation or statutory body go if they believe an audit was flawed or unfair? Clause 9 of this Bill gives legal protection to the Auditor-General and staff, but where is the protection for those on the receiving end of the results or audits? We have seen that there is a tax tribunal or appeals, but where is a similar mechanism in this Bill?

Mr. Chairman, this is my motion and my explanation as to why I am suggesting the inclusion of the word, “appeal”. If “appeal” is not the right word, then perhaps the honourable Minister can explain from the Bill itself that if someone is caught up in that situation, how can that be addressed.

HON. M.S.N. KAMIKAMICA.- Mr. Chairman, I thank honourable Premila Kumar for the questions. I think an audit is one that has to be independent, so when they issue their findings, that is it. That has been done from time immemorial, not only in the OAG but on other offices.

Mr. Chairman, from a practical perspective, when findings are made in an audit, those findings are shared with the person being audited, and they have an opportunity to explain their side of things. That is all happening in the audit process. Based on the findings or the information received by the OAG, they will decide whether independently, the information is adequate or sufficient to mitigate the finding. In some cases, they drop the finding or whether in their view, the information still requires it to be disclosed in some manner or form. That can be disclosed as a serious finding or be downgraded to a medium or low finding.

Mr. Chairman, that is what happens in practice. There is no appeal when the auditor makes a finding.

HON. P.D. KUMAR.- Special investigation.

HON. M.S.N. KAMIKAMICA.- That can be requested later, it is your right, if you want to follow that up, but from the pure point of independence, you cannot be seen to be contradicting the findings of the auditor. That is why they are independent institutions. They need to make their findings separately.

Mr. Chairman, I thought I should share that from a practical perspective, to give some clarity on what happens in practice.

HON. J. USAMATE.- Mr. Chairman, what the honourable Deputy Prime Minister has explained is the theoretical way that is supposed to happen. However, honourable Premila Kumar has shown that the way that it is supposed to happen did not happen in that case because the people who were involved in the audit were themselves at fault. For us in this Parliament, we need to make sure that, that happens when the so-called independent audit is not independent, because people involved are at fault. There must be a mechanism where this thing can be brought to the surface and be dealt with. That is why, I support the motion that has been made by honourable Premila Kumar.

HON. PROF. B.C. PRASAD.- Mr. Chairman, I have some sympathy with what honourable Premila Kumar is saying, but the problem with that motion, including that Bill’s provision in Clause 23 covers the principles and procedures or procedural fairness in relation to the Audit Report.

However, the point that the honourable Deputy Prime Minister and Minister for Trade, Cooperatives and Small and Medium Enterprises and Communications made about the independence of the audit institution, there are a lot of independent institutions where things go wrong, where you have conflict of interest, lack of accountability, and there are independent institutions right here with us in this country who have that issue.

However, the example that honourable Premila Kumar provided, Mr. Chairman, with respect to Housing Authority could be directed towards other kinds of investigation. If there was fraud, abuse of office, if it was financial audit, procedural, but you cannot question the independence because you do not like a particular report. That is something that you must protect, but in practice, things can go wrong in independent institutions as well. Independent institutions themselves become

corrupt. There are examples in many countries where independent institutions have been investigated themselves because of that.

I take your point but including it here would somewhat compromise the independence of the institution. We know what happened to the OAG previously under previous Ministers and Attorney-General. The Auditor-General was removed, some Permanent Secretary refused to give information, and they were protected by the Government. So, all those things can happen.

If you put the appeal clause there, then you could end up with endless processes, appeals that can compromise the independence of the OAG. What you were saying could be handled through other investigations and Housing Authority, for example, should have got an independent audit done to find out exactly what was happening if there was an issue with the Auditor-General's Report.

HON. A.A. MAHARAJ.- Mr. Chairman, while going through the scrutiny of this Bill, we also found out something that can be considered by the Government in future about the disciplinary process. We have certain independent institutions that are governed by boards or commissions. I will give an example.

The Fijian Competition and Consumer Commission (FCCC) is an independent institution, but they have their own board. The Fijian Elections Office, they have the Electoral Commission, and even for the Judiciary, we have the Judicial Services Commission. However, when it comes to the Auditor-General and the other one is the Fiji Independent Commission Against Corruption (FICAC), we do not have any boards or commissions sitting on top of the Commissioners who can address the issues faced by a particular person or agency. That is presently the scenario. How that can be addressed is something that we need to further look into as to how it is done in other jurisdictions. It may or may not be feasible to incorporate one line in the Act, but we need to do a case study whereby we see this independent institution, if it goes corrupt, where can we take their issues forward to address?

The issue will continue unless and until we have some kind of board or commission that governs. We can even have the Constitutional Offices Commission to address that for that matter because they are the appointing authority for them, but where? We cannot say where it needs to go, but we need to have some sort of structure whereby people can go and lodge an appeal. Thank you, Mr. Chairman.

HON. M.D. BULITAVU.- Mr. Chairman, Clause 23 should remain, given the procedural fairness, as it provides an opportunity for whoever is mentioned in the findings to be given a reasonable opportunity. That is in....

MR. CHAIRMAN.- Honourable Bulitavu, we are talking about Clause 24.

HON. M.D. BULITAVU.- Yes, Clause 24.

MR. CHAIRMAN.- There is no argument on Clause 23.

HON. M.D. BULITAVU.- Mr. Chairman, I think there is sufficient provision in the Clauses that we do not need any new clause to be inserted, in terms of an appeal, because that is already in the current form of the Bill.

Also, honourable Premila Kumar has failed to provide further evidence from other jurisdictions where you have an independent body, such as OAG, the appeals process. Even with the finding, that will assist the PAC into making other decisions and other referrals to other agencies

where criminality will be involved. I do not support the motion that is before the floor.

MR. CHAIRMAN.- I give the floor back to honourable Kumar for the right of reply.

HON. P.D. KUMAR.- Mr. Chairman, it is quite interesting listening to the Government side, how they are trying to evade a real problem that needs to be addressed. I have heard from the honourable Deputy Prime Minister and Minister for Trade, Co-operatives and Small and Medium Enterprises and Communications whereby he mentioned the normal audit process, which is very well known, and how it should be done.

Mr. Chairman, I was making reference to 'special audit'. There was a provision for special audit and the special audit was paid for. It is more of a client and service provider relationship. If you do not trust your Auditor-General, whom do you trust? The money was paid to the Auditor-General to undertake the special investigation and whatever I had raised earlier on, the OAG failed to deliver. Where do you go with your grievances? How do you hold them accountable?

That was what I was trying to raise, but it seems that we just want to put this issue under the carpet, ignore it! Perhaps, we can, and then we wait for another issue like that and then we continue our life as usual. Thank you, Mr. Chairman

HON. PROF. B.C. PRASAD.- Mr. Chairman, if I can just respond to that. I mean, this is a committee, so can we speak twice?

MR. CHAIRMAN.- Yes.

HON. P.D. KUMAR.- That was the Right of Reply.

MR. CHAIRMAN.- I think, I will give you a Right of Reply afterwards, if you wish.

HON. PROF. B.C. PRASAD.- No, this is at Committee stage, we can speak more than twice.

(Honourable Member interjects)

MR. CHAIRMAN.- Order!

HON. PROF. B.C. PRASAD.- Mr. Chairman, honourable Kumar is confused again. I am not sure whether she raised her concerns when she was there as Minister with the previous Auditor-General, when the investigation was done in 2020, I do not know. However, the idea that honourable Maharaj compared the OAG with other independent institutions where they have commissioners and boards, the history of the OAG and its central accountability process in any public institution historically started in England in the 1800s, which is the independence of the office.

Independent institutions, as I have said earlier, have problems. There are laws that deal with them. I am not sure what honourable Kumar means by, "we are sweeping under the carpet." Mr. Chairman, if you look at all the Clauses, the financial independence, the liability clause, all those are modernising the OAG, its independence and its ability. We are giving the OAG, through this law and through this amendment, the teeth, the power and the independence to do that.

We are talking about special investigations and because she had problems with the special investigations, she thinks that we should have an appeals process in an institution which is historically not known to have all those difficult provisions where their independence is compromised.

As I had explained, if you have an appeals process, you are questioning the independence of the institution itself. If you want to have other investigations, there are other processes that you could follow, especially if you are talking about Housing Authority. I do not see a point or logic of including something like that, Mr. Chairman.

MR. CHAIRMAN.- Yes, that is for clarification. When we are talking about Right of Reply, honourable Minister, it is quite correct. This is a Committee meeting, so we are not strictly bound by the rules from above there. Even if I had asked for honourable Kumar's Right of Reply and there is clarification afterwards, we can go back and revisit that for the benefit of the Members to understand.

HON. A.A. MAHARAJ.- Mr. Chairman, just for the information of the honourable Members, and I think this week, or last week in the Parliament, we were asked to use artificial intelligence (AI). After listening to the honourable Minister, I just learned something, and this is what came up. Who governs the Office of the Auditor-General in England?

The Office of the Auditor-General and the National Audit Office (NAO) in England are governed by a Parliamentary Committee called Public Accounts Committee, overseeing the NAO's work and see an AG's action as the head of the NAO. So here, Mr. Chairman, when I was just saying to give powers to PAC to work with the Office of Auditor-General, so that they can carry out investigations on behalf of PAC in Fiji, and we are following the Westminster system. We have adopted the Westminster system, though we are a hybrid mode, but it came out from England, and in England itself, the Public Accounts Committee which...

HON. PROF. B.C. PRASAD.- Powers are given by Parliament.

HON. A.A. MAHARAJ.- That is what I had said, we have to look at other jurisdictions as to how it is happening, and we can implement that in our own Parliament as well. We do not have to be rigid about it, that it cannot happen. We were just told it is not happening anywhere, but we have an AI-generated answer here, as requested by the Deputy Prime Minister and Minister for Trade, Co-operatives and Micro, Small and Medium Enterprises and Communications, for us to use AI, and that is exactly what came up, Mr. Chairman. So, for the information of the honourable Members on the other side, I only wanted to say that.

HON. I.B. SERUIRATU.- Mr. Chairman, perhaps, I want to say that this is all about accountability. I have raised this in my response to His Excellency, the President's Address last year, and again this year. One of the difficult questions that we keep raising is, how independent are these independent institutions? I am worried about the explanation given by the Deputy Prime Minister and Minister for Trade, Co-operatives and Micro, Small and Medium Enterprises and Communications.

Mr. Chairman, those independent institutions must be strengthened to give them that operational independence in the conduct of their role, but that does not mean that they are not accountable to anyone. They have that operational independence, but we see the issues that are happening in Fiji today, "Oh, they are independent institutions, and I cannot touch them!" How independent are they? They are still accountable, and the Government must take responsibility.

Mr. Chairman, if it is a Committee of Parliament, then it must answer to Parliament, because accountability is the main issue here. There are institutional mechanisms, and I think for us in terms of way forward, in terms of particularly on the role of Parliament, oversight, scrutiny and strengthening governance. These are essential issues we need to address. It is time that we confront it and make decisions accordingly because it will help us in the generations to come and, of course,

help those who are in the respective offices as well, Mr. Chairman.

I am worried when these independent institutions are not answerable to anyone. Accountability involves the ways in which public officials and that includes Member of this Parliament, Permanent Secretaries, Ministers, all public sector bodies, they are able to be called to account, to answer for their actions! Effective accountability is a central pillar of democratic good governance!

HON. J. USAMATE.- Hear, hear!

HON. I.B. SERUIRATU.- So, in the absence of effective accountability mechanisms, Mr. Chairman, the people are unable to ensure that Government acts wisely, lawfully and fairly in servicing their interest. So, I hope that as we debate on these issues, if we can take this seriously, so that we strengthen the governance systems for a sustainable and more effective and efficient democratic governance.

HON. P.D. KUMAR.- One clarification, Mr. Chairman, I need to provide to the honourable Minister for Finance when he said, “we do not know what issues she had with Housing Authority.” There was no issue, Mr. Chairman.

The point was that, how he decided to undertake a special investigation, is because there is a provision where government institutions, statutory bodies can use the Office of the Auditor-General to undertake special investigations for which one has to pay a fee. Simple as that, and the reason why the Office of the Auditor-General was used and no other private company is because it would be easy for them to get the verification done whether someone owned a property before, getting another plot from Housing Authority.

What was their income level? Did they have \$50,000 and below to get a plot or they had \$100,000 and they got a plot? Because, this was a special investigation that we had to establish initially, and this is the point that I want to raise, it has happened with Housing Authority, it can happen with any other statutory body who will engage the Office of Auditor-General to undertake special investigations because of their privilege, or you can say the powers they have where they can get the information from various other organisations.

That was the point I was trying to raise, and I do not agree because as an independent institution, they should be given so much powers that no one can question them. We need to have checks and balances, and everyone should be accountable and so should any other institution who have unchecked powers and that is the only way we can improve the system. The only reason why I raised this, so that in future, if we are not able to do it through this Bill, maybe they can consider some other mechanism as Parliamentarians sitting here, so that we can come up with a system, to hold some of these institutions who are independent with unchecked powers, to be accountable. That is all I have to say, Mr. Chairman.

MR. CHAIRMAN.- Parliament will now vote on the amendment.

Question on amendment put.

Motion was negatived.

MR. CHAIRMAN.- Parliament will vote on Clause 24.

Question put.

Clause 24 agreed to.

Clause 25

MR. CHAIRMAN.- The floor is now open for comments on Clause 25.

HON. A.A. MAHARAJ.- Thank you, Mr. Chairman, this will be the last one from my side. We have been talking a lot about independence, giving independence to the Office of Auditor-General, no political interference, no Executive interference. If you look at Regulation 25(1), initially in the initial draft, it was the Minister who makes regulations. On one side, we are actually saying, let us keep that independent institution as independent as possible, and now we were suggested that the Minister may make regulations.

Again, Mr. Chairman, if we look at Parliament in England, the regulations are passed by the Public Accounts Committee. If we want to give independence, let us give them the full independence. On one side, we are talking about the independence of the institution and then we are allowing the Minister to make regulations. How independent is that institution going to be, if there is Executive interference in making the regulations?

(Honourable Members interject)

HON. A.A. MAHARAJ.- Yes, just a while ago, you people were actually saying let us give independence and everything! It is an argument point over here. Again, a point for the Government to take on board and consider at a later stage, because this is a practice where the Public Accounts Committee in Parliament where we have adopted the Westminster system is following, so there is nothing stopping us to implement those processes in Fiji as well to give the full independence.

I have already stated that the full independence has not been given to the Office of the Auditor-General, as the financial independence box is yet to be ticked! And this is another one. If you want to give full independence, give it to one of the Parliamentary Committees for them to make regulations in conjunction with the Office of the Auditor-General. That is all, Mr. Chairman.

HON. PROF. B.C. PRASAD.- Thank you, Mr. Chairman. I think honourable Maharaj has an exaggerated sense of independence of the Office of the Auditor-General. I have no issues. I think there is always room to learn from other institutions. As I said, historically, audit institutions came out of England and there are practices, but the arrangement and the setup is quite different than what we have here.

Mr. Chairman, just on that, if you look at Clause 25(1), it says the Minister may, in consultation with the Office of the Auditor-General, make regulations to prescribe matters that are required or permitted by this Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Act and generally for achieving the purposes of this Act. So, in a sense, the Minister responsible is a facilitating arm of the Government. At the end of the day, when the reports come out, honourable Maharaj, it goes to the Public Accounts Committee. The Public Accounts Committee can call for special investigations, can call for special reports, can summon people to appear before it, can order, if people do not appear because you have powers of the High Court.

I think reading that, in fact, you might say that the Public Accounts Committee is a political entity. You know, if you exaggerate that sense of independence and audit, you know, you have...

HON. J. USAMATE.- Hogwash!

HON. PROF. B.C. PRASAD.- You are the biggest hogwash!

(Laughter)

HON. PROF. B.C. PRASAD.- All you say is hogwash! You can hogwash all your way in Opposition, honourable Usamate.

The point I am making, Mr. Chairman, is, I think honourable Maharaj has a point in giving those examples. But what I am saying is, there are provisions, the powers of the Public Accounts Committee is quite extensive. If you feel that there are provisions here, particularly the regulations, if it is made by the Minister, according to the Act, then the Public Accounts Committee has the ultimate authority there, which is given to the Public Accounts Committee by Parliament. The Auditor-General is accountable to Parliament and to the people through Parliament. And the Public Accounts Committee is an extension, an institutional arrangement within the Parliamentary process to do that. Thank you, Mr. Chairman.

MR. CHAIRMAN.- I have said by convention, honourable Maharaj, the Minister is always the one who makes regulations, under any Act. Even though, it is totally under his hands, an instruction normally come from relevant authorities. So, ultimately, the Minister is responsible to Parliament, and that is why you will find in all the legislations, that the Minister at the end, has the power to make regulations. For clarification, it was only a suggestion anyway.

Parliament will now vote on the amendment to Clause 25.

Question on amendment put.

Motion was negative.

MR. CHAIRMAN.- Parliament will vote on Clause 25.

Question put.

Clause 25 agreed to.

Clauses 26 and 27 agreed to.

[Mr. Speaker resumed his seat in the Chamber]

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, pursuant to Standing Order 88, I move:

That the Audit Bill 2024 (Bill No. 17/2024), be read a third time and do pass.

HON. RO F.Q. TUISAWAU.- I beg to second the motion.

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, this is an important Bill and as I have said, this Bill incorporates the provisions in the 2013 Constitution. Therefore, we seek to repeal the Audit Act 1969 and provide for standardised provisions in line with the Constitution. But more importantly, Mr. Speaker, Sir, aligned to international standards and best practises through this Bill.

We have gone through the various Clauses of the Bill. We have had interesting discussions, we have had the Committee look at this very carefully and the various parts of the Bill, particularly

the audits, reports and miscellaneous aspects of the Bill, but more importantly the reason why this Bill ought to be passed is that it modernises the Office of the Auditor-General.

Honourable Maharaj raised the issue about financial independence. I think Clause 3(4) and (5) provides the financial independence which says very clearly, and I quote:

“(4) ... the Office of the Auditor-General may determine the expenditure of such funds in the manner as the Auditor-General thinks fit.

(5) The Auditor-General has the authority to employ staff and engage contractors...”

It is a one-line budget that Parliament approves and the Auditor-General has complete independence on the usage and management of those funds.

Mr. Speaker, Sir, as I have said, the principles behind this Bill that have been strengthened is the financial independence which includes the powers given to the Auditor-General and the protection of the Auditor-General and the staff.

Additionally, Mr. Speaker, Sir, the international best practices and according to the International Organization of Supreme Audit Institutions (INTOSAI), OAG's independence as the supreme audit institution can be ensured only if the heads are given appointments, re-appointments with sufficiently long time. I think this is already part of the process that we have had with the Constitutional Offices Commission (COC) in consultation with the Ministry responsible for Finance appointed the Auditor-General. There are other best practises that we have included in this Bill.

Mr. Speaker, Sir, the amendment or the Audit Bill 2024 is a huge improvement. The last amendment was in March 2006, so it has been a while before this has been looked at. Times have changed, there are new imperatives that come into auditing in terms of Government finances, value for money, accountability and transparency in the use of government or taxpayer funds.

Mr. Speaker, Sir, it is also a timely Bill because it gives confidence to all our partners, our investors, our international partners, whether you talk about World Bank, ADB and all our development partners. I think the passing of this Bill will send a very important signal for all those partners and I think this is a very important step. I want to say that the discussions we have had were very good and I commend the Bill to Parliament.

MR. SPEAKER.- The floor is now open for debate on the motion. I do not have a list. Honourable Members, the debate must be on whether the Bill should be passed, not the content.

HON. J. USAMATE.- Mr. Speaker, Sir, I would like to thank the honourable Deputy Prime Minister. We will support this Bill; we only hope that he had listened to the suggestions that we have made.

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, on this Third Reading of this Bill, I think it is important for us, as the Public Accounts Committee, to thank certain stakeholders who were part of the scrutiny of the Bill itself.

Firstly, I would like to recognise the contribution of the previous Auditor-General, Mr. Ajay Kumar. I think it was his initiation in 2018 that brought in amendments and because of COVID, it lapsed for a number of years. But they have been pushing for the Bill to be amended so that it can be modernised in such a way so that it is applicable in this era.

Knowing very well that technology is speeding up and the way they used to do audit was becoming a bit difficult for them running everything on manual basis, the current Auditor-General, Ms. Finau Nagera and her team, were with us throughout the consultation, giving us the advice we needed at that point in time. The Members of the Public Accounts Committee led by its Chairman, honourable Esrom Immanuel, honourable Sakiusa Tubuna, honourable Josaia Vocea, honourable Naisa Tuinaceva and, I; and the legal drafters from the Office of the Solicitor-General, who went ahead doing the changes that were requested by the Committee.

Mr. Speaker, Sir, if you look at this Bill, the number of changes that were made clearly showed the bipartisan approach that was taken by the Committee. This is one of the reasons I have always been vocal in Parliament, even under Standing Orders 51, we need to send Bills to the Committees even for a month to have a look at it. No one is perfect. Even if rushed under Standing Order 51, how many changes made to the Bill would not have been made at that point in time. This is the importance of having Committees and sending the Bills to the Committees.

Mr. Speaker, Sir, to the checklist again, on financial independence, I know the honourable Minister of Finance had read out two Clauses. But this is what we were told by PASAI, that their financial independence should only come if the budget is approved by Parliament, not by the Minister for Finance, because they are auditing a particular entity.

(Honourable Member interjects)

HON. A.A. MAHARAJ.- This is by PASAI, I am not saying that it is in the report. Unless and until it is moved from the Ministry of Finance to Parliament to approve their budget, that checkbox will not be ticked. That is something that we need to look into if we want to give full independence.

One good thing that this Bill will now allow is for the Office of Auditor-General to audit public entities where taxpayers' fund is going to, so any place where we are giving grants. This was confirmed by the Office of the Solicitor-General, as well as by the Auditor-General, that now they will have access to go and carry out performance audits to see how the taxpayers' fund is used.

Once again, I would like to thank all honourable Members who have contributed during the Second Reading, when we sat as a committee, as well as those who contributed during the Third Reading.

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, Sir, I do not intend to keep the House for too long, but I thought that in this Third Reading, I would just make a very brief contribution. Firstly, I would like to congratulate the honourable Deputy Prime Minister and Minister of Finance for bringing this Bill to a conclusion. This is for the public and the people of Fiji, just to know that we are fixing the problems that we have inherited. If there is any doubt on that side of the House, know today, that it is starting.

Mr. Speaker, Sir, it is very interesting to listen to the other side of the House. They almost made an about- turn. The honourable Deputy Prime Minister mentioned that the former Auditor-General that honourable Maharaj just congratulated, was sacked by them. Then on an about-turn, they are demanding more accountability. All I say to them is, hold off, we will set the pace from here, and change some of the things you failed to change.

HON. J. USAMATE.- Hogwash!

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, Sir, as mentioned by the honourable Deputy Prime Minister, 2006 or 2008 was the last amendment. What this Bill does is, it elevates the Office of the Auditor-General to a different level. It elevates it with genuine independence, I must emphasise that. You cannot go and change the decision of the Auditor-General just because you do not like it. That is what I am hearing from the other side of the House. Just because you do not like the decision, “Oh, we need to go and appeal somewhere.” Sadly, the real world does not work like that, Mr. Speaker, Sir, and a proper democracy does not work like that.

This Bill is quite transformative in a way. It elevates the independence of this office. It allows that it is resourced properly. I do take on the point about honourable Maharaj saying about the independence of resourcing, but at the end of the day, this House approves the budget of the Office of the Auditor-General by Committee. So, what he is saying is not quite correct. We are approving that budget in the House.

Mr. Speaker, Sir, the other point I would like to make is a broader sort of narrative to attribute to this side of the House. One of the things that has been a challenge with the other side of the House is poor governance, and it is littered everywhere. You can look anywhere, you flick a page up, you will see lack of governance here and there; everywhere.

What this Audit Bill is doing, and subsequent Bills, the two Bills that the honourable Attorney-General is doing, is elevating the standards of governance in this country. We accept the mess that the other side has created. Nowadays, they accepted that they had a mess because they are now trying to say how we can fix the mess that they gave us. Mr. Speaker, this side of the House is fixing the mess that we were handed and at the same time, raising the standards of governance in this country.

The two Bills that the honourable Attorney-General tabled, when were they first created? In 2013. They were brought in by that same Constitution that they brought in and what did they do, Mr. Speaker? Absolutely zero. They parked it. Why? Because it was poking their conscience, because of governance issues and so, Mr. Speaker...

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

HON. M.S.N. KAMIKAMICA.- What is your Point of Order?

HON. F.S. KOYA.- You are asking me for a number?

MR. SPEAKER.- Proceed, honourable Koya. Do not address anyone, you address me.

HON. F.S. KOYA.- Point of Order, Mr. Speaker. Standing Order 60(1) and I will read it for reference, Sir, if I may, and I quote:

“Speech must be relevant

When speaking, members must confine their observations to the subject under consideration.”

Sometimes we understand when the honourable Minister needs to go off and get his hot air out of him. The point here, Sir, is, there is a Bill under consideration, it is being agreed to. Speak on the Bill, stop talking about the past and complaining about the past and saying we did not do that, we did not do this. Sir, relevance. That is all I am saying, relevance.

MR. SPEAKER.- Honourable Deputy Prime Minister, can you confine your remarks to the Bill before the House?

HON. M.S.N. KAMIKAMICA.- Thank you, Mr. Speaker. Like I said, we are elevating the governance levels in this country and that is quite relevant in terms of the overall context of where we want to move this country. I support this Bill, Mr. Speaker. It is transformative and to the people of Fiji, there is more to come.

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, I will be very brief. I think we have had very good discussion already and I think the rationale for passing this Bill has already been supported by the other side. I also want to take this opportunity to thank the Committee for an extensive consultation.

We have, of course, a very qualified and experienced Auditor-General now, Ms. Finau Nagera, the first woman ever in the history of this country to hold the position of Auditor-General. I want to thank my Permanent Secretary, Mr. Shiri Gounder, for his leadership. In fact, Mr. Speaker, Sir, he has been driving a lot of the reforms that we have done in the last two years in partnership with international organisations. We have a very competent excellent team within the Ministry of Finance, which has allowed us to bring all these amendments to Bills and many other reforms that we have done.

I think, as very clearly stated by the honourable Deputy Prime Minister Deputy Prime Minister and Minister for Trade, Co-operatives and Micro, Small and Medium Enterprises and Communications that if you look at our record in the last two years, in terms of transparency, governance, following the rule of law, making laws to strengthen institutions, this would be a record in terms of a course correction that we have done, as opposed to you might have seen over the last so many years. I want to say ‘thank you’ to everyone on this side, and now we have some of our colleagues on the other side, for their support in doing this.

With those words, Mr. Speaker, Sir, I commend the Bill to Parliament.

MR. SPEAKER.- Parliament will now vote.

Question put.

Motion agreed to.

The House resumed

Bill reported without amendments, read a third time and passed. (Act No. of 2025)

MR. SPEAKER.- Honourable Members, at this point, we will suspend proceedings for lunch and Parliament will resume at 2.30 p.m.

The Parliament adjourned at 12.41 p.m.

The Parliament resumed at 2.37 p.m.

[Madam Deputy Speaker resumed the Chair]

DEPUTY SPEAKER.- Honourable Members, we have two Standing Committee Reports for debate today, and I will call upon the Deputy Chairperson of the Standing Committee on Foreign Affairs and Defence to move his first motion.

REVIEW REPORT ON THE ACCIDENT COMPENSATION COMMISSION FIJI 2022 ANNUAL REPORT

HON. R.R. SHARMA.- Madam Deputy Speaker, I move:

That Parliament debates the Review Report of the Accident Compensation Commission Fiji 2022 Annual Report which was tabled in Parliament on 4th December, 2024.

HON. P.K. RAVUNAWA.- Madam Deputy Speaker, I beg to second the motion.

HON. R.R. SHARMA.- Madam Deputy Speaker, the Accident Compensation Commission Fiji (ACCF) is established under the Accident Compensation Act 2017. The Accident Compensation Scheme commenced on 1st January, 2018, providing greater and easier access to compensation on a no-fault basis for serious injuries and deaths arising out of motor vehicles. The no-fault basis of compensation also extends to injuries and deaths resulting from accidents arising out of and in the course of employment, as well as accidents occurring on any school premises.

Madam Deputy Speaker, the relationship between the Ministry of Employment, Productivity and Industrial Relations and the Accident Compensation Commission Fiji has evolved since its establishment in 2017. Initially, ACCF only handled motor vehicle accidents, but its scope expanded in 2018 to include workspace and school incidents. Despite that, some cases continued to be processed under a repealed Act under the Ministry, and the full transition of cases to ACCF is expected to conclude by December 2024. However, since June 2024, the ACCF Board decided to transfer employment and school accident cases back to the Ministry of Employment, Productivity and Industrial Relations. To date, the Ministry has resolved 421 out of 11,101 transfer cases, with 47 percent of the \$6 million allocated budget already utilised.

In terms of accident compensation eligibility, the Standing Committee outlined specific criteria, including the payment of FNPF contributions, PAYE for high earners and one percent FNU levy. The Committee also called for stringent measures to address careless driving, as majority of road accidents results from negligence. Furthermore, the Standing Committee emphasised the need for increased public awareness on road safety.

Regarding delays in processing claims, the Standing Committee acknowledged that although there is no backlog of files, delays of up to 18 months can occur due to medical assessments. The Standing Committee recommended streamlining standard operating procedures and enhancing cooperation between stakeholders to reduce processing times.

The Standing Committee also advised maintaining the one percent FNU levy to support workforce development, with \$9.4 million paid into the Accident Compensation Fund. Additionally, the Standing Committee pointed out the lack of reporting on Key Performance Indicators (KPIs) and recommended that ACCF include KPI data in future reports, to facilitate better evaluation and improvement of their services.

On that note, Madam Deputy Speaker, I support the motion before the House.

DEPUTY SPEAKER.- Honourable Members, the floor is now open for debate on the motion. I have a list with me. At the end of the debate, we will have the right to reply from the mover. Each speaker has been allowed 10 minutes. To begin the batting order, the honourable Minister for Employment, Productivity and Workplace Relations will be speaking first and will be followed by honourable Koya.

HON. A.D. SINGH.- Madam Deputy Speaker, I rise to respond to the Accident Compensation Commission Fiji 2022 Annual Report, which was tabled in this august Parliament on 4th December, 2024. I wish to thank the Standing Committee on Foreign Affairs and Defence, I have read the Report and there are some excellent recommendations.

Madam Deputy Speaker, since 2019, Accident Compensation Commission Fiji (ACCF) was outsourcing most of the work to a claims agent by the name of Veritas Pte Limited and also to my Ministry.

Madam Deputy Speaker, as per the decision of the Interim Accident Compensation Board, my Ministry took over the processing of employment and school accidents from ACCF from 1st June 2024. This is saving Government an estimated \$1.2 million annually.

Madam Deputy Speaker, a total of 1,101 pending cases were received from ACCF at the end of May 2024, which included 958 cases of employment accidents and 143 school accident cases. We also received electronic copies of approximately 14,000 notification Forms, which are currently being sorted out by my Ministry according to the years and the nature of the cases.

Madam Deputy Speaker, the following activities are now undertaken by my Ministry in terms of processing the employment and school accident cases:

- (1) Register all cases of employment and school accidents.
- (2) Investigate cases of injuries, deaths and occupational diseases arising out of and in the course of employment.
- (3) Investigate cases of injuries and deaths for school-related cases.
- (4) Deal with cases of non-payment of the two-thirds weekly wages where there is a dispute by any employer.
- (5) Facilitate and manage the application process on behalf of ACCF in respect of all employment and school accident compensation claims.

Madam Deputy Speaker, as alluded to in Parliament last week, the Ministry has settled 558 cases, that is 51 percent, comprising of 494 employment accident cases and 64 school accident cases. The pending cases rate is 543 or 49 percent.

Madam Deputy Speaker, the team from my Ministry has referred 705 cases for final medical assessment to determine the degree of permanent disability awarded, if any, due to the injuries, that is, 590 files have been vetted and referred to the ACCF for calculation of claims and obtained 160 statements from workers, workmates and dependents of deceased workers for conclusion of cases.

My Ministry has developed Key Performance Indicators (KPIs) and outstanding operating procedures which have clear timeframes to deal with employment and school accidents. Madam Deputy Speaker, we have reduced the timeframe from 18 months to 12 months. With the current strategies in place, my Ministry has processed 785 cases, which consists of 705 cases for final medical assessment and 80 cases are under investigation.

Madam Deputy Speaker, since the establishment of ACCF, there was no KPIs or targeted deliverables to assess its performance on case settlement. The ACCF Board, which is now chaired by the Permanent Secretary for Employment, has reviewed the current operations, including setting up KPIs for ACCF this year.

Madam Deputy Speaker, the proposed Work Care Bill provides for the processing and payment of compensation for personal injuries or death under the No-Fault Compensation Scheme by the Ministry of Employment for accidents arising out of and in the course of employment and accidents on school premises during school activities or events.

Madam Deputy Speaker, the objective of the Work Care Bill are as follows:

- (1) ensure compensation is paid under the No-Fault Compensation Scheme for personal injury or death of workers and pupils;
- (2) provide for efficient compensation processing services;
- (3) consolidate, integrate and implement employment and school accidents; and
- (4) promote sustainable and productive social protection standards in workplaces and schools.

Madam Deputy Speaker, the draft Work Care Bill also provides for the establishment of a Work Care Fund which will be administered and managed by the Permanent Secretary for Employment, and cases will be processed under a one-stop shop to ensure the effective payment of compensation benefits for injured workers and pupils or their dependents or relatives, as the case may be.

Madam Deputy Speaker, the Work Care Bill also extends the timeframe of investigation for cases from three years to six years under the Accident Compensation Act 2017. This will allow the Ministry to process the 14,000 notification forms that were transferred from ACCF to our Ministry on 1st June, 2024, and will ensure that social justice is delivered to the injured workers and dependents of the deceased workers, as the case may be.

Madam Deputy Speaker, since we have taken over, you will note that it is a cost-effective exercise. We are saving an estimated \$1.2 million in a year. From 2019 to 2024, the processing agency would have collected almost \$5 million plus, which is now going to be saved.

Apart from that, we process claims expeditiously. In seven months, we have processed twice the number of claims that ACCF normally processes in one year. We are very happy that we are able to now process claims expeditiously, and the beneficiaries are able to get their benefits on time. Thank you, Madam Deputy Speaker.

DEPUTY SPEAKER.- I now give the floor to honourable Jone Usamate, who is taking honourable Koya's place.

HON. J. USAMATE.- Thank you very much, Madam Deputy Speaker, for the opportunity to talk on this Report. First, I would like to congratulate the Standing Committee on the excellent work that was done on looking at the Accident Compensation Commission Fiji (ACCF), and I would like to focus on some of the recommendations that are in the Report.

Recommendation No. 1, Madam Deputy Speaker, talks about the necessity of putting in measures to address careless driving and conduct. I remember that last year, the number of accidents that took place really rose dramatically and I know that honourable Tuinaceva was very instrumental in pushing this through. I am now glad that he is the Assistant Minister for Transport and is addressing this issue.

This is also seen in the Bill that will be debated tomorrow, the Land Transport (Amendment) Bill 2025, that talks about the need to be a bit more stringent in the way that we manage the provision of drivers and those who are still learning to drive. There really is a need to be able to do what needs to be done to deter careless driving. Over the past decade or so, we have seen the inclusion of defensive driving programmes, which is a necessity for people to be able to get their licence to drive. Developments along this way is something that is very, very important.

I must say that one of the biggest culprits we find is Government drivers in the way that they drive. They can be quite careless, and it is important for us to make sure that if someone does something that is not right in terms of how they drive on the roads, they must be taken to task, immaterial of whom they drive for.

I hope that the number of accidents on the road is declining. Last year, it has climbed up, I think it has gone down a bit, and it is very important that we are able to address this issue to make sure that we can reduce the number of accidents that we have, and we have safe driving behaviours by everyone who are using our roads. It can be, in some ways, very dangerous for us.

On Recommendation No. 2, it is talking about the relevant Standard Operating Procedures (SOPs) to be streamlined and that relevant stakeholders should cooperate well to reduce the processing time of the required documents needed for compensation claims. That is something that you find across the board in a lot of different agencies. Sometimes, Madam Deputy Speaker, you have an agency like ACCF, that concentrate a lot on their own internal processes but sometimes, it is delayed because of the relationship between the different agencies that are part of that whole setup, so they need to be able to streamline processes across the different agencies that are involved. That, of course, requires cooperation between the different agencies concerned.

I hope that the ACCF and now the Ministry of Employment, which I am glad to see, is taking up a lot of these cases that were with the ACCF. As we have seen, there was a delay at the ACCF in the way they process the claims. We hope to see that there will be an improvement of that in the future.

Recommendation No. 3, Madam Deputy Speaker, is about the Fiji National University (FNU) levy. The FNU levy, is charged by employers and one percent of the gross payroll was given to this levy. Initially, it was used for training but later, part of that levy is now used to fund the ACCF. In this recommendation, they are suggesting that it should be used to support workforce development.

I am generally in agreement with that, Madam Deputy Speaker. Over the past few years, we have seen the shortage of skilled workforce development. There is a lot of skill shortages in this country. When people are being churned out of institutes, one of the big problems that we have in Fiji right now is the way in which they define the Minimum Qualification Requirements (MQR) for getting a certification. It just depends on passing the exam. What you then get is people come up with certificates and diplomas, they know how to do, but they cannot do. That is why it is important that we have systems, like the levy programme and the on-the-job training programme, that tick competencies off, before you give someone a qualification. This is a big problem that we have. I have talked about it with the honourable Minister for Education and with other stakeholders. How do we recognise someone as meeting the requirements of competency?

The idea of the FNU levy, Madam Deputy Speaker, is that companies themselves fund the training. Putting that money aside, if they deliver the training, then they can claim that back as grants – the Method A grant and the Method B grant system that is currently managed by FNU.

The Government and the Ministry of Education might need to relook at that and see whether the system works when that whole process is under a university because a university is also a provider. That whole system that we used to have before when I was still at TPAF and FNTC is something that needs to be revisited so that that levy that is taken from the gross payroll is used to incentivise the training of workers. I think the best way of training workers is on the job. On the job, ticking off the competencies there, and then that should build up to a qualification. Madam Deputy Speaker, I endorse Recommendation No. 3.

Recommendation No. 4, Madam Deputy Speaker, talks about reporting on key performances by ACCF. Last week, I talked about the need for us to have a transformative shift in how we improve performance in Government organisations, and I recommended that Government should consider bringing back the Service Excellence Programme. The Service Excellence Programme was run by Government, and it is based on the Malcolm Baldrige Indicators of how you run a successful business.

I suggest that this is a system that we can reintroduce in Government, in the Public Service and across statutory bodies. Malcolm Baldrige is recognised as probably the best way of improving organisational performance globally. It has a different set of criteria, and I hope that the Government can consider bringing that back as a way of not only improving the performance of specific organisations but lifting the whole performance of all the agencies that we have in Government.

The Malcolm Baldrige is based on the principle of Approach, Deployment, Results and Improvement (ADRI). In everything that you do, you must have an approach, you deploy it, you review it to make sure that the deployment is good and then you improve on it. When you have that constant cycle, you have a continual cycle of continuous improvement. This is the same sort of process that we have for the ISO 9001 - quality management systems for improvement of organisations. If you can build this back into all Government Departments, even into all statutory bodies, you will see an overall improvement in the work of all Government bodies.

I endorse the recommendations that we have here, and I hope that the honourable Ministers who are responsible for ACCF and also the Ministry of Employment, give and take the things that I am talking about are also related to the National Productivity Commission - bringing in these modern ways of managing organisations so we can have improvement of the performance for the benefit of all our people.

HON. PROF. B.C. PRASAD.- Madam Deputy Speaker, I want to highlight a couple of points from the budgetary point of view; in the 2024-2025 financial year, the Government announced the transfer of School Accident Compensation from Accident Compensation Commission Fiji (ACCF) to the Ministry of Employment, Productivity and Workplace Relations. The ACCF will now focus on its core role to manage the no-fault motor vehicle accidents.

With the transfer of these functions to the Ministry, the current 0.4 percent of the one percent National Training and Productivity Centre (NTPC) levy which was dedicated for workers' compensation and currently paid into the ACCF Trust Fund, will now be re-directed to the Government Consolidated Fund. Apart from that, any unused balance from the 0.4 percent proceeds in the ACCF Trust Fund, will also have to be reconciled and transferred to the Government Consolidated Fund.

Since this restructure is a legislative change, the Accident Compensation Act 2017 and other subsidiary legislations will have to be amended to give legal effect to the changes - the funding arrangements to allow for the transfer of the 0.4 percent proceeds from the ACCF Trust Fund into the Government Consolidated Fund.

In the new arrangement, the employer will be responsible for reporting the injury to the Ministry of Employment and filing the claim rather than the current flexibility where the beneficiary makes the application. From the Ministry of Finance, we will closely monitor the inflows from the levy and compensation payout to ensure that the scheme is self-funding and sustainable. If we analyse the budget from 2017 right up to 2025 on the amount of payment that has been made, these schemes can easily become unsustainable if it is not managed properly, Madam Deputy Speaker. The sum of \$6 million is allocated under the Ministry of Employment's 2024-2025 budget to fund compensation payouts that may arise from employment and school accident claims.

Madam Deputy Speaker, coming back to the point raised by honourable Usamate, in fact, when we came into Government, we realised that the scholarship or the loans scheme, the technical training strategy of the previous Government, was a complete disaster.

HON. J. USAMATE.- Hogwash!

HON. PROF. B.C. PRASAD.- I will explain to you and to the House why and what we have done to improve those training capabilities, directly targeting technical and vocational education.

Madam Deputy Speaker, two things happened. When we had the TELS Loan Scheme, only 700 to 800, in some cases 900, full scholarships were given, and that is what we call the TOPPERS Scheme. Everyone else had to go and take loan and get to the universities or tertiary institutions.

Two things were happening; one, the universities lowered their marks from 250 to 200 and many of the students who could have gone into technical and vocational education or training would not go there and borrow money. If they did borrow money, they would go and do courses in the university which they probably were not qualified to do. That is why we lost about \$160 million because the students took the loan, went to the university and did not complete anything. We were told that even the records were not properly done.

When we came in, one of the first things we recognised and, of course, wrote off was the \$653 million loan on 53,000 families who were burdened with the loan. Even if students who come from rural areas, like Rakiraki, Bua, Taveuni, or any part of the country, had 280 or 290 marks which were very good marks for students coming from rural areas, they would never get a scholarship. They would end up in the university and would have to pay. They would take the loan, depending on the course they do, and will end up with \$30,000 or \$40,000 loan. They would then start paying back the loan on the day they start working. However, we have taken away that burden and the only thing we have put in is a condition that they have to serve for that period and if they do not, they pay.

Madam Deputy Speaker, a lot of students are now technical/vocational students because the vocational setup in all the schools were abolished. They set up technical colleges and all that failed, so \$30 million went down the drain. Now, if a student is going to Monfort Boys Town or Nadave or Pacific Polytech or FNU or any other technical institute, they also get a scholarship. Therefore, there is an incentive for students who leave school after Year 15 or Year 16. I do not want to use the word 'dropout'. If they want to go and do a technical course, they get a scholarship, they also get full support, so we are pushing more students into technical education.

Our assessment is that in the next three, four or five years, we will bring technical education back and we have a very good Technical Education Programme in this country. We had a school system, and we had all these technical institutions providing those. In both budgets, we provided additional funding to the Sangam Nursing Institute. He is talking about Pacific Polytech, but we are training more nurses. He is laughing away but I know the people at Sangam Nursing Institute know that we have provided additional funding.

HON. P.K. BALA.- They have not received the funding.

HON. PROF. B.C. PRASAD.- We will.

HON. P.K. BALA.- When?

HON. PROF. B.C. PRASAD.- You get your agreement done.

HON. P.K. BALA.- Already signed.

HON. PROF. B.C. PRASAD.- Have some patience.

DEPUTY SPEAKER.- Order, order!

HON. PROF. B.C. PRASAD.- Madam Deputy Speaker, all I want to say is that the Government has taken this head on. The policies that we have put in place is going to address the issue of technical education in a much more sustainable and considerate way. We should be able to train more people. Some of the graduates who are coming out from those technical institutes in the last two years are getting good jobs in tourism and other technical areas.

Madam Deputy Speaker, with that explanation, I support the Report.

HON. V. LAL.- Madam Deputy Speaker, esteemed Members of Parliament and fellow Fijians, I stand before you today to deliberate on the Review Report of the Accident Compensation Commission Fiji 2022 Annual Report. As a Member of the Opposition, it is incumbent upon me to objectively examine the findings, acknowledge the achievements and critically assess the areas that demand further action.

Madam Deputy Speaker, critical recommendations have been articulated by the honourable Opposition Whip. Despite all those recommendations, there are areas that require further attention and improvement. The first one is Occupational Health and Safety (OHS) in the workplace.

One of the critical areas that need improvement, Madam Deputy Speaker, is the role of OHS in ensuring workplace safety. The Ministry of Employment, Productivity and Workplace Relations must be more active in enforcing OHS regulations to lower the chances of employment accidents.

The ACCF's 2022 Annual Report highlighted 472 applications for employment accidents with \$5.35 million paid out in compensation. This indicates a significant number of workplace accidents that could potentially be reduced through stricter enforcement of OHS regulations and increase awareness and training for employers and workers.

Another area of concern, Madam Deputy Speaker, is school accidents. It is the safety of students and teachers in schools. The ACCF's 2022 Annual Report recorded 33 applications for school accidents with \$0.35 million paid out in compensation. The main causes of school accidents were slips, trips, falls, stepping, striking on objects and assault.

It is imperative that the Ministry of Education, in collaboration with OHS, takes proactive measures to ensure the safety of students and teachers in schools. This includes regular safety audits, implementing safety protocols and providing training and awareness programmes for school staff and students.

Motor vehicle accidents remain an ongoing battle for the Land Transport Authority (LTA) and Fiji Police Force (FPF). Madam Deputy Speaker, the ACCF's 2022 Annual Report recorded 385 applications for motor vehicle accidents with \$7.16 million paid out in compensation. The main causes of motor vehicle accidents were speeding, drunk driving, dangerous driving, careless driving, driver fatigue, hit and run and pedestrian at fault.

One of the critical issues that need to be addressed, Madam Deputy Speaker, is vehicle defects. Cars with one headlight burnt out, taillights and other defects pose a significant danger to other drivers as they can mislead the size of the vehicle. The LTA must enforce stricter vehicle inspection regulations to ensure that all vehicles on the road are safe and compliant with safety standards.

Additionally, Madam Deputy Speaker, drivers need to be educated on the importance of driving with their headlights on in foggy conditions and at dusk and dawn, to ensure visibility to other drivers. Reckless driving and speeding are also major concerns that need to be addressed. This comes down to the maturity of the driver and it is essential to implement comprehensive driver education programmes to promote responsible driving behaviours.

Madam Deputy Speaker, the honourable Minister for Public Works, Meteorological Services and Transport recently highlighted several initiatives to combat road safety issues. Those initiatives include the introduction of portable speed cameras, increased fines for traffic violations and enhanced road safety education and awareness campaigns. While those measures are aimed at reducing road accidents and promoting safe driving behaviours, it is essential to critically evaluate their effectiveness and implementation.

Madam Deputy Speaker, one notable initiative is the 582 Tax Platform which has proven to be very effective in involving the public in reporting traffic violations. This platform allows citizens to report dangerous driving behaviours, contributing to a safer road environment. Additionally, many drivers now have dashcams providing video evidence of poor and dangerous driving. There needs to be an easy platform such as *Facebook* where people can send in videos that can be monitored by the 582 Tax Platform team.

Madam Deputy Speaker, while these initiatives are commendable, it is crucial to ensure that they are effectively implemented and monitored. We must also address the root causes of reckless driving, such as driver maturity and education. Comprehensive driver education programmes are essential to promote responsible driving behaviours and reduce road accidents.

The ACCF plays a vital role in providing relief to families affected by accidents. The No-Fault Compensation Scheme ensures that victims of accidents receive timely and fair compensation without the burden of proving fault. This provides much needed support and security to families during difficult times. The ACCF's efforts in processing compensation claims efficiently and providing support to victims of accidents are commendable.

Madam Deputy Speaker, while significant progress has been made in implementing the recommendations of the ACCF, there are still areas that require further attention and improvement. The Ministry of Employment, Productivity and Workplace Relations must be more active in enforcing OHS Regulations to ensure workplace safety.

The Ministry for Education, in collaboration with OHS, must take proactive measures to ensure the safety of students and teachers in schools. The LTA and FPS must continue their efforts to address motor vehicle accidents and promote safe driving behaviours.

Madam Deputy Speaker, we must all work together to make Fiji safe. The ACCF's efforts in providing relief to families affected by accidents are commendable, and we must continue to support their work. As Members of the Opposition, it is our duty to be critical where necessary, but also to give praise where it is due. I do hope that in this august House now doomed the House of Hope, that we can truly bring hope to the people of Fiji.

HON. S.D. TURAGA.- Madam Deputy Speaker, I rise to respond to the Review Report of the Accident Compensation Commission Fiji 2022 Annual Report which was tabled in this august House on 4th December, 2024.

Mr. Speaker, Sir, as Minister for Justice, I am responsible for the Accident and Compensation Act 2017, whilst the administration of ACCF is with the Ministry of Employment, Productivity and Workplace Relations. I would like to provide an update on the work being undertaken by the interim ACCF Board.

Madam Deputy Speaker, I would like to outline the savings of \$1.2 million after the new initiative was undertaken. I must give credit to the wisdom of the Coalition Government in streamlining services and giving mandate to the relevant ministries to do the work and provide the service for the people.

Additionally, the interim ACCF Board has been tasked with the following key responsibilities:

- Implementing Cabinet Decision of 12th December, 2023 which called for an independent review of the Commission. This review is being conducted in consultation with major stakeholders, including the Ministry of Education, Ministry of Employment, Productivity and Workplace Relations, Ministry of Public Works, Meteorological Services and Transport, Land Transport Authority and the Solicitor-General's Office.
- Assisting the Commission in assessing both the current and pending compensation applications.

We have heard from the other side the good work that they have done, and we must give credit to all these stakeholders.

The interim Board was convened on 21st February, 2025, to discuss extending the terms of Board members by a further six months. Madam Deputy Speaker, this extension is necessary to ensure the successful finalisation of the Work Care Bill.

Following the withdrawal of the Cabinet Paper on the Work Care Bill on 12th December, 2023, the Ministry of Employment undertook further consultations and prepared a modality paper for work care and ACCF, which was submitted to the honourable Prime Minister.

During Cabinet discussions on 26th November, 2024, regarding the Work Care Bill, several key queries were raised, including:

- the proposed levy distribution of 0.4 percent that goes to ACCF, 0.5 percent to public private partnership and 1 percent to National Training Productivity Centre, as honourable Usamate had outlined;
- a breakdown of pending cases inherited from ACCF in June 2024 which is about 14,000;
- the proposed Public Private Partnership Scheme; and
- the need for wider consultations on the Bill.

In response, the Ministry of Employment, Productivity and Workplace Relations conducted a series of public consultations on the amendment of the employment relations law and the Work Care Bill from 6th January to 17th January, 2025. We understand that they are just about to complete the consultation on the Employment Relations (Amendment) Bill. Furthermore, from 20th January to 10th February this year, written submissions were invited and received. These submissions will be analysed and form part of the draft Bill.

Madam Deputy Speaker, I would like to comment on a few of the recommendations of the Standing Committee on Foreign Affairs and Defence. First, like every other Member in this House, we applaud the good work that ACCF has done in terms of reaching out to members of the public in terms of social media presentation, radio, television and media statements.

Madam Deputy Speaker, there is one area that I would like to highlight in terms of public service. As part of my Ministry, I found out that people write in, seeking assistance from ACCF when they are out of time. That is what I said to the Legal Aid - the level of advice provided at the counter to vulnerable members of the community.

Yesterday, I received a message from a nephew of mine. In 2016, he had serious cut on his hand. He went to an office in Nadi, and I assumed it would be the Ministry of Employment, but no action was taken. He has written to me with his full medical report, and I forwarded it to the Permanent Secretary. It is out of time, but it is under the law.

It is the obligation of the employer to report when there is an accident. Unfortunately, for this poor gentleman, he is now at home. I am happy that they will extend from three years to six years, but they should look at the situation because these are ordinary people. When these accidents happen, they do not know what to do, and when they do come to the office, sometimes they really cannot tell the civil servants what their problems are. The level of advice that come should satisfy them.

Whilst the Ministry of Employment, Productivity and Workplace Relations and the Office of the Attorney-General are doing workmen's compensation, many of the cases from people out in the rural areas or those who may not be educated and less informed are reported when it is out of time. That is something that not only the ACCF can do, but also Government Departments when they go out to provide advice. It is very important that people are not left out of the very system that was set up to help them.

For Recommendation No. 2, the ACCF needs to obtain a Whole Person Impairment Assessment Report from a specialist doctor, detailing the injury or accident that was sustained. This is a new initiative, as the honourable Minister has outlined, from 18 months to 12 months. That is an improvement and a new strategy implemented by the Coalition Government.

Honourable Usamate also spoke about the importance of proper training so that technical institutes get their levy, and students get the technical training. I always say this when I go out to communities, "*o keda na gone ni iTaukei, na noda penikau e dau raramusumusu rawarawa.*" What they do is what they observe, and they can learn from that.

In terms of academic, we are really behind. This is something that needs to be encouraged and I hope the stakeholders will seriously consider the amount of levy that should be going out to these institutions.

The honourable Minister for Employment, Productivity and Workplace Relations has also set out in Recommendation No. 4 another new strategy by the Coalition Government. They have key deliverables that need to be performed so that targets are achieved.

Madam Deputy Speaker, I take this opportunity to thank the outgoing CEO of ACCF and also thank the honourable Minister for Employment, Productivity and Workplace Relations and his Permanent Secretary and team, for their assistance in the investigations and settlement of the employment and school accident cases since January 2019, and taking over the responsibility to administer the employment school accident cases from 1st June, 2024.

DEPUTY SPEAKER.- I now call upon the Deputy Chairperson of the Standing Committee on Foreign Affairs and Defence to speak in reply.

HON. R.R. SHARMA.- Madam Deputy Speaker, I would like to thank all honourable Members who have spoken on the motion. Your insightful arguments and passionate delivery have not only enriched our discussion but has also provided us with valuable perspectives to consider.

Some of the pointers that I was speaking on was that we need strong OHS compliance, strong policies that ensure safety and reduce injury because if we do not, a big amount of funds comes from the taxpayers to ACCF and goes for compensation.

Madam Deputy Speaker, there is a lot of talk about Polytech, yes, it is there, it is providing the training, but previously we also had FNU. It was responsible for the trainings, critical skills, and they provided financial support to TVET training providers.

Lastly, the concern on Government vehicles being involved in accidents, we need to closely monitor the usage of Government vehicles because, again, it comes at a cost to taxpayers.

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

Question put.

Motion agreed to.

CONSOLIDATED REVIEW REPORT ON THE MINISTRY OF CIVIL SERVICE 2019-2021 ANNUAL REPORTS

HON. R.R. SHARMA.- Madam Deputy Speaker, I move that:

Parliament debates the Consolidated Review Report of the Ministry of Civil Service 2019-2021 Annual Reports, which was tabled on 4th December, 2024.

HON. P.K. RAVUNAWA.- Madam Deputy Speaker, I second the motion.

HON. R.R. SHARMA.- Madam Deputy Speaker, the Ministry of Civil Service is responsible for overseeing the consistent implementation of central regulations related to hiring, evaluation, promotion, compensation, training and discipline of public employees in line with Government guidelines.

To enhance Civil Service performance, the Ministry offers various training and career development opportunities, including courses in leadership, governance, project management and human resource. However, the reporting period was significantly impacted by restrictions imposed by the COVID-19 pandemic.

Madam Deputy Speaker, during those years under review, the Committee noted a few highlights and recommendations for the Ministry of Civil Service (MCS), and those are as follows:

- (1) The Committee inquired whether the dissemination of information on scholarship offers reach civil servants working in rural and maritime areas. According to the Ministry, scholarship offers are disseminated via email blasts through Govnet to all Ministries and Departments. Focal points in each Ministry are encouraged to obtain nominations from all Divisions, including rural and maritime areas. Applications are then sent from each Ministry's training focal point to the Ministry of Civil Service.

The Committee recommends that the Ministry ensures that civil servants working in rural and maritime areas have access to the information on scholarship offer and other training opportunities as and when they become available. This should ensure that civil servants working in rural and maritime areas are given equal opportunities.

- (2) The Customer Care Call Centre was established to address public grievances and receive feedback on services provided by Ministries. The Call Centre operated daily from 8.00 a.m. to midnight and was outsourced to Centrecom in 2022. The Ministry reports that it received 1,705 inquiries in 2019-2020 and 2,567 inquiries in 2020-2021.

The Committee also noted that despite the 27 Ministries covered under the Government Feedback Call Centre, the MCS only reported on the two Ministries - the Ministry of Health and Medical Services and the Ministry of Employment, Productivity and Workplace Relations.

The Committee is of the view that the Ministry provide holistic data on the types of complaints in all the 27 Ministries in its future reports.

- (3) Certain phases of recruitment procedures cause delays, leading to gaps in critical positions. The Ministry is continuously refining its recruitment processes to reduce delays and improve the efficiency of hiring, ensuring that the critical positions are filled promptly. The Committee notes that the current recruitment practice under the Open Merit Recruitment System (OMRS) negates succession plans in Ministries and Departments.

The Committee recommends that the Ministry must ensure that vacancies be filled as soon as and the need to rigorously review the OMRS Policy.

On that note, Madam Deputy Speaker, I support the motion before the House.

DEPUTY SPEAKER.- Honourable Members, the floor is now open for debate on the motion. I have a list of six speakers, as follows:

- (1) Honourable Hem Chand;
- (2) Honourable Prime Minister;
- (3) Honourable Semi Koroilavesau;
- (4) Honourable Assistant Minister for Health;
- (5) Honourable Leader of the Opposition; and
- (6) Honourable Minister for Finance.

HON. H. CHAND.- Madam Deputy Speaker, I would like to thank you for the opportunity to contribute on this motion. I would like to thank the Standing Committee on Foreign Affairs and

Defence for their detailed report and coming up with some very good recommendations.

Madam Deputy Speaker, I see there are three recommendations by the Committee. I will only be talking on one recommendation. The Committee has recommended that the Ministry ensures that civil servants working in rural and maritime areas have access to information on scholarship offers and other training opportunities, as and when they become available. That should ensure that civil servants who are working in rural and maritime areas are given equal opportunities.

Madam Deputy Speaker, the Ministry of Civil Service is responsible for enhancing civil service performance and ensures that the Ministry offers various training and career development opportunities to all civil servants, regardless of where they are located. There are many challenges faced by civil servants working in the rural and maritime areas today, challenges such as transportation, housing, resources, high price of goods, connectivity issues, conditions of roads, et cetera.

Madam Deputy Speaker, every person regardless of their location, has the right of access to information. From my time at the Ministry of Education, I know that the Government, through the Tertiary Scholarships and Loan Service, creates all year-round awareness on all schemes, including relevant ones for the civil servants through radio, television, newspaper and social media. It is important that the Ministry of Civil Service ensures that civil servants working in rural and maritime areas are not deprived of any important information.

Madam Deputy Speaker, in September last year, I read an article which states, and I quote: “Government officials in Koro are facing significant challenges in delivering services to local communities due to connectivity issues and also due to transportation.” Connectivity may still be an issue in some parts of the outer islands, however, the Ministry of Civil Service should find other alternatives to ensure information on scholarships and other training opportunities reach our civil servants on time, no matter where they are located.

Madam Deputy Speaker, it is the responsibility of the Ministry of Civil Service to inspire a culture of learning and development to increase capacity, knowledge, skills and abilities, and create competent and responsive teams servicing the Fijian people. Therefore, the Ministry of Civil Service could enable career advancement of civil servants through the support of scholarships, study leave, study assistance and individual capacity development.

Madam Deputy Speaker, training programmes equip civil servants with the skills for better service delivery. Staying informed about the latest development is very important for civil servants to make informed decisions and provide relevant services. Training is not just about acquiring new skills or knowledge, it directly influences the performance of civil servants, leading to better service delivery and higher productivity.

Madam Deputy Speaker, I have been to many rural and maritime areas and have seen the challenges faced by our civil servants who are serving in those areas. It is the Government’s responsibility to ensure that timely information and other services, such as good housing, transportation and other basic services are provided to our civil servants.

Madam Deputy Speaker, despite many challenges which I have highlighted, civil servants working in rural and maritime areas are doing their very best. Those civil servants need our support, motivation and encouragement. I was quite disappointed when I read an article in the Fijivillage dated 8th March, 2025 where the honourable Deputy Prime Minister and Minister for Finance and Strategic Planning, National Development and Statistics said, and I quote: “Civil servants now have

the security of tenure, but this has led to the transition where some people feel that because they have a permanent job, they can afford to be a bit slack.”

Madam Deputy Speaker, there are close to 40,000 civil servants and if someone is not performing, he or she should be dealt with. However, these type of general comments will not help but instead will demoralise and demotivate our many hardworking civil servants. We should respect our civil servants.

Thank you, Madam Deputy Speaker, for the opportunity. I support the motion before the House.

HON. S.L. RABUKA.- Madam Deputy Speaker, I would like to thank the Committee, as well as honourable Naupoto, who are responsible for the Report. I also endorse the recommendations that were highlighted by the honourable Member who has just spoken, and I would like to reassure this august House that two weeks ago, I opened the Fiji Learning Institute for the Public Service (FLIPS) at Nasese where a lot of the concerns raised in the Report will be resolved. It is going to be a very good institution.

Madam Deputy Speaker, while I acknowledge the efforts that have been made by the Ministry to address those recommendations as outlined in the Annual Report, I would like to, first, convey our condolences to three Civil Servants, one of whom died in an accident 48 hours ago. We have just finished discussing the accident compensation matter and we send our condolences out to the family of Manoa Tugi, who was instantly killed in that workplace accident on Monday, and the family of Moape Kania and Seruqali Ledua, who are both seriously injured in that accident.

While we are talking about this first report that we are debating this afternoon, I was asking the honourable Deputy Prime Minister about ‘no fault’. In the case of the recent accident, those three had an accident, particularly the one who died. He was sitting in his office, while two others were working in the next room and it resulted in an explosion where part of the things that they were working on was converted into a missile that hit the wall, went through the hole on the wall and hit this man who was in his office.

As we deliberate or look back at that ‘No Fault Clause’, I wonder if there was really no fault on anyone’s part. On those three, perhaps, no fault. Someone had defaulted along the way. Were they properly trained? I remember what the honourable Usamate said about the training and the minimum qualification requirement for work, so it is like a collective responsibility. I hope that the FLIPS, in some way, will help the public servants of Fiji return better services to the people whom they are serving. Our condolences to those three families, Madam Deputy Speaker.

One of the major concerns raised was the time limit on the submission of Annual Reports. We are dealing with Annual Reports from 2019 to 2021, and this Government promises to ensure that reports are tabled, for our consideration, in a timely manner.

The ‘No Jab No Job’ Policy has been brought up, having cost 320 civil servants their jobs at the time. The Government has allowed them to reapply and come back. Madam Deputy Speaker, 320 families were affected when the Policy was implemented. This Government has reversed that decision and introduced legislative reform to address their concerns.

The Health and Safety at Work (General Workplace Conditions) (Amendment) Regulations 2023 now allows the terminated employees to reapply for vacant positions, enabling them to resume employment to support their families and, once again, contribute their expertise to Government.

Madam Deputy Speaker, there has been high turnover of personnel in the Service. The loss of skilled personnel created gaps in Government institutions, and we had to deal with the pool of greener pastures, with our highly qualified civil servants being drawn to so-called greener pastures abroad. That will continue to be a problem.

Our people do very well. I must say that our civil servants also serve us very well and by their service here, they are noticed by regional governments, particularly Australia and New Zealand, during international conferences, see how well qualified and well suited our civil servants would be in their own civil service. That is how we lose them.

There had been some sense of a ‘no job security’ in the past. Hopefully, we can resolve that with a better working relationship with the political government and the civil servants, as well as civil servants among themselves with their senior supervisors and managers.

Over 30,000 Fijians are currently employed in the Public Service, and their dedication continued to significantly contribute to this nation and its social stability. The Coalition Government prioritises the development of the Public Service by introducing reforms that are aimed at establishing high-performing and accountable workforce.

Yesterday, Madam Deputy Speaker, there was a meeting of regional senior civil servants to prepare themselves to advise their Heads of Government on the upcoming Pacific Islands Leaders Conference in Honiara later in the year. They were surprised when they were briefed by our senior civil servants that we have the FLIPS at Nasese and what it will do. It will develop very quickly into a regional institution of learning that will be able to offer courses, not only for Fiji civil servants, but also those in the region.

Madam Deputy Speaker, once again, I thank the Committee and also the honourable Members in anticipation of their contribution and also our condolences to the three families I had mentioned.

HON. S.T. KOROILAVESAU.- Madam Deputy Speaker, thank you for giving me the opportunity to make a contribution on the Ministry of Civil Service Consolidated Review Report on the 2019-2021 Annual Reports. I also wish to thank the Standing Committee for their Report and noted their recommendations.

Madam Deputy Speaker, I also wish to thank the civil servants, past and present, for their services. Their commitment in serving Fiji is important for the delivery of services to our people.

Madam Deputy Speaker, the Civil Service has a huge role, and with a population of 30,000, they have a huge challenge in front of them to meet the various expectations that come from our population here in Fiji. The Ministry of Civil Service is tasked to prepare our civil servants to be able to perform their duties in the various Ministries that they serve in, and I know for a fact that it is not that easy. They meet all the challenges and there is human factor in performing their duties.

Madam Deputy Speaker, when I joined Government and came back to the Civil Service in 2014 after serving in the tourism industry, I realised the difference in the service delivery that exists between the two Ministries that I worked in - the Ministry of Tourism and our Civil Service.

When I joined the Ministry of Employment, my first task was to call the senior civil servants and tell them to adopt the type of service that is provided by the front desk in our

international hotels. I explained to the senior civil servants that if they go to Sheraton Hotel, the first impression is most critical. When guests come in, they will say, “Good morning, Sir, how are you today? What can I do to help you?”

My emphasis then was to change the whole structure - change the reception area within the Ministry’s offices around Fiji. I visited all the offices and try and tell them the importance of first impression. I explained to them that Fiji has a very educated population and when they come to the office every morning, the reflection that they normally give can be met with a smiley face when they say, “Good morning, Sir. What can I do for you today? Is there anything I can do to help you?”

I have always emphasised to them that the anger and frustration they bring into the office will be nullified. In fact, I have stressed that some of them may want to go back to their homes, re-energise and come back the next day to raise their complaint. I did that with the Ministry of Employment, and then I did it with the Ministry of Fisheries, with quite extensive offices within Fiji, but it took some time. I learned when I came into the Ministry that I was the newest employee in the Ministry, and I was an apprentice.

I said that, Madam Deputy Speaker, because I had no prior knowledge of the workings of those Ministries. I would call the management and say, “I am the newest employee, I am now learning the trade that you have done in the whole of your career in the Civil Service.” It differs. It took me about a month in the Ministry of Employment. It took me about three months in the technical field at the Ministry of Fisheries to understand, although I am a fisherman. I do not really know the workings of fisheries and the technical expertise that is expected of me to understand, to be able to manage, and that is critical for all the civil servants that we have in Fiji.

The Ministry of Civil Service is tasked with the responsibility to provide the background and knowledge for our civil servants to be able to handle the daily work that they are tasked to do. It is not easy, as we come from different families, there are responsibilities within our societies, our homes, in our various religious organisations, and we bring all our problems with us to work and then take it back in the afternoon after work. Therefore, it is important to thank the civil servants who are carrying out their duties today.

We hope that the civil servants of the future will learn from the civil servants who are working today, and with the Ministry of Civil Service providing the training and guidance, that we will provide better workers who will work as civil servants in the future.

HON. P.K. RAVUNAWA.- Madam Deputy Speaker, first of all, I would like to add on to the honourable Prime Minister’s tribute to the three Civil Servants, one of whom passed away earlier this week. Yesterday afternoon a young local consultant, Dr. Moape Bavou, also changed his physical address permanently. The young doctor served well in the nation and has looked after a lot of cervical cancer patients in our hospitals. He is well known by many families. Our condolences to the family, especially to his immediate family, in this time of difficulty.

Madam Deputy Speaker, on the outset, I would like to acknowledge the work of the Standing Committee on Foreign Affairs and Defence in thoroughly reviewing the performance and achievement of the Ministry of Civil Service, particularly during the challenging time of COVID-19 pandemic.

The Ministry of Civil Service plays a crucial role in ensuring an efficient, transparent and accountable public service. It is responsible for policies and reforms that directly impact Ministries and Departments, particularly in workforce recruitment, training and retention.

Madam Deputy Speaker, this Report provides a crucial analysis of the performance, challenges and reforms within our Civil Service. As a government, we must ensure that the Civil Service remains efficient, responsive and accountable to the needs of all Fijians.

As we reflect on the findings of this Report, I want to highlight three key areas that are critical to our health sector. One is the retention of health professionals. The Report recognises the challenges in retaining skilled professionals within the Civil Service.

In the health sector, Madam Deputy Speaker, we face significant braindrain with many of our experienced Fijian doctors, nurses and allied health workers, seeking opportunities abroad. The Ministry of Health will continue to work closely with the Ministry of Civil Service to develop strategies that offer competitive career pathways, improve working conditions and strengthen succession planning within our hospitals and health centres.

Secondly, Madam Deputy Speaker, on recruitment and open merit system review, the Report also highlights delays in the recruitment process, which impacts service delivery. The Open Merit Recruitment System (OMRS) was designed to ensure fairness and transparency. However, in practice, certain phases of recruitment cause delays, leaving critical positions vacant for extended periods.

I strongly support the Committee's recommendation that vacancy be filled as soon as practicable, particularly in essential areas, like health and education. A thorough review of the OMRS Policy is needed, to ensure it supports succession planning, career development and retention of skilled professionals.

In the health sector, Madam Deputy Speaker, timely recruitment is essential to maintain patient care, especially in the rural and maritime areas. I support the Committee's recommendation for a vigorous review of the OMRS, to ensure that vacancies in essential services, like health, are filled efficiently without compromising transparency and fairness.

An effective remuneration review for scarce professionals in medical services is also essential. If we fail to act swiftly, Fiji will continue to lose its brightest mind, impacting service delivery and patient care in our health facilities. Investing in our health workforce is an investment in the wellbeing of all Fijians.

Thirdly, Madam Deputy Speaker, on prioritising the appointment, recruitment and retention of health professionals, this remains one of the most pressing challenges we face today. Overseas market pull is drawing away many of our Fijian skilled doctors, nurses and allied health professionals due to better remuneration packages and career opportunities abroad.

We must adopt a more competitive and efficient recruitment strategy to ensure that the healthcare needs of Fijians are met. It may include:

- streamlining the hiring process to reduce delay in appointing doctors, nurses and specialists, offering competitive salary and benefits to retain our healthcare workforce; and
- strengthening bond agreements or return service contracts as the Coalition Government has put in place for Government-sponsored medical, dental and our nurses in the health profession.

Madam Deputy Speaker, another area is training and capacity building. Investment in training programmes, as reflected in the Report, is commendable. However, we must ensure that opportunities of upskilling and scholarship reach health workers in rural and maritime areas as well.

The Ministry of Health is committed to working with the Ministry of Civil Service to expand training programmes that empower our healthcare workforce with specialised skills to meet the evolving health needs of our population.

Another area I want to touch on, Madam Deputy Speaker, is infrastructure and resources for efficient service delivery. For our civil servants to perform their duties efficiently, we must invest in modern infrastructure and resources. The Report highlights concern about access to training and scholarship opportunities for officers in the rural and maritime areas. Every Fijian civil servant must have equal access to professional development programmes, regardless of their location. Additionally, we need greater investment in digital transformation in upgrading our Government IT.

Madam Deputy Speaker, the COVID-19 pandemic tested the resilience of our public service, especially the health sector. While this Report acknowledges the challenges faced during the pandemic, it also presents an opportunity for us to strengthen our Civil Service, particularly in essential sectors, such as health.

As we move forward, I urge continuous collaboration between the Ministry of Health and the Ministry of Civil Service to ensure that our workforce policy aligns with the needs of our health professionals and, ultimately, the people of Fiji. Let us work together to build a stronger and more responsive Civil Service that upholds the values of efficiency, integrity and service excellence.

I thank the Committee for this Report, and I fully endorse the recommendations put forward in Parliament this afternoon.

HON. I.B. SERUIRATU.- Madam Deputy Speaker, I also wish to contribute to the motion on the consolidated review report from the Ministry of Civil Service for the years 2019 to 2021. I also join the honourable Prime Minister in conveying our most sincere condolence to the families of those who were, unfortunately, killed as a result of the accident in Wainibokasi, as well as to the family of the late doctor.

Madam Deputy Speaker, this Report covers a very challenging period, particularly for those in the Civil Service then. I also wish to join the previous speakers in acknowledging our civil servants for their selfless service, dedication and commitment. As I had stated, during that period when we were still recovering from previous disasters, COVID-19 pandemic came into the country. We lost so many lives, unfortunately, and in the middle of COVID-19 in April 2020, we had *TC Harold*.

We had to deploy to Vatulele, Kadavu, and it was not that easy because most civil servants had to be denied time to be with their families. Then on 17th December, 2020, we had *TC Yasa* and then a few months later *TC Ana*. It was not an easy time for the civil servants. I do remember them and acknowledge their selfless service, dedication and commitment, despite the challenges that they face.

Madam Deputy Speaker, I am a bit concerned on the unfortunate loss of lives and, perhaps, it is time that not only Government Ministries, but all workplaces have the Occupational Health and Safety Act in place. I particularly noted during my time in the Civil Service and later as part of the Executive as a Minister, that we are very good in making laws and regulations, but we are not so good in its implementation and enforcement.

Every workplace must have an OHS officer, Madam Deputy Speaker, and this responsibility must be taken seriously. I had served in the New Zealand Army. I have shared so many times in this House that the two powerful officials in the New Zealand Army are the Harassment Officer and the

OHS Officer. The OHS officer has a huge responsibility, so I hope that we, in Fiji, can take that seriously.

I am not sure about the background in the incident that happened at Wainibokasi but there are special regulations about the storage of hazardous materials, particularly when it comes to fuel, detergents, gases and combustible materials. Madam Deputy Speaker, I hope that senior officials do not only focus on the day-to-day routine, but also look at that because in the end, they are responsible for the safety and wellbeing of every worker who comes into the workplace. I hope that will be taken seriously.

On the Report, Madam Deputy Speaker, I wish to speak on a few of the Committee's findings and then, perhaps, a few of the recommendations. The honourable Prime Minister had alluded to the fact that the retention of our talents, as highlighted in the Report, is a concern. That is an ongoing challenge and there are push and pull factors, but we hope that despite those challenges, Government will always look at opportunities to retain the best of our civil servants. I remember when I was in the Standing Committee on Natural Resources, we did the report on Ministry of Agriculture which is one of the key Ministries that is affected by the loss of skills.

Madam Deputy Speaker, when we went to Papua New Guinea (PNG), we raised in our discussions on how they are managing that. Perhaps, an issue that Government might consider is that, in PNG, honourable Deputy Prime Minister and Minister for Finance, they have a pool within Government for counteroffers, particularly those with critical skills that need to be retained. If there is an offer from the University of the South Pacific, then there will be a counteroffer by the Ministry so that it retains something for consideration. However, the rest has been highlighted by the honourable Prime Minister, and we thank and acknowledge the Government for the positive steps that are being taken to continue to improve services within the Civil Service.

Madam Deputy Speaker, on the recruitment process in paragraph 3.3.3, I wish to say that the OMRS is only there as a guide. We also went through that experience. Out of frustration, during our time in the Ministry of Agriculture and I want to share this, we had to sit with the OMRS Unit that works with the then Ministry of Civil Service. We were told in the end that OMRS is only a guide. However, Permanent Secretaries, under Sections 127(7) and (8) of the Constitution of the Republic of Fiji, have the powers. Do not totally rely on the OMRS guideline because they have the powers. I do not know if I can read it quickly, Madam Deputy Speaker. Sections 127(7) and (8) states, and I quote:

- “(7) The permanent secretary of each ministry shall have the authority to appoint, remove and institute disciplinary action against all staff of the ministry. .”
- (8) The permanent secretary of each ministry, with the agreement of the Minister responsible for the ministry, has the authority to determine all matters pertaining to the employment of all staff in the ministry, including –
 - (a) the terms and conditions of employment;
 - (b) the qualification...”,

and the list goes on.

On policy compliance, Madam Deputy Speaker, I like that the Ministry is working on policies that will foster a culture of change. I always challenge the leadership - the change starts from the top and the biggest challenge is to lead. I hope that civil servants, as agents of change, will take

that responsibility seriously, working with the Ministry. We had a discussion with the honourable Minister for Education yesterday on the change in leadership at Lelean Memorial School - same staff but change the Principal and Vice-Principal. Very positive, Madam Deputy Speaker! That is what we want from the Civil Service, and I know it will be a challenge to those who are responsible.

On the recommendations, Madam Deputy Speaker, I hope that those in the rural areas will not be denied opportunities because we need those civil servants to be upskilled and reskilled. As a former Commissioner, I have noted that some civil servants, once they are in the rural areas, they are forgotten. I hope that the Human Resources Policy of each Ministry will keep track of who is doing what and where because some of the civil servants, once they are in the rural areas, they are there for life and they are even forgotten from opportunities for further training. With further training, they will be able to do better in the areas that they serve in, so I hope that will be taken seriously as well.

While still on that, I hope we will also look at better living conditions. The honourable Deputy Prime Minister and Minister for Finance knows about the situation in Kadavu. That is something that we will also seriously consider because we need to create the environment for them to perform, which starts from their living conditions and then into their workplace. Sometimes we demand the best out of them, but we are not creating that environment for them to deliver their best.

That is my contribution, Madam Deputy Speaker, and thank you for this opportunity. I support the motion before the House.

HON. PROF. B.C. PRASAD.- Madam Deputy Speaker, I thank the honourable Prime Minister and other honourable Members who have spoken before me. To give a quick snapshot of the Ministry of Civil Service, from 2019 to 2020 and 2024 to 2025 financial years, the Ministry was allocated a total budget of \$155.4 million.

Recent increases in the Ministry's budget, Madam Deputy Speaker, in the 2023-2024 financial year was due to the transfer of the Office Accommodation Unit from the Ministry of Finance to the Ministry of Civil Service. Similarly, the increase in the 2024-2025 Budget was due to the transfer of the Department of Public Enterprises into the Ministry of Civil Service from the Office of the Prime Minister.

On some of the concerns that were raised, Madam Deputy Speaker, I was listening very carefully to honourable Koroilavesau. We were in Kadavu together and I was shocked at the conditions in which our civil servants were working. It is worse than the rural areas of Viti Levu and Vanua Levu.

We went to the Vunisea Hospital. That place has fallen apart in many ways but the dedication of the Sub-Divisional Medical Officer there, the doctors, nurses, other civil servants and wage earners was really moving. I asked one of them, "Why are you here from Viti Levu?" The doctor said, "I want to serve the people in Kadavu." That shows the compassion and hard work that civil servants do in the rural areas. I want to take this opportunity to thank all those civil servants working in the rural areas - teachers, doctors, nurses, et cetera, who work under very, very difficult conditions and are still able to provide services to our people.

The honourable Prime Minister recently launched the Fiji Learning Institute for Public Service (FLIPS). Government has invested about \$1.9 million to establish this institution to ensure that opportunities are created for high quality and future-focused learning targeted to the needs of the Fijian Civil Service. There are a few components in that training, and I am sure the Ministry will be talking about that.

Madam Deputy Speaker, honourable Hem Chand forgot to mention that when we came into Government, we realised the difficulties that the civil servants had. We realised that they did not have any salary or wage increase since 2017, so in the last budget, this Government provided one of the highest increases ever to our civil servants and to our wage earners. Salaries and wages were increased between 7 percent to 20 percent in the 2024-2025 financial year, which contributed to the re-establishment of a lot of confidence and empowerment within the Civil Service.

Madam Deputy Speaker, we also extended the retirement age for all civil servants and Government Wage Earners from 55 years to 60 years. Again, that was a great boost in terms of confidence, in terms of security of tenure and permanency of employment within the Civil Service.

In terms of what the Government has been trying to do, I take the point that was raised by all the honourable Members about the difficulty in recruitment in certain areas, particularly in technical areas, the Ministry for Finance is already talking with the Ministry of Civil Service to find ways. The honourable Leader of the Opposition talked about matching offers and that was a good idea, particularly, in areas where we have difficulty in getting good people.

The honourable Prime Minister also said that there are more than 30,000 civil servants. Madam Deputy Speaker, if you add all the Government Wage Earners who are about 8,000, that is, 38,000 altogether, and 4,000 in other public institutions and organisations, we are looking at the size of our Civil Service, including other institutions of about 40,000 with a budget of \$1.2 billion per year. If you look at it, it is almost 25 percent of our total budget.

Madam Deputy Speaker, as I have said, we must look at how we can improve and how we can deal with non-performance as well. There has been a lot of discussions about abuse of Government vehicles by civil servants and Government drivers, a lot of that came from the Opposition. We are putting in measures and we are clearly sending messages to our civil servants. We are not discouraging the hardworking civil servants.

In any organisation, you sometimes have a normal curve - you have some of the star performers, you have good performers, and a big majority of them in the middle. Then you have those on the other side of the normal curve. Part of the strategy that the Government has, particularly in terms of the establishment of the FLIPS is to create training, create an environment so that we can deal with that.

It is no point saying that there are no issues when services do not get delivered to our people. We are the first people who complain about the services. They will come to us, they will go to the Opposition, and honourable Koroilavesau was 100 percent on the spot when he talked about the way we can improve the services to our people. If someone travels from Tailevu in a bus to get a birth certificate or ends up at a passport office, pays their fare, and then gets told to go back in one week, those are, obviously, services that we must talk about. When we talk about that, we are not necessarily discouraging our civil servants. A vast majority of them work very hard, and as I have said earlier, those in the rural areas, like in Kadavu and I am sure in most of the maritime islands, they work under tiring conditions.

One of the other things that we have noticed since we have come in is that in a lot of the Ministries, there is a deterioration state of Government quarters. You ask the honourable Minister for Agriculture and Waterways, you ask the honourable Minister for Rural and Maritime Development and Disaster Management, they will all tell you that. I visited the Ministry of Agriculture office in Batiri, Vanua Levu. You will see that some of those Government quarters which were always maintained and looked after with white stones and nice flowers around them, were no

longer there. Therefore, a lot of these Ministries are also putting in resources.

We have provided significant funding for maintenance and within two years, a lot of improvements have been made in a lot of areas, especially in Viti Levu and Vanua Levu. Unfortunately, if you look at the quarters in some maritime islands, such as Kadavu, we have talked to the civil servants and they told us about the difficulties they had with vehicles, for example. They needed four additional vehicles. When we came back, we said to our people that we do not need any excuses, and the vehicles should be delivered to Kadavu because those were very important for people to provide the services.

Madam Deputy Speaker, I want to assure all our civil servants and thank all of them for their hard work. We are also saying that service delivery for our people is very, very important. The Government is doing its best to ensure that we enable our civil servants and empower them to deliver those services to our people.

DEPUTY SPEAKER.- I now give the floor to the Deputy Chairperson of the Standing Committee on Foreign Affairs and Defence for his right of reply.

HON. R.R. SHARMA.- Madam Deputy Speaker. I would like to thank the honourable Prime Minister, the honourable Leader of the Opposition, the Deputy Prime Minister and Minister for Finance, Strategic Planning, National Development and Statistics, as well as other Members who have contributed to this motion. It was a time where restrictions on COVID-19 were imposed on our Civil Service, and it really tested the resilience (as stated by one of the Members) of our civil servants.

Madam Deputy Speaker, I would like to thank our dedicated civil servants for their unwavering commitment and hard work. Their service shapes our communities and strengthens our nation, and we appreciate the countless hours you have invested for our nation's prosperity. I would like to thank the Committee Members and the Secretariat for their hard work.

DEPUTY SPEAKER.- Honourable Members, Parliament will now vote to note the content of the report.

Question put.

Motion agreed.

DEPUTY SPEAKER.- Honourable Members, that brings us to the end of today's sitting. Thank you very, very much for your patience and for your contribution.

The Parliament is now adjourned until 9.30 tomorrow morning.

The Parliament adjourned at 4.22 p.m.