

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

FRIDAY, 2ND OCTOBER, 2026

[CORRECTED COPY]

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FRIDAY, 2ND OCTOBER, 2026

The Parliament met at 9.55 a.m. pursuant to adjournment.

MR. SPEAKER took the Chair and read the Prayer.

PRESENT

All Members were present, except the honourable S.S. Kirpal.

MINUTES

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

That the Minutes of the sitting of Parliament held on Thursday, 1st October, 2026, as previously circulated, be taken as read and be confirmed.

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

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE SPEAKER

Welcome

I welcome all honourable Members to our final sitting for this week. I also welcome all those joining us in the gallery and those watching the live broadcast on television and the internet.

Honourable Members, please, join me in warmly welcoming the students and teachers of Holy Trinity Anglican School in Suva. Thank you for joining the Members in the Lord's Prayer this morning. I can hear you loud and clear from here.

You are most welcome to your Parliament and that you will learn what is happening inside your Parliament in the next hour or so. Thank you for joining us today!

Honourable Members, please, also join me in welcoming His Excellency, Mr. Michael Henry, the High Commissioner of the Cook Islands, High Commission in Suva. I believe His Excellency, Mr. Hiroshi Tajima, the Ambassador of Japan, is also here amongst us. Your Excellencies, we are grateful for your continued commitment to strengthening the partnerships between our countries and we appreciate your presence here with us today.

Honourable Members, please, also join me in welcoming four Officers from the UK Government Communications Service International, who are providing support to the Pre-COP 31 Meeting. We have Ayisha Rixon, Jonathan Gifford, Romain Roux and Ben Durston. Welcome to the Fijian Parliament!

Extension Granted to the Standing Committee on Foreign Affairs and Defence

For the information of the honourable Members, the Business Committee has approved a request from the Chairperson of the Standing Committee on Foreign Affairs and Defense, seeking an

extension of time to enable more scrutiny and deliberation on the Review of the Fiji-Australia Vuvale Union and Ocean of Peace Alliance or Veitacini Treaty. With the indulgence of the House, the Standing Committee will now table its report during the November Sitting of Parliament. There is no objection from Members on the granting of this extension.

Written Responses Received

For the information of honourable Members, the Secretariat has received the following written responses from the:

- (a) Minister for Housing and Local Government to Written Question No. 217 of 2026, asked by the Leader of the Opposition; and
- (b) Minister for Finance to Written Question No. 177 of 2026, asked by honourable Premila Kumar.

Honourable Members, the responses have been conveyed to the honourable Leader of the Opposition and honourable Premila Kumar, and a copy made available on the Parliament website.

Poppy Appeal

Honourable Members, for your information, the Poppy Appeal, in support of our veterans and their families, was officially launched yesterday by the Fijian Returned Service Persons Association. The Poppy Appeal provides an important opportunity for us to recognise and honour the service, sacrifice and contribution of those who have served our nation, and to extend our support to veterans and their families.

The Association will be conducting the Poppy Appeal within the Parliamentary precincts, including the foyer. I, therefore, warmly encourage all honourable Members to support this meaningful cause by purchasing a poppy and giving generously. A poppy may be a small gesture, but it carries a significant message of remembrance, respect, gratitude and support for those who have served and sacrificed for our country.

Daily Hansard Report

Finally, honourable Members, due to the late sitting of Parliament which ended early this morning, the *Daily Hansard* will be circulated as soon as it is finalised.

Thank you, honourable Members, and we will now proceed to the next item on today's Order Paper.

QUESTIONS

Oral Questions

Challenges in Agricultural Mechanisation (Question No. 248/2026)

HON. J.N. NAND asked the Government, upon notice:

Given that the agricultural mechanism adoption rate remains at 14.2 percent, can the honourable Minister for Agriculture, Waterways and Sugar Industry inform Parliament on the systematic barriers that are preventing smallholder farmers from

adopting machinery, and how will the current budgetary allocation directly resolve these bottlenecks?

HON. T.N. TUNABUNA. - I also wish to thank honourable Nand for this question. Let me make this clear that the 14.2 percent figure was not generated from a study undertaken by the agriculture sector in Fiji by officers or staff of the Ministry of Agriculture and Waterways - it originated from research undertaken by Miss Sarah, a student of the University of Tasmania, as part of our agricultural science research. Her research examined the question; how do agriculture stakeholders perceive the factors and interactions between shaping the adoption of agriculture mechanisation.

It is, therefore, important that the 14.2 percent should not be interpreted as an official national mechanism census, or an industry-generated statistic just made for the farmers of Fiji. The research itself acknowledged limitations arising from its relatively small sample size, while identifying useful systematic factors affecting mechanisation adoption. The findings are useful in helping Government understand the practical barriers faced by farmers.

Mr. Speaker, Sir, agriculture mechanisation is not simply a matter of purchasing more tractors and distributing machinery to farmers. The survey points to a broader system of interconnected constraints, as follows:

- (1) There is the issue of affordability and access to finance. For many smallholder farmers, the upfront cost of purchasing machinery is beyond their financial capacity. Even though financing facilities are available, requirements relating to security, repayment capacity, and financial literacy can make formal finance difficult to access. The Government's approach is to facilitate smallholder farmers' access to mechanisation services through machinery hire, outsourcing, farmers' group, and appropriate design equipment support programmes, rather than requiring individual ownership of heavy machinery.
- (2) Farm size, terrain, and farm layout can limit the suitability of conventional machinery. Given that many smallholder farms are fragmented, situated on slopes or difficult terrain, or otherwise unavailable for large machinery, the mechanisation policy must recognise the need to diversify appropriate technologies rather than adopting the one-size-fits-all approach. The Ministry has promoted a wide range of appropriate technologies, including small-scale and farm-specific machinery, rather than focussing exclusively on large tractors and other heavy equipment.
- (3) There are constraints relating to machinery availability, spare parts, maintenance and repair services. The decision for a farmer to adopt machinery depends not only on whether the machines can be obtained, but whether they can be kept operational. If spare parts are unavailable, technicians are difficult to access, or repair takes too long, machinery can become a significant financial risk to a farmer.
- (4) There are skill and knowledge constraints. Mechanisation requires operators who can safely and effectively use the equipment, as well as technicians who can maintain and repair it. The research identifies limited training and technical support as factors contributing to equipment downtime and, in some cases, unsafe use. If there is a need to strengthen machinery, high-end cooperative models.
- (5) Many smallholders, ownership may not be the most economically appropriate model. A farmer cultivating a relatively small area may only require a tractor or a power tiller for a few days each season. Consequently, access to machinery must be more important than

ownership. With the Government playing a catalyst role by strengthening machinery, hire services, supporting private contractors, and promoting equipment sharing amongst farmers, groups and cooperatives, a lot of farmers can benefit.

- (6) Land and farm size issues also influence mechanisation. The suitability of land for mechanised cultivation, land tenure arrangement, farm consolidation, and crop types all influence the commercial viability of machinery investment. Highlighting land tenure, reform, and greater comparability between farm and cropping system and mechanisation as key areas requiring attention.

Mr. Speaker, Sir, the Government recognises that these barriers cannot be addressed through a single intervention. The 2026-2027 National Budget provides \$221 million to the Ministry of Agriculture, Waterways, and Sugar Industry. The Government specifically identified enhanced farm mechanisation as part of its support for the agriculture sector.

Mr. Speaker, Sir, our objective is to establish a more sustainable mechanisation ecosystem in which farmers can access affordable machinery when they need it. Machinery is appropriate to farm size, terrain, and cropping system. Farmers and operators receive the necessary training. Spare parts, servicing, and repair facilities are accessible. Private sector machinery contractors and farm groups can participate. Financing and cost-sharing mechanisms are accessible to small farmers. Mechanisation is supported by roads, extension services, market, and other agriculture infrastructure.

The Government will, therefore, continue to use such research alongside our own administrative information collection, farmers consultation, extension experiences, and future evidence gathering to strengthen the evidence-based for agriculture mechanisation policy.

Our commitment through the current budget is to ensure that public investment addresses the actual bottleneck preventing farmers from accessing the use of machinery productively rather than simply accessing the number of machines in the system.

HON. J.N. NAND.- Mr. Speaker, Sir, I thank the honourable Minister for a very comprehensive answer. The supplementary question to the honourable Minister is that there are many farmers who do not want to be part of the cooperative because they have differences in their village, so they have certain restrictions. Now, can an individual farmer get assistance to buy tractors, especially on a two-thirds and one-third basis?

Right now, I think they have to form a cooperative to get assistance to buy tractors, especially on two-third and one-third basis? However, now, I think they have to form a cooperative to get that benefit. Many farmers have asked us that they want to be the sole owner of their tractor. Will any assistance be provided, or will you explore that further if it can be given on a two-thirds, one-third basis for an individual farmer?

HON. T.N. TUNABUNA.- Mr. Speaker, Sir, as I mentioned about the ownership of tractors, not only dependent on their need to have a tractor, but it is based on how viable it is keeping and operating a tractor in terms of mechanisation. If there are areas where we have small farms, and the difficulty is there, the policy of having to join a cluster, a farming group, a co-operative is recommended. This is based on the experiences that we have had in Government in supporting the purchasing of machinery that will have to be used for the maximum use time of tractors.

We are very seasonal in our assistance, and a lot of land preparations are normally done only over a few months because of the seasons that we have. The proper utilisation of the machines are dependent upon the workload they have on different farms. The Government is still providing

assistance on a one-third, two-third basis, and they can contact the serving officers in the respective district for assistance with tractors. We are still rolling out the purchasing of tractors, excavators, and small machines.

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, not only tractors, but small machinery as well. A lot of these are just lying there in the farms because of their conditions, particularly not being repaired and so forth. What options are available? Can the Government provide training for them to fix it, or can Government fix it, or can it be redeployed to other people who are interested and can fix it? There is a lot of Government funding involved, particularly with the two-thirds, so that the machinery can be better and fully utilised, and the intentions of Government in terms of productivity, can also be achieved.

HON. T.N. TUNABUNA.- Mr. Speaker, Sir, thank you for that question because it has been raised frequently in the past on the lack of capacity to train our people to carry out normal maintenance and repair works for machines, including the smaller machines.

In terms of training, there used to be vocational courses offered at secondary school level to train those who can look after small machines. Training used to be done in Nadave. Part of the training is currently done now in Navuso, and these are small machines, and the Government will still continue to provide assistance to training institutions that can still carry out training on maintenance and care of those small machines. Our farmers and operators need to be trained, and I had highlighted that in my delivery this morning.

Plans/Measures to Control African Tulip
(Question No. 249/2026)

HON. S. NAND asked the Government, upon notice:

Can the honourable Minister for Fisheries and Forestry inform Parliament on the plans and measures to control and prevent the further spread of African Tulip (*Spathodea Campanulata*) in Fiji?

HON. A.V.B.C. BAINIVALU.- Mr. Speaker, Sir, briefly, African Tulip was introduced into Fiji as an ornamental tree in the 1930s and has since become widely naturalised. It is particularly successful in disturbed, degraded and abandoned areas where it can form dense stands and compete with native vegetation. Recent forest surveys have recorded African tulip as widespread and very common in areas of conservation significance.

Mr. Speaker, Sir, the Ministry's approach is therefore not based on eradication alone. Given the species widespread distribution and capacity to regenerate, but on an integrated programme of containment, targeted removal, restoration, research, utilisation and community participation.

Mr. Speaker, Sir, biological control is another area currently being investigated by the Ministry of Agriculture and Waterways Research Division in Koronivia in collaboration with the Research Institute in New Zealand. Two biocontrol agents have been considered for the management of African tulip tree, the gall mite and the flea beetle. The gall mite accidentally entered Fiji and is already widespread on African tulip trees.

In contrast, Mr. Speaker, Sir, the flea beetle has not yet been released in Fiji. Post-specific tests have been conducted to assess the safety of these biocontrol agents, ensuring that they affect only the target species and pose no risk to non-target species.

Mr. Speaker, Sir, the Minister of Forestry's Research Division is supporting this work by providing seedlings of various native tree and timber species to be tested alongside the biological control research. This work is important because any biological control programme must be carefully researched and assessed before any potential release outside the quarantine area is considered.

Mr. Speaker, Sir, the Ministry will continue to support measures aimed at controlling the spread of African tulip and protecting native vegetation. At the same time, we will continue to investigate whether the selected African tulip resources can be responsibly utilised for veneer, plywood, engineered wood products, construction materials and renewable energy.

We will continue to conduct research and collaborate with industry, research institutions, development partners and other Government agencies to determine the most appropriate approaches for African tulip management and utilisation through a coordinated approach. It is a known fact that African tulip is already widely established in Fiji, and complete eradication is therefore a significant challenge. The practical objective is to prevent further expansion, reduce its impact in priority areas, restore affected forests and agricultural land, and develop beneficial uses for material removed through the control programmes.

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, Madam Minister, the alternative use, I have talked about veneer and plywood and renewable energy as well. A few years back there were interested in palletising African tulip for renewable energy use. How far has this progressed?

I know in Tailevu, they were very excited, particularly in Wainibuka because they do not plant much, but only have African tulip trees. So, it was sort of contentious very well. They claim that they will have the factory there. How has the palletisation progressed so far?

HON. A.V.B.C. BAINIVALU.- Mr. Speaker, Sir, I thank the honourable Leader of the Opposition for his question. During the 2025-2026 financial year, the Ministry undertook a Government-funded research and development project to assess the pilling properties of African tulips in Vanua Levu. The work was conducted in collaboration with Long Investment Company Limited in Savusavu, and the trial also included white teak and acacia. Veneer from the three tree species was used to manufacture plywood panels, which are now ready for service field trials to assess their durability.

This was one of the successful trials, Mr. Speaker, Sir, undertaken during the last financial year and demonstrated the potential of African tulip for engineered wood products, market development and income generation. The research trial results demonstrated that selected African tulip logs can be successfully peeled and converted into veneer.

Mr. Speaker, Sir the trial also identified several technical challenges such as losses due to tree form, internal defects, high moisture in wood and substantial shrinkage during drying. These findings indicated that the commercial potential of African tulip will depend on improved log selection, appropriate peeling and drying schedules, effective vineyard grading and continued management of African tulip standards.

Mr. Speaker, Sir, the research is not simply about finding another use for an invasive species; it is about determining whether responsible utilisation can form part of a broader management approach while also creating opportunities for engineered products, market development and income generation.

Mr. Speaker, Sir, in addition to that, through the Korea Forest Services-funded project implemented in collaboration with the Pacific community, research has also been undertaken across the three Pacific Island Countries - Fiji, Vanuatu and Tonga, focusing on these three invasive species,

including African tulip, *Cordia* species and *Merremia* vine.

For Fiji Mr. Speaker, Sir, the work includes both chemical and mechanical control trials, so glyphosate has been used to test, to assist in controlling or killing these African tulip trees. And the trials were undertaken in 2025, and monitoring continues at the study sites at both Viti Levu and Vanua Levu.

Mr. Speaker, Sir, the ministry is also collaborating with ROCOLA Pty Ltd, a company in Matawalu, Lautoka, to investigate other alternative uses of African tulip. One area being explored is its potential as boat-building material. The objective is to examine whether suitable, readily available timber can be promoted for boat construction as an alternative to fiberglass boats, which also assesses African tulip for panel boards, veneer and laminated veneer lumber applications for construction.

Mr. Speaker, Sir, another emerging area of use of the African tulip is as a fuel wood resource. So African tulip is currently being harvested for fuel wood at the Nabou Green biofuel plant, with harvesting taking place in the area between Sigatoka and Nadi, and the volume being harvested is continuing to increase.

Mr. Speaker, Sir, while the African tulip is viewed as an invasive species, our objective, the Ministry of Forestry's objective, is to protect Fiji's native forests and biodiversity, and also identify practical opportunities to convert a challenging invasive resource into useful products and also create employment opportunities and add economic value.

Revenue from Usage of Albert Park Grounds
(Question No. 250/2026)

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

Can the honourable Minister for Housing and Local Government inform Parliament how much direct revenue the Suva City Council received from the utilisation of Albert Park Grounds for the 2026 Hibiscus Festival?

HON. M.K. NALUMISA.- I thank honourable Lal for the question. Mr. Speaker, Sir, in direct response to the Honourable Member's question, no direct revenue has been received by the Council from the utilisation of Albert Park grounds for the 2026 Hibiscus Festival. This is because the Council, as the owner and operator of both the festival and the venue, will not charge itself a venue-hire fee or rental charge for the use of the grounds.

Mr. Speaker, Sir, with no direct revenue, while no direct revenues were generated specifically from the use of Albert Park, the festival itself generated substantial revenue through its various activities and sponsorship arrangements, according to the provisional accounts of the Hibiscus Festival 2026. Total revenue generated amounted to \$823,144. This figure demonstrates the significant economic impact of the Festival and the strong support received from sponsors, businesses, exhibitors, community organisers and members of the public.

Mr. Speaker, Sir, it is also important to emphasise that the success of the Hibiscus Festival should not be measured solely by the revenue figures. Since its establishment in 1956, the festival has served a broader purpose, it was created to celebrate Fiji's diversity, culture and unity, but also raising funds for charitable and community causes. The Festival continues to fulfil these objectives by bringing people together, supporting local businesses, showcasing local talent and contributing to social welfare initiatives within our communities.

The return of Festival to Albert Park also delivered considerable social and cultural benefits.

The venue provided a historic backdrop that resonated strongly with residents who fondly remember the festival being held here over many decades. The return to the park strengthened community ownership of the event and helped commemorate the festival of its history during its 70th anniversary celebration.

Mr. Speaker, Sir, the festival generated wider economic benefits for the capital city, influx of visitors, support for vendors, food operators, entertainers, transport providers and other small and medium-sized enterprises that participated to benefit from these festival activities. Although these benefits may not appear as direct revenue to the generation of the park, it will allow the turf to recover properly. With ongoing fertilisation and maintenance undertaken progressively as part of the overall upkeep program of the Albert Park. This is to ensure the venue remains suitable for major public events and community activities throughout the year.

Mr. Speaker, Sir, these improvements are intended not only to support future Hibiscus Festival, but also to enhance the functionality of Albert Park as one of Suva's most recreational, cultural and civic spaces. The Council remains committed to preserving the historical significance of Albert Park while ensuring that the facility continues to meet the expectations of residents and businesses alike. The experience gained from hosting the 70th anniversary of the Hibiscus Festival will assist the council in planning and delivering even better festivals in the years to come.

Mr. Speaker, Sir, it is also important to note that the Suva City Council Hibiscus Festival Committee is also currently finalising its Festival accounts and undertaking all the necessary reconciliations and its final report as well as audit accounts expect to be submitted to the Suva City Council by most probably November and December 2026. Following completion of this process all funds based strictly for charitable purposes will be distributed to the intended that it should be for the end of 2026 consisting of long-standing charitable objectives of the Festival.

HON. V. LAL.- Mr. Speaker, Sir, a lot of work was involved in preparing the ground for the festival and then restoring the ground afterwards. Can the honourable Minister tell us what was the cost involved in preparing and also restoring the ground after the Festival?

HON. M.K. NALUMISA.- Mr. Speaker, Sir, as I have alluded earlier there is a festival organizing committee organisers that organised that Hibiscus Carnival in consultation with the Suva City Council as the owner of the venue where the Hibiscus Carnival 2026 was held and as I have said, right now, the organising committee is not finalising its accounts and hopefully by then, we will be able to find out how much was actually utilised before, during, as well as after the Hibiscus Carnival.

MR. SPEAKER.- Thank you, honourable Minister, for the information. Your Parliament did not levy any fee for the use of the parliamentary precincts during the Festival. So, we would like to inform everyone of that, and we gladly ceded the Constitutional Avenue for the Festival use and its charitable purpose.

Municipal Rates Payable on State Land
(Question No. 251/2026)

HON. S. KUMAR asked the Government, upon notice:

Can the honourable Minister for Lands and Mineral Resources inform Parliament on the municipal rates payable on State Land administered by the Government, including the applicable rates and the provision made in the 2026-2027 National Budget for their payment?

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, I am happy to provide the answer that has been suggested to the House. The mandate that allows the Ministry of Lands to make municipal rate payments for and on behalf of the State is not found on one single piece of legislation but arises out of an interaction of a few pieces of legislation between the State Lands Act 1945 and the Local Government Act 1972.

The Ministry of Lands, through the Valuation Division is responsible for the payments of all lease renters and town rates on behalf of the State. Municipal councils engage the services of the ministry valuers to conduct assessments of municipality rates at six-yearly intervals with the exception of two municipal councils that engage the services of private valuation companies.

Mr. Speaker, Sir, Government owns the leases and leases approximately 650 properties across 13 municipal boundaries in Fiji. In its capacity as the property custodian and like any other property owner, the Ministry fulfils its statutory financial obligation to municipal councils throughout Fiji. These obligations are executed through the timely settlement of municipal rates and levies in compliance with the Local Government Act of 1972.

Levies by municipal councils are divided into two categories:

- (1) General rates - Government pays rates for Government offices that are located in the municipalities, Government quarters, police stations, courthouses, and Government buildings; and
- (2) Special Rates - it covers Government schools, hospitals, cemeteries, prisons and mental homes, mental hospitals and offices.

Under the 2026-2027 Appropriation, a total allocation of \$2.1 million has been designated for municipal council rates to meet statutory property commitment across all of Fiji's towns and its two cities. Prior to the settlement of these rates, valuers conduct physical inspections throughout and verify all property records to ensure accurate payments are based on the two categories that I mentioned before.

As of today, I will report to the House that the Ministry of Lands and Mineral Resources have paid \$1,371,72.75 in rates, which represents approximately 65.3 percent of the total budget budgeted for in the appropriation. We expect to pay the remaining balance of just below \$730,000 by the month of October, following the completion of the verification process, as the valuers are mandated to conduct.

To conclude, Mr. Speaker, Sir, the statutory obligation of the Fijian Government to pay municipal rates is strictly regulated, and it is a strictly regulated process that bridges central Government accountability with the local municipalities that it is funding.

MR. SPEAKER.- Before we move on to the next question, honourable Members, I would ask that you, please, join me in welcoming the teachers and Year 11 students from Naitasiri Secondary School. You have travelled far to come here, and we welcome you to your Parliament. I hope today's proceedings will give you some insight into the workings of your Parliament and what your members do when they come to attend Parliament. Thank you for joining us this morning.

Update on the Indo-Pacific Economic Framework
(Question No. 252/2026)

HON. F.S. KOYA asked the Government, upon notice:

Can the honourable Minister for Foreign Affairs and External Trade inform Parliament on the status of the Indo-Pacific Economic Framework of which Fiji is a founding member?

HON. S.R. DITOKA. -Mr. Speaker, Sir, I thank the honourable Member for his question. Fiji is a party to the Indo-Pacific Economic Framework for Prosperity (IPEF) and remains the only Pacific Island country participating in this important regional economic framework. Fiji's participation in IPEF reflects our commitment to strengthening economic resilience, deepening regional cooperation, supporting sustainable economic growth, and ensuring that the Pacific has a voice in shaping the economic architecture of the Indo-Pacific.

Mr. Speaker, Sir, IPEF is structured around four pillars – Trade, Supply Chains, Clean Economy and Fair Economy, covering anti-corruption and tax cooperation. Fiji has ratified the Supply Chain Agreement, the Clean Economy Agreement, and the Fair Economy Agreement, completing our domestic ratification processes in 2023 and 2024. Since then, Fiji has been actively implementing these agreements together with our IPEF partners. I would like to briefly update Parliament on each of these areas.

Mr. Speaker, Sir, the IPEF Supply Chain Agreement entered into force on 24th February, 2024. Fiji was one of the first five partners to ratify it, which enabled the agreement to take effect. Fiji is now represented on all three supply chain bodies established under the agreement.

First is the Supply Chain Council, where Fiji is represented by the Ministry. The Council held its first meeting virtually on 23rd July, 2024, at which its terms of reference were adopted. It met in person in Washington DC, on 12th September, 2024 and again virtually on 12th December, 2024.

Under the Council, Fiji takes part in two subcommittees: the Logistics and Movement of Goods Subcommittee, where Fiji is represented by the Ministry, and the Data and Analytics Subcommittee, where Fiji is represented by the Fiji Bureau of Statistics.

Fiji has also joined two Action Plan Teams under the Supply Chain Agreement, namely the Critical Minerals and Batteries Team, led for Fiji by the Ministry of Lands and Mineral Resources, and the Healthcare and Pharmaceuticals Action Plan Team, which is led for Fiji by the Ministry of Health and Medical Services.

Mr. Speaker, Sir, the second body is the Crisis Response Network, which is an emergency channel through which partners can seek support and share information when supply chains are disrupted. Fiji is represented on the Network by the Ministry's External Trade Unit.

Third, Mr. Speaker, Sir, is the Labour Rights Advisory Board. This Board brings governments, workers, and employers to the same table to strengthen labour rights and workforce development across regional supply chains. Fiji's participation is fully tripartite. We are represented by the Ministry of Employment, Productivity and Workplace Relations on behalf of Government, the Fiji Trades Union Congress on behalf of workers, and the Fiji Commerce and Employers Federation on behalf of employers.

Fiji was elected Vice-Chair, alongside Australia as Chair, for a two-year term. This was a significant recognition of Fiji's standing in the region and of our tripartite approach to labour matters. The most recent ERAB Board Meeting held in May 2026 in Geneva was attended by Fiji's tripartite representatives to progress the work programme.

Mr. Speaker, Sir, through IPEF, Fiji is also accessing technical assistance and capacity-

building support to strengthen our supply chain resilience and our ability to respond to disruptions.

Mr. Speaker, Sir, turning to the IPEF Clean Economy Agreement, Fiji signed the agreement in June 2024 after this House approved its ratification. Fiji was among the first partners to complete its domestic processes. This helped bring the Clean Economy Agreement into force in October 2024. The Clean Economy Agreement supports our transition to clean energy, climate-friendly infrastructure, and technologies. It also gives Fiji access to financing, technical assistance, and capacity building.

At the inaugural IPEF Clean Economy Investor Forum in Singapore, three infrastructure projects from Fiji were shortlisted for presentation to investors: the Fiji Rural Electrification Fund, the Western Landfill Project, and the Qaliwana Hydro Scheme. Four Fijian companies were also named in the Indo-Pacific Climate Tech Top 100: The Fertile Factory and Company, The Switch Network, Electric Vehicle Direct Fiji, and EnviroTech Solutions Pacific. Fiji continues to pursue opportunities under the IPEF Catalytic Capital Fund, which offers concessional finance and technical assistance to build a pipeline of clean economy infrastructure projects in developing IPEF economies.

Mr. Speaker, Sir, the Clean Economy Agreement also allows interested IPEF partners to work together on joint projects called the Cooperative Work Programmes. These cover areas such as clean electricity, plastics recycling, and biofuels. Through them, countries and the private sector can share resources and move clean energy projects forward faster. The commitments Fiji made under this agreement match the climate and energy work we were already doing at home.

Mr. Speaker, Sir, on Pillar 4, the Fair Economy Agreement entered into force on 12th October, 2024. Fiji was among the first five partners to complete its domestic processes alongside Malaysia, New Zealand, Thailand, and the United States. The agreement commits partners to prevent and combat corruption and related financial crimes, to improve tax administration, tax transparency, and information exchange, and to strengthen cooperation and capacity building in these areas.

It also supports the implementation of existing international commitments, including the United Nations Convention against Corruption. For Fiji, the agreement signals our commitment to good governance and a transparent, predictable investment climate. Through its catalogue of technical assistance and capacity- building initiatives, Fiji is drawing on training and support to strengthen our anti-corruption and tax institutions, including FICAC and FRCS.

Fiji is already benefiting from this support. A Fijian official attended workshops on asset recovery, investigating and prosecuting cases of corruption, and digital evidence and computer digital forensics organised by the United Nations Office on Drugs and Crime. Such workshops build our officials' capacity to trace, freeze, and recover the proceeds of corruption, and connect them with counterparts across the IPEF region. Fiji will continue to take up such opportunities to strengthen our institutions and meet our commitments under the agreement.

Mr. Speaker, Sir, the fourth pillar is a trade pillar, which covers a broad range of issues, including labour, environment, digital economy, agriculture, trade facilitation, regulatory practices, inclusivity, and technical assistance. It did not consist of market access negotiations.

There has been significant engagement and progress among IPEF partners across these areas. However, the Trade Pillar negotiations were unable to conclude following the United States general elections in November 2023, to the disappointment of many IPEF partners who had hoped to see a negotiated outcome. We, therefore, continue to engage constructively with other partners while carefully considering the implications of any future outcomes of Fiji's domestic policy space and development priorities.

Mr. Speaker, Sir, Fiji's participation in IPEF has been significant because it provides us with an opportunity to engage directly with some of the largest and most influential economies in the Indo-Pacific. Importantly, it provides a platform for economic cooperation, capacity building, investment mobilisation, supply chain resilience, clean economic development, and stronger regional economic governance. For Fiji, this is particularly valuable.

We will continue to implement the supply chain, clean and fair economy agreements together with our IPEF partners, while remaining actively engaged in the trade pillar. Our objective is to ensure that Fiji derives tangible economic and developmental benefits from this engagement, strengthens our resilience to external shocks, expands opportunities for our businesses and exporters, and ensures that the interests and circumstances of the Pacific are properly reflected in the evolving economic architecture of the Indo-Pacific.

HON. F.S. KOYA.- Mr. Speaker, Sir, I thank the honourable Minister for his comprehensive answer. We do understand the vast array of benefits that will accrue, that have accrued and are accruing to Fiji with respect to this particular agreement. On the issue of trade, given that IPEF does not provide any conventional tariff-based market access, et cetera, what do you see as one of the most important or principal economic benefits that we will achieve from this with respect to – I am being specific here – our Fijian exporters?

HON. S.R. DITOKA.- Mr. Speaker, Sir, I think the most important benefit that Fiji will benefit from is the fact that our processes and systems are going to be strengthened as we proceed. Hopefully, those kinds of discussions will also come on the table when we do arrive at it. For the moment, it is just operating and learning from these processes and strengthening our systems and strategies. I believe that is the greatest benefit that we can get from it at the moment.

Managing Saltwater Intrusion in Soil - Maritime Farmers
(Question No. 253/2026)

HON. N.T. TUINACEVA asked the Government, upon notice:

Can the honourable Minister for Agriculture, Waterways, and Sugar Industry update Parliament on the types of assistance offered to farmers in the maritime zones, especially in the Lau Group, to help cope with saltwater intrusion into the soil?

HON. T.N. TUNABUNA.- Mr. Speaker, Sir, the assistance provided through the Agriculture, Waterways Division is mainly under the Coastal Protection, Drainage for Rural Residents Area, and Drainage and Flood Protection programmes. These programmes support vulnerable coastal and low-lying communities through coastal protection and drainage improvement works.

In Lau, the Ministry has undertaken coastal protection works at the Lakeba Hospital, Daliconi Village in Vanuabalavu, and Ketei Village in Totoya. Drainage improvement works have also been carried out at Waciwaci Village in Lakeba and at Mavana, Levukana, Lomaloma, and Mualevu in Vanuabalavu, together with the extensive drainage improvement work in Lakeba, Ketei Village, Totoya, and a floodgate has also been installed to help prevent backflow of saltwater to the upstream drainage system.

In response to further questions for communities requiring scoping, scoping has recently been completed for proposed coastal protection works at Ogea and Naividamu in Fulaga, and for drainage improvement works in Komo. Depending on the conditions and the needs of each site, the assistance that may be provided includes coastal protection works, such as seawalls, to reduce coastal erosion and tidal inundations. Drainage improvement works, including clearing, construction or

improvement of drainage channel, and outlets to improve the discharge of inland water from low-lying areas.

A properly developed drainage network also provides defined drainage paths and enable appropriate measures to be introduced at tidal outlets where saltwater intrusion is an issue. Installation of flood gates where technically suitable or reduce saltwater intrusion into upstream drainage channel on agriculture land and any proposed installation would first require surveys, site inspections and engineering assessment to confirm the needs. In terms of location and suitability where appropriate, floodgates allow inland drainage water to discharge while limiting the backflow of tidal saltwater into the drainage system.

Mr. Speaker, Sir, the Waterways Division require continue to receive requests for assistance for the Eastern Maritime islands. A key challenge in the mobilisation of our machinery and equipment and construction material is the remote monitor of the island, and particularly where suitable jetties or wharf access is limited. The appropriate intervention, therefore, depends on the conditions at each island and individual sites. Waterways officers first undertake site inspection, surveys and engineering assessment, including consideration of land levelling, existing drainage, that influence outlet conditions and coastal exposure before they recommend for suitable works.

Where agriculture soil has already become saline, rehabilitation for the affected soil and advice on appropriate land management practices would require support from the development agriculture technical divisions, particularly the Land Resource Planning and Development Division, with complementary advice from Crop Extension on suitable crops and farming practices.

HON. F.S. KOYA.- Mr. Speaker, Sir, honourable Minister, do we actually have a kind of a real time monitoring network with respect to this particular saltwater intrusion, especially in those places that are severely affected? Do we actually have a network to measure it at the moment, or are we looking towards doing that?

HON. T.N. TUNABUNA.- Monitoring is, obviously, only done through information collection through our Extension Officers who are serving in the field, and it is normally based on a very thorough analysis on crop production level. It may be due to saltwater intrusion.

HON. V. NATH.- Mr. Speaker, Sir, I thank the honourable Minister for his answers and we have seen definitely, honourable Minister, that some work has been done in these areas. My question, honourable Minister, has the ministry identified or distributed any salt tolerant crops variety suitable for these affected maritime communities? We have often seen, Mr. Speaker, Sir, that the soil type is very acidic. The pH of the soil is very below like twofold or threefold at times. Have we identified any crops?

HON. T.N. TUNABUNA.- Mr. Speaker, Sir, it is a part of the research work that is done in Koronivia to address the need to have saltwater resistance varieties, crops varieties, and it is a continuous programme, not only on the maritime islands but also on the mainland.

Monitoring Mechanism - Students Traveling by Boat
(Question No. 254/2026)

HON. H. CHAND asked the Government, upon notice:

Can the honourable Minister for Education inform Parliament on the monitoring mechanism for students' safety who travel to school by boat?

HON. A.M. RADRODRO.- Mr. Speaker, Sir, it is very important for this House to know that the Ministry of Education is fully aware that the safety of our students who travel to and from school by boat is of utmost importance. This is particularly important for students in our maritime communities whereby boat transportation is an essential means of transporting our children to their respective school.

Mr. Speaker, as the honourable Member is fully aware that the ministry has the policies that looks after the provision of safety for students that travel to and from school using boat. First is that the ministry ensures that all boats, all boat engines are well maintained, seaworthy and in good working conditions at all times for those that are supplied to various schools on request.

There also needs to be proper supervision of students, while boarding and disembarking from the boats and we have set schedule restricted time for students travelling to and from schools from 7.00 a.m. to 5.00 p.m. For those whose boats were provided to schools, the Head of Schools are responsible for ensuring that proper information for the proper information, proper details and proper details and proper use of the boats for students. In addition, students' details are updated on the FEMIS portal.

Mr. Speaker Sir, part of the safety awareness is to provide students with boats with relevant registration requirements in consultation with FIMSA like a valid Group 6 or Class 6 Boat Master Licence. Every boat operates of boats that are given to schools need to have a valid boat Master License which includes the provision of life-saving jacket appliances and safety equipment that gold comes with the boat.

In terms of monitoring, most of that responsibility lies with the Head of School for those boats that are given to schools. For those boats that are operated by individuals, that are owned by individuals, part of the requirements for registration is for the Head of School to ensure that the boat is operated by a Class 6 licence holder and with proper safety appliances. Thank you, Mr. Speaker.

HON. H. CHAND. - Mr. Speaker, Sir, with many students in maritime and remote areas relying on boats daily, the risk of accident remains a serious concern. My question is a lot of boats given out to schools by Ministry of Education. Is it inspected and certified safe on a regular basis?

HON. A.M. RADRODRO. - I think the Honourable Member is not listening to my earlier question. Everything is done in compliance with the safety standards by the MSAF so regular checking. Thank you, Mr. Speaker.

HON. V. NATH. - Mr. Speaker, Sir first-hand information probably we get from the students from Lutu Primary. Students from Lutu Primary and Wainimala, cross the river, I think, daily. Whether it is raining or dry, they have to go to school, and I have been told some of them have not been paid. Whether they use small boats, wooden boats, or they use the punts.

Honourable Minister, people still need money for the fuel and other things. Are you aware that payments have not been made?

MR SPEAKER.- Did you get the drifts of the question, honourable Minister? The question is not very clear.

HON.V. NATH.- I have given the narrative, but only the question now, Mr. Speaker. Has the Ministry paid these boat operators, Mr. Speaker?

HON. A.M. RADRODRO.- I would like to take this time also to say *bula* to the students of Naitasiri Secondary, *bula naka ragone*.

Just in terms of the payment of the services, there are certain criteria that needs to be obtained and submitted by boat operators, carrier operators and bus operators to ensure that they comply with the criteria that has been set before payments are made. If there is delays in payments basically requirements are not met, criteria are not being fulfilled and they have to fulfil all that before payment of services. We are working with our teams in the respective divisions and districts, working with transport providers, boat, RSL carriers and bus providers, to ensure that they are remitted on time.

HON. V. NATH.- Just a supplementary to his answer. Mr. Speaker, I understand the operators at times do not comply with the requirements which the Minister mentioned. Is there any provisions in your criteria that you can probably assist these operators because some of them may be just using a small wooden bridge, a wooden boat of course Wainimala they use the longer boats. If your Ministry can find other way you can help or correct your procedures to assist this boat operators, please. Any provisions there?

HON. A.M. RADRODRO.- I am not too sure about the incident that is referring to Mr. Speaker, Sir. Yesterday he was asking the honourable Minister for Transport to come to Baulevu. So, today he is talking about Wainimala. In Wainimala like I said, the boat operators are certified by the Head of School that we can operate, then all these relevant services will be remitted. That is important. They have to comply to what the Ministry of Education has set out in its policy to ensure the safety of the students traveling to and from whether it is from the sea or river, is maintained at its utmost best.

Plans for Retention of the Current Taxi Fare
(Question 256/2026)

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

Can the honourable Minister for Public Works, Meteorological Services and Transport inform Parliament whether there are plans to retain the current taxi fare?

Mr. Speaker, Sir, just a note, when this was raised, then the extension was given until March. So, I would like to know from the honourable Minister what happened after that?

HON. RO F.Q. TUISAWAU.- Mr. Speaker, Sir, the Government recognises the taxi fares directly both affects the livelihoods of taxi operators and of course the travelling public. It is therefore important that any decision on fares achieved an appropriate balance between increasing costs of providing taxi services and keeping the public transport affordable and accessible. At present, the current temporary taxi fare adjustment remains in effect until 31st March 2027. Therefore, there is no immediate change to the current fare before the date under the existing arrangements.

The regulation of taxi fares is undertaken through the established price control framework with the Fijian Competition and Consumer Commission (FCCC) responsible for the review and determination of regulated taxi fares. The Land Transport Authority has a separate but complementary responsibility in terms of land transport framework permits, vehicle and operational requirements, et cetera.

It is important to note the distinction regarding the level of regulated taxi fares are made through the price control process. Any decision on whether the current fare will be retained, varied or otherwise adjusted beyond 31st March, 2027 will be determined through that process. This will ensure the decision is based on proper consideration and consultation. Of course, there is a need to recognise the prices faced by operators, including vehicle-related costs, volatile fuel prices, however, at the same time we need to consider the impact on commuters particularly those who rely on taxis.

In short, the current affairs remain in place until 31st March, 2027.

Measures to Turn Digital Connectivity into Economic Opportunities
(Question No. 257/2026)

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

Can the honourable Minister for Women, Children and Social Protection update Parliament on measures undertaken to ensure that increased digital connectivity in Fiji translates into meaningful economic opportunities for women entrepreneurs and those living in rural, maritime and underserved communities?

HON. S. KIRAN.- Mr. Speaker, Sir, technological advances must enable our women in urban and remote areas to grow their economic opportunities. Government recognises that expanding infrastructure is only the first step towards meaningful digital inclusion.

Through the Ministry of Policing and Communication, Fiji has achieved approximately 95 percent mobile internet connectivity via 3G, 4G and 4G+ networks. While work continues to bridge the final gap for unreached communities, our focus must now turn to converting their connectivity into productivity.

The Ministry of Women, Children and Social Protection is actively ensuring that women possess the skills, tools, confidence and platforms required to fully participate in Fiji's growing digital economy. We are targeting critical barriers faced by women entrepreneurs, particularly in rural and remote and maritime communities. These include limited digital skills, lack of devices, difficulties, accessing digital financial services, and a lack of confidence in navigating online markets safely.

To address these gaps, the Government of Fiji formalised a landmark bilateral agreement with the Republic of Korea through the Korea International Cooperation Agency (KOICA), on August 27, 2026. This project, titled Digital Capacity Building for Enhancing Socioeconomic Participation of Women in Fiji, is valued at approximately US\$3.5 million and will run from 2026 to 2029. Crucially, this initiative benefits women broadly and not limited to only social welfare beneficiaries.

Following comprehensive feasibility studies carried out by the ministry in partnership with KOICA and stakeholders, including government ministries and private sector, and civil society, our structured rollout has been finalised. This will be provided by KOICA through the training of trainers of 13 women's welfare officers with the short-term training in Korea and in country training courses in Fiji. Followed by community level training by the trainers to the 130 women's groups registered with our ministry from the Central and Western Divisions. This will be spread out over the duration of the project, Mr. Speaker.

Training modules include entrepreneurship mentoring, business plan development, financial management, registration and taxation, promotion and marketing, to name a few. Provision of portable tablets, laptops and data vouchers will also be provided to improve the enabling environment for women's digital learning and training, including two vehicles for each of the divisions. There are also expansion opportunities for women entrepreneurs, Mr. Speaker.

Apart from the community-level trainings, KOICA will provide small grants to selected women's groups from the Central and Western Divisions that will be validated by the Ministry and other key stakeholders. This project directly underpins the Women's Economic Empowerment National Action Plan (WEENAP) 2025-2030, specifically advancing the pillars of women in business, women's financial inclusion and women at work.

Mr. Speaker, our national digital agenda must be inclusive. Increased connectivity should not simply mean that more women are online; it must mean that women are using technology to access broader markets, build resilient businesses and participate meaningfully in Fiji's financial ecosystem. Through the strategic partnership with KOICA, the Government is ensuring that every woman has an equal stake and a clear pathway to thrive in Fiji's evolving digital economy. With that, I thank you, Mr. Speaker.

HON. I.S. VANAWALU.- Mr. Speaker, Supplementary question to the honourable Minister: What are some key achievements and challenges faced during the expansion of digital connectivity in Fiji, as well as the key achievements during this period?

HON. S. KIRAN- Mr. Speaker, when we were doing these assessments around the country, one of the key challenges that we found, or some of the key challenges we identified, was that the women who are getting connected now do not necessarily have access to data, devices or financial services. So, we are working with the financial agencies to make sure financial services are available, but more importantly, we are making the gadgets and the data available but also improving digital literacy. We have women in rural markets who are wanting to do business online, and they need the full suite of training packages that has been developed under this programme.

MR. SPEAKER.- Honourable Members, today being Friday, we will take our lunch break now and have a shortened break. We will resume at 2.00 p.m. this afternoon.

Obviously, we have a long road ahead of us, but in the meantime, for the purposes of our Standing Orders, I will now ask the Leader of the Government in Parliament to move his motion for suspension.

SUSPENSION OF STANDING ORDERS

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, I move under Standing Order 6:

That so much of Standing Order 23(1) is suspended so as to allow the House to sit beyond 12.30 p.m. today to complete the remaining items listed on today's Order Paper.

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Sir, we have four questions remaining, as well as written questions and, of course, the End of Week Statements and Schedule 3, which includes the motion on the Constitution (Amendment) Bill 2026.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion, if any.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, we do not have any further comments.

MR. SPEAKER.- The Parliament will now vote.

Question put.

Motion agreed.

MR. SPEAKER.- Honourable Members, at this point, as I had anticipated, we will break for lunch. Parliament will resume its proceedings at 2.00 p.m.

The Parliament adjourned at 12.20 p.m.

The Parliament resumed at 2.14 p.m.

QUESTIONS

Upgrade on Queens Highway Road Repair - Semo Village, Sigatoka (Question No. 125/2026)

HON. J.N. NAND.- Mr. Speaker, Sir, I would like to declare my interest. This question relates to the damaged portion of the Queens Highway, that is, near Semo Village, and I live in Semo, and I am fondly called Semo Tiger over there.

My question is:

Can the honourable Minister for Public Works, Meteorological Services and Transport update Parliament on the upgrade of the damaged portion of the Queens Highway near Semo Village in Sigatoka?

HON. RO F.Q. TUISAWAU.- Mr. Speaker, Sir, I thank honourable Joseph Nand for the question regarding the upgrade of the damaged section of the Queens Highway near Semo Village.

I wish to inform the House that significant progress has been achieved in the rehabilitation and upgrading works at the site. The initial deteriorated dam core culvert, which had reached the end of its service life and posed a risk to the long-term integrity of the roadway, has been completely removed. All major earthworks required to stabilise the site and prepare the foundation for the permanent structure have also been completed. Furthermore, detailed geotechnical investigations have been successfully undertaken to assess ground conditions, given the ground situation there, and identify the most appropriate engineering solution.

Based on this investigation, the final design for the permanent box-carver crossing has been completed, ensuring that the new structure is capable of withstanding future weather events and increased traffic demands, given also the site where the crossing is and the hydrographic. As part of the construction phase, the recasting of the reinforced concrete box-culvert units have been completed. These units are currently being transported to the site and will be installed once the remaining foundation works are finalised.

In parallel, piling and base preparation works are progressing well which are essential components in ensuring the long-term stability and resilience of the structure. The remaining piling works are currently dependent on the relocation of an existing energy limited power line that passes through the project area.

The EFL and FRA are closely working together to complete the relocation as quickly as possible. Once the power line relocation is complete, the contractor will proceed with the final piling works, installation of the box-culvert units, construction of head walls and wing walls, deck filling, pavement reinstatement, drainage improvements, road surfacing line marking and other finishing works necessary to fully restore the affected section of the Queen's Highway.

Based on the current progress achieved and the subject to favourable weather conditions and the timely completion of the EFL power line relocation, FRA anticipates that the major civil works will be completed within the next three to four months with the entire project to be fully completed by the end of November 2026.

Upon completion, the upgraded crossing will provide a stronger, more resilient and climate-

adapted infrastructure solution. It will also reduce future failures during periods of heavy rainfall and enhance connectivity for the residents and areas surrounding Semo Village. The FRA will continue to closely monitor and work with all stakeholders regarding this specific project and issue.

Expansion of Bus Bays - Suva-Nausori Corridor
(Question No. 153/2026)

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

Currently, many bus stops along the Suva-Nausori corridor have the capacity to accommodate a maximum of two buses simultaneously. Given the growing fleet size and the increased emphasis on public transport for commuting, can the honourable Minister for Public Works, Meteorological Services and Transport inform Parliament whether there are plans to expand existing bays at major bus stops to increase capacity?

HON. RO F.Q. TUISAWAU.- Mr. Speaker, Sir, thank you honourable Virendra Lal for the question regarding the capacity of bus stops.

Government, through the Fiji Roads Authority (FRA) and the Land Transport Authority (LTA), acknowledges the challenges arising from increasing public transport demand and the growing number of buses operating along this key transport corridor. The FRA has identified through traffic assessments conducted along the Suva-Nausori corridor that a number of existing bus bays have limited capacity and can only accommodate up to two buses at a time. These limitations contribute to congestion, particularly during peak periods as buses are often required to stop partially within live traffic lanes while picking up and dropping off passengers. This affects traffic flow and causes delays for both public transport users and other road users.

To address this, there are developed plans to upgrade and extend selected bus bays at strategic locations along the corridor. The proposed upgrades are intended to increase capacity by accommodating at least one additional bus at each site, thereby improving traffic. The locations currently identified include FNU, Sambula, both directions, Nabua Township Suva bound, Nabua Centerpoint Suva bound, Kinoya both directions, Valelevu both directions, Makoi Suva bound, Nakasi Bhawani Dayal College, and Nausori bound. These works are included in the 2026-2027 Traffic Services and Road Safety Improvement Programme.

National Water Resources Management and Sanitation Policy
(Question No. 174/2026)

HON. RATU R.S.S. VAKALALABURE asked the Government, upon notice:

Can the honourable Minister for Public Works and Meteorological Services and Transport update Parliament on the National Water Resources Management and Sanitation Policy and the Fiji Integrated Water Resources Management Plan?

HON. RO F.Q. TUISAWAU.- Mr. Speaker, Sir, these are two important national instruments in terms of Fiji's Water Sector. The National Water Resources Management and Sanitation Policy (NWRMSP) and the Fiji Integrated Water Resources Management Plan (FIWRMP) were officially launched on 28th July, 2026. Their launch marked an important milestone for Fiji and, more importantly, the beginning of a new phase focused on implementation.

The NWRMSP provides Fiji's first comprehensive framework for integrating water resources management, water supply, sanitation, hygiene, environmental protection, public health, and climate

resilience under a coordinated national approach. It establishes a clear direction for the efficient, equitable, and sustainable management of our water resources, while promoting universal access to safe drinking water, improved sanitation, and hygiene services.

The policy is aligned with the Government's national development priorities. A key focus is to address the long-standing challenge of fragmented coordination within the water sector. To support this, the Ministry through the Department of Water and Sewage, will establish the National Water Resources Management Coordination Committee as the principal national platform for bringing together relevant ministries, agencies, statutory bodies, development partners, civil society organisations, and other stakeholders. The Committee will strengthen coordination, information sharing, joint planning, and decision-making across the sector.

The Fiji Integrated Water Resource Management Plan (FIWRMP), on the other hand, translates the policy direction into a 10-year strategic roadmap for the sustainable management, protection, and development of Fiji's freshwater resources. It focuses on improved planning, stronger institutions, better scientific information, enhanced monitoring, and more effective regulations. Some of the key actions under this include the progressive development of better systems for managing groundwater in collaboration with the Ministry of Lands in surface water use. These measures are intended to improve our understanding and management of water resources, promote sustainable and equitable use and support economic development while protecting the environment.

The Plan also prioritises flood risk management, including the development of flood hazard maps, flood management plans, to better inform communities, planners, developers, and decision-makers. An important area is also strengthening Fiji's national water information systems, including hydrological monitoring together with the Fiji Meteorological Services and Hydrological Services, water quality information, catchment assessment, information systems to support this, environmental protection, and future infrastructure development.

Both documents also place strong emphasis on gender equality, disability and social inclusion, and we would like to acknowledge the support of the Asian Development Bank which provided technical assistance for both the development of the National Water Resources Management and Sanitation Policy and the Fiji Integrated Water Resources and Management Plan.

I also acknowledge UNICEF, as well as the many Government agencies, statutory authorities, development partners, civil society organisations, and stakeholders.

Engineers Registration Board
(Question No.187/2026)

HON. F.S. KOYA asked the Government, upon notice:

Can the honourable Minister for Public Works, Meteorological Services and Transport update Parliament on the progress made towards the establishment of the Engineers Registration Board (ERB) and when does the Government expect it to become fully operational?

HON. RO. F.Q. TUISAWAU.- Mr. Speaker, Sir, I thank honourable Koya for the question. The Engineers Registration Board (ERB) is a statutory body established under the Engineers Registration Act 1976, to provide for the registration of engineers in Fiji. The Government reconstituted the eight-member Board in 2025 in accordance with section 3 of the Act, and the Board held its first official meeting on 5th December, 2025. Under the Act, five members are appointed by the Minister, including a public officer who served as a registrar, while the three

members are appointed on the recommendation of Engineers Fiji.

Mr. Speaker, Sir, its immediate priority is to operationalise the statutory registration system. The board has developed the engineering registration application form and is now working to finalise the registration guidelines and supporting procedures. This will clarify eligibility, documentation assessment and professional competency requirements as well as the process for considering applications. Once completed, the guidelines will undergo consultation and validation with relevant government agencies, Engineers Fiji, the engineering profession, academic institutions, and other stakeholders.

The board's work programme is directed towards commencing before the end of the year. The Government also acknowledges the long stand contribution of Engineers Fiji in supporting, representing and promoting professional standards within Fiji's engine engineering profession. The role of Engineers Fiji and the ERB are complementary. The ERB is the statutory registration authority, while Engineers Fiji remains the professional body representing and supporting engineers.

Mr. Speaker, Sir, the establishment of the board and the establishment of the registration system are related but distinct processes. The board has been consulted and is functioning. Our immediate priority is to complete and validate the registration framework and complete registration. The review and modernisation of the Engineers Registration Act 1976 will fall as a subsequent activity. Experience gained from implementing the registration system will help identify areas where the legislation may need strengthening and modernisation. The Government remains committed to establishing a transparent and credible statutory registration system that strengthens professional standards.

HON. K. LAL.- Mr. Speaker, Sir, first, I would like to declare my conflict of interest as a graduate civil engineer but not a member of Engineers Fiji.

Mr. Speaker, Sir, my question to the honourable Minister is, given the concerns previously raised regarding transparency, fairness and potential barriers, faced by qualified engineers under the existing regulatory framework and arrangements, can the honourable Minister clarify whether the new Engineers Registration Board will operate independently of Engineers Fiji and whether engineers will be able to register directly with the ERB without being required to obtain a membership or approval from Engineers Fiji?

HON. RO F.Q. TUISAWAU.- From the information I have been provided, they are running concurrently or parallel, and I cannot say or answer your question at this moment. I will need to get further information but from my understanding in terms of registration of professional bodies, or professional occupations such as engineers, it will need to run independently rather than one being dependent on the other in order to ensure transparency and independence in maintaining a body or a statutory body or a national body which oversees standards and professional as opposed to managing a professional entity and in terms of the functions which they will be providing. Thank you.

MR. SPEAKER.- Honourable Lal, do you seek clarification?

HON. K.K. LAL.- I have a supplementary question, Mr. Speaker. Can the honourable Minister further assure Parliament that the ERB will have a transparent qualification and competency criteria, clear processing timelines, and an independent appeal mechanism so that no suitably qualified engineer is prevented from practicing simply because of the membership or decisions of a private professional organisations, like Engineers Fiji?

HON. RO F.Q. TUISAWAU. - Rationally and common sense, it should operate as an independent body. The membership is determined by the criteria which are there, rather than someone else determining it. That is my understanding of that, but if it is not, then that is something that we need to look into in consultation with the various bodies, including the engineers or those who are not qualified engineers, but probably performing the same functions. Thank you.

HON. P.D. KUMAR.- A lot of engineers with all the construction work that is going on, but I am aware that often when some of these engineers who work very well overseas, they are registered, they are recognised, they are operating there, but when they come to Fiji, they are blocked.

I think honourable Lal was trying to raise that particular issue, so my question to you is, will you have a certain qualification requirement set up in consultation with the engineers, so that they do not change their game as and when it suits them, and make it available to anyone who wants to register?

HON. RO F.Q. TUISAWAU. – That is, basically the purpose of the registration board and I have also had a meeting with various concerned individuals regarding that, and I have communicated that issue to the Permanent Secretary and to the board to look into that and ensure that those concerns are taken into account.

Definitely, as I already expressed, the ERB needs to be run independently with its own criteria's, qualifications, experience, and whatever is necessary to be registered, rather than being dependent on some other body to qualify them to be – to operate in or to practice, and I have expressed that to the Permanent Secretary, as we move forward.

MR. SPEAKER. - We will now move on to the Written Questions.

Written Questions

Complaints Received by the Medical and Dental Secretariat (Question No. 258/2026)

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

Can the honourable Minister for Health and Medical Services inform Parliament on the complaints received by the Medical and Dental Secretariat for each year from 2023 to date, including the following, the –

- (a) total number of complaints received in each year, and the number of complaints resolved, dismissed, withdrawn, referred to or otherwise concluded with a breakdown of the outcome in each case;
- (b) number of complaints currently pending, including the length of time each complaint has remained unresolved; and
- (c) nature or categories of complaints relating to professional misconduct, negligence, malpractice, unethical conduct, breaches of professional standards and any other grounds of complaint?

HON. A.V.B.C. BAINIVALU.- Mr. Speaker, Sir, the honourable Minister will table his response at a later sitting date.

MR. SPEAKER.- Under Standing Order 45(3), honourable Kumar, your question will be responded to.

Children Under State Care
(Question No. 259/2026)

HON. S. TUBUNA asked the Government, upon notice:

Can the honourable Minister for Women, Children and Social Protection update Parliament on the following -

- (a) the number of children under State care;
- (b) those under foster care, including their location and age; and
- (c) the transition and exit plans for the children prior to turning 18 years old?

HON. S. KIRAN.- Mr. Speaker, Sir, I will table my response at a later sitting date.

Breakdown on the Number of Leadership Positions
(Question 260/2026)

HON. H. CHAND asked the Government, upon notice:

Can the honourable Minister for Education provide Parliament with a breakdown on the number of leadership positions (Head of School, VP, AP, HOD and AHT) filled in the last three years?

HON. A.V.B.C. BAINVALU.- Mr. Speaker, Sir, the honourable Minister will table his response at a later sitting date.

Costs Incurred by WAF on Water Carting Services
(Question 261/2026)

HON. I.B. SERUIRATU asked the Government, upon notice:

Can the honourable Minister for Public Works, Meteorological Services and Transport inform Parliament on the total costs incurred by the Water Authority of Fiji for water carting services from 1st January, 2025 to 31st July, 2026, with a separate breakdown of the expenditure incurred for –

- (a) 1st January to 31 December 2025; and
- (b) 1st January to 31 July 2026?

HON. RO F.Q. TUISAWAU.- Mr. Speaker, Sir, I will table my response at a later sitting day as permitted under Standing Order 45(3).

END OF WEEK STATEMENTS

MR. SPEAKER.- Honourable Members, each member may speak for up to 10 minutes in delivering the End-of-Week Statement with 10 minutes response by the minister or ministers responsible for the subject matter of the members' speech or another member may be delegated to speak on his or her behalf. No seconder is required, and there will be no other debate.

MR. SPEAKER.- Honourable Bainivalu, is the Minister going to be represented?

HON. A.V.B.C. BAINIVALU.- Mr. Speaker, Sir, the Assistant Minister for Health will

respond to honourable Premila Kumar's End of Week Statement.

HIV Must Become a National Priority

HON. P.D. KUMAR.- Mr. Speaker, Sir, I rise today not simply to speak about HIV, I rise to speak about priorities, leadership, and political will.

Mr. Speaker, Sir, on 15th September, 2026, the Government declared HIV a national emergency. This week Parliament has been consumed by the report of the Constitutional Review Commission and the government's tabling of the Constitution (Amendment) Bill 2026 and the timetable for constitutional change. I must say the Constitution matters, the future of our democracy matters, why is the HIV national emergency not getting the same attention?

Mr. Speaker, Sir, when Government declares a national emergency the word emergency must mean something. It must be reflected in funding, staffing, policy, coordination, parliamentary oversight, and implementation. Our HIV officials appeared before Parliament and pleaded with us to act. They have identified the barriers, and they gave us seven clear asks.

Mr. Speaker, Sir, the figures before us should concern every member of the House, and I think yesterday there was a lengthy discussion on HIV statistics. The record shows that in 2025, Fiji recorded 2016 new HIV diagnosis, a 27percent increase from the previous year, and 16 times the number recorded in 2019. UNAIDS estimates that around 9,100 people were living with HIV in Fiji in 2025, and only 39 percent knew their HIV status, while only 22 percent were accessing antiretroviral treatment. So, one in every 60 adults is now estimated to be living with HIV, while among pregnant women receiving antenatal care, prevalence is about one in 50.

Mr. Speaker, Sir, last year 59 babies were born with HIV and 18 died before their first birthday. So, based on statistics, the national emergency cannot be treated as business as usual. Fiji declared an HIV outbreak in January 2025. Despite this, the crisis has continued to deepen. The Ministry's 2025 surveillance data show that young people in the age group of 20 to 24 and mother-to-child transmission have increased sharply.

This is no longer a health issue. It affects our children, young people, families, workforce, and the future of Fiji. The most important part of today's discussion is what HIV officials told Parliament during the Parliament-organised HIV awareness session. One major concern they highlighted was the barrier to harm reduction.

I am glad the Minister brought the amendment to the HIV Act, which was passed last night. In my view, that should have come during the announcement of the HIV outbreak and not later, when we have declared the emergency, and then we are trying to run around getting the legislation changed.

Please do note the syringes were sitting in the warehouse for months. It could not be accessed by the people who really needed it. So, I am just trying to highlight here that this work should have been done earlier. We hope the issues raised about law enforcement operations contributing to needle shortages and pharmacies reluctant to provide sterile needles without prescription are addressed without police intervention because the Bill was passed last night, and I hope this message will go out clearly to all stakeholders.

Mr. Speaker, Sir, this is precisely why a national emergency requires a whole-of-Government response. The Ministry of Health cannot do this alone, yet it does not feel the whole of Government's response when you hear the officials talk about the problems they are going through.

Mr. Speaker, Sir, if one part of Government is trying to reduce HIV transmission while another creates operational barriers, Government must resolve those contradictions immediately. A national emergency cannot be declared. It must be backed by political leadership, resources, coordination, and measurable results. So, my first question is where is the money?

Mr. Speaker, Sir, the problem is not only political attention; it is also resources and execution. I do understand that the Australian Government has come on board and they have committed millions of dollars for this work. HIV officials stated they need an approved five-year budget and workforce commitment to a tune of \$50 million. According to figures presented to members, \$6.7 million was approved, but by 17th July 2026, only \$4,734 had reportedly been expended, despite almost the entire allocation being committed on paper.

We are also told that a Cabinet endorsed \$6.25 million for 2026-2027 National Budget was omitted from SEC 5 and now must be sought through appropriation or redeployment. Now, that is a serious implementation concern, and this does not show that we are using the whole-of-Government approach. A commitment on paper does not test a pregnant woman, it does not put medicine into the hands of patients, and it does not employ health workers.

Money must move from the budget to the frontline, and bureaucracy cannot become a silent barrier to saving lives. We were also told that only 60 of the 156 required positions are filled, leaving 96 vacant, and I am sure the honourable Minister will brief us on the positions that have already been filled. In a declared national emergency, that should not be the case. We want all hands on deck, so where is the same urgency that we need for HIV?

Mr. Speaker, Sir, let me be clear, I am not saying Constitutional Reform is not important, but look at the urgency being applied to it. Mr. Speaker, Sir, there is a timetable for Constitutional amendment. There are dates, there is political will, there is public attention, everything is there. So, I ask, where is the equivalent urgency for HIV? Where is the five-year funding commitment? Where is the emergency recruitment, and where is the dedicated Parliamentary oversight? If HIV is a national emergency, the responses must look and feel like one.

Mr. Speaker, Sir, I place the seven asks from HIV officials on the record:

- (1) they requested, approve the necessary multi-year budget and workforce commitment and fill the critical vacancies;
- (2) they asked for the removal of operational barriers to harm, which was fulfilled last night;
- (3) ensure that the Counter-Narcotics Bill does not undermine the safeguards and harm reduction provision within the HIV framework;
- (4) strengthen ante-natal HIV services, including routine opt-out testing and prompt treatment to prevent transmission to babies;
- (5) establish a multi-party and multi-sector coordination mechanism so that HIV response is sustained regardless of political changes;
- (6) lead a national campaign against HIV-related stigma and discrimination; and
- (7) establish a standing Parliamentary mechanism for HIV oversight across health, justice, education, social welfare and other relevant portfolios.

These proposals have come from the people responsible for responding to this epidemic. It has not come from me. The emergency must be felt on the ground, Mr. Speaker, Sir.

The honourable Minister for Health has said there will be no more business as usual, and I welcome those words. But the people of Fiji need to see the commitment translated into action. They

need health workers at clinics. They need access to testing without fear. They need sterile injecting equipment where it is required. And young people need information. Let me talk about information. How much do we hear about HIV? We only hear about the statistics, et cetera, once in a while the media is reporting. When we turn on our social media, where are those messages? Where are that kind of information required if we are operating in an emergency? It is not business as usual, Mr. Speaker, Sir.

At a time when Fiji is debating the future of its Constitution, we should remember that our Constitution and institutions ultimately exist to protect our people. Constitutional reform must not overshadow a national health emergency crisis that is already claiming lives. Mr. Speaker, Sir, let us not allow those seven asks to become seven promises that were heard and then forgotten.

HON. P.K. RAVUNAWA.- Mr. Speaker, Sir. I rise on behalf of the honourable Minister for Health and Medical Services to respond to the statement by the honourable Premila Kumar. I thank the honourable Member for bringing this matter before the House. On the central point that she has made, we agree HIV is a national priority, and it requires sustained attention and political commitment at the highest level.

However, Mr. Speaker, Sir, as a former minister and a senior member of Parliament, she should understand better that the legislation needs to be in place before we roll out any Government policy. Mr. Speaker, Sir, this Parliament has just demonstrated that commitment. In passing the amendment of HIV/AIDS Act, this House has authorised harm reduction.

The amendment of the HIV/AIDS Act authorised harm reduction, including the provision of sterile needles and syringes. Government did not bring this measure forward lightly. We brought it forward because the evidence required us to act. Harm reduction reduces HIV transmissions and provides another opportunity to reach people with testing, treatment and care.

Mr. Speaker, Sir, the honourable Member also talks about statistics. The statistics shown and established in the reports show that our testing is working. We are able to reach people who are infected with the virus.

Mr. Speaker, Sir, the Member has called for leadership at the highest level. The Government has declared a national HIV emergency. Cabinet has approved the Fiji National HIV Outbreak Response Plan and Budget for 2026-2031, with an indicated five-year funding envelope of a minimum of \$F4.5 billion.

Cabinet has also approved the establishment of a Programme Management Unit comprising 156 positions. Cabinet has also established a Cabinet Subcommittee on HIV, chaired by the honourable Minister for Health and Medical Services, bringing together Ministers whose portfolios are critical to the response. This is an interim measure to bring political leadership across Cabinet to the response now, to remove barriers, accelerate decisions, and move the response forward while we build the permanent arrangement Fiji will need for the future.

However, Mr. Speaker, Sir, Cabinet alone cannot be the national response. Government alone cannot be the national response. What Fiji needs is a whole-of-country response. We have learned from the great challenges our nation has faced that Fiji is strongest when we come together as a country. HIV requires the same approach.

It requires Government and Parliament. It requires our health system and other public institutions. It also requires people living with HIV, communities most affected by HIV, civil society, traditional and faith leaders, young people, the private sector, academia, development partners,

families, and communities across Fiji. Every part of our society has a place in this response.

We must build this response for the long term. HIV is not temporary. Treatment is for life. HIV, sexually transmitted infections, and other blood-borne viruses will require sustained national attention for as long as they trouble our population. The risks and vulnerabilities that drive this epidemic will change over time, and our response must be capable of changing with them.

Mr. Speaker, Sir, this is also an opportunity to address something Fiji should have addressed long ago. This Government is committed to introducing comprehensive sexual health services across Fiji so that all Fijians can access holistic services that respond to their individual needs.

We should not expect people to navigate fragmented programmes depending on whether they need HIV testing, STI care, prevention, reproductive and sexual health care, counselling, or other services. We need to build services around people rather than expecting people to find their way through our system. This is the permanent response we are working towards – a national infrastructure for sexual health, HIV, sexually transmitted infections, and other blood-borne viruses that is grounded in evidence, responsive to changing needs, and capable of serving our people for as long as this epidemic affects us.

Mr. Speaker, Sir, the permanent response must also protect people. Sexual stigma and discrimination remain among the most serious and damaging barriers to our HIV response. They kept people away from testing, from treatment, and from care.

The rights and protection that this Parliament enshrined in the HIV/AIDS Act 2011 must therefore be realised in the lives of the people they were intended to protect. As representatives of the people, we should make a clear commitment to this House to end HIV-related stigma and discrimination in Fiji.

Government is, therefore, looking at how the role of HIV Board can be strengthened and refocused for the long term, with a clear responsibility to uphold the rights and protection contained in the Act and to address stigma and discrimination through sustained strategies, policies, accountability and political commitment.

Mr. Speaker, Sir, Parliament has a different but equally important role. Cabinet cannot establish a committee for this House, nor should it. That is a matter for the honourable Member under the Standing Orders, and the Government will support the establishment of a Standing Committee of Parliament on HIV and related matters. I would provide sustained Parliamentary oversight and accountability for the national response.

Through you, Mr. Speaker, Sir, I extend the invitation to the honourable Member, on the opposite side of the House, but Parliament oversight too, is not by itself a coordinated national response. It cannot bring every part of the country together to act, nor should it be its function. We, therefore, need a permanent national arrangement that does three things – bring the country together to act, protect the right and dignity of our people living with HIV and ensure that the national response remains accountable to the representatives of the people.

In the coming weeks, the Subcommittee will continue this work, and the Committee will engage this House as we develop strong legislation.

MR. SPEAKER.- Honourable Members, we have received a request late today from the family of our late colleague, the honourable Inosi Kuridrani, that they wish to drive by Constitution Avenue one last time on their way to their village. So, honourable Members, we will suspend the

proceedings for a short recess to allow those of us who would like to pay homage and bid farewell to our late Inosi Kuridrani as he comes down Constitution Avenue one final time. I invite all honourable Members to join the Parliamentary staff who are already gathered on the steps at the front of Parliament, the main entrance.

The House will be suspended until the bell is rung.

The Parliament adjourned at 2.57 p.m.

The Parliament resumed at 3.25 p.m.

MR. SPEAKER.- Honourable Members, I thank you once more, all of you, for uniting as one. As we bid our last farewell to the dearly departed, the honourable Inosi Kuridrani, as he makes his way to the *Vanua o Vusu* in the village of Namatakula.

Honourable Members, we will now proceed with the End of the Week Statement. We understand that the two End of the Week Statements by the Government side have been withdrawn, so we are left with the last End of the Week Statement by the honourable Alvick Maharaj.

Our Youth, Their Issues, Their Future

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, I rise to speak on a matter that goes directly to the future of our country, our youth, the issues confronting them and the future that we are creating for them.

As Members of Parliament, we spend considerable time discussing economic growth, government expenditure, infrastructure, legislation, and national development. All of those matters are important, but ultimately, there is a much more fundamental question that we should constantly ask ourselves. What kind of Fiji are we leaving behind for the next generation?

Our young people possess numerous potentials. They are educated, innovative, technologically connected, and increasingly exposed to opportunities and ideas beyond our shores. Yet at the same time, many of them are confronting serious social and economic challenges involving drugs, HIV, unemployment, school dropouts, crime, and a growing sense that opportunities are simply not available to them.

Mr. Speaker, Sir, those problems did not suddenly appear overnight; they develop over time when warning signs are ignored and intervention comes too late and when political priorities of government are placed ahead of the everyday priorities of our people. We cannot wait until a young person becomes addicted to drugs, drops out of school, contracts HIV, becomes involved in crime or appears before a court before deciding that something has gone wrong.

Mr. Speaker, Sir, one of the most serious threats confronting our youth today is the growing drug problem. What was once spoken about and thought to be confined to particular areas or communities has become a national problem affecting Fijians and families across Fiji. Methamphetamine and other illicit drugs are destroying lives, breaking families apart and exposing increasingly younger people to criminal networks. Drug dealers understand vulnerability. They look for young people who are disconnected from school, struggling financially, unemployed, experiencing problems at home, or simply searching for somewhere to belong. They then exploit these vulnerabilities for profit.

Of particular concern is the situation amongst our *iTaukei* youth. The information being reported to us indicates serious overrepresentation of *iTaukei* young people among those affected by HIV and drug use, criminal offending, and school dropouts. While *iTaukei* also constitutes significant portions of people affected by HIV, the trends require urgent attention from the Government and legislators.

This issue, not to stagnate *iTaukei* youth, not to suggest that this problem belongs exclusively to one community. They do not. Drug, crime, unemployment, school dropout and HIV affect Fijians from every community. However, where a particular section of a young population is experiencing disproportionate social problems, responsible leadership requires us to acknowledge the warning sign

and investigate the reasons behind them rather than pretending they do not exist.

These problems are interconnected; a child who leaves school early may struggle to obtain employment, a young person without employment or training may become increasingly disconnected from society. Drug use may then expose the young person to criminal activities, health problems, and further social isolation. By the time the person comes into contact with police or court, the State may already have missed several opportunities to intervene.

That is why law enforcement alone will never solve Fiji's drug problem; we must relentlessly pursue those who import, manufacture, and profit from illicit drugs, particularly organised criminal networks. But alongside enforcement, Fiji needs properly funded rehabilitation counselling, mental health services, family intervention, and community-based prevention programmes.

Our school must also become part of that response. Drug education cannot simply consist of telling children that drugs are illegal. Young people need to understand what this substance do to their bodies, their mental health, their families, and their futures.

Parents and teachers also need the ability to recognise the early warning signs and know where they can obtain professional assistance. Mr. Speaker, Sir, the drug crisis cannot be considered separately from serious HIV situation confronting Fiji. The significant number of HIV positive cases involving young people and the impact upon the community also deserves serious attention. This should concern many, every member of this House.

HIV is not an issue that should be approached through blame, stigma, or moral judgement. Stigma drives people away from testing and treatment while silence allows transmission to continue. Young people need accurate health information and confidential access to testing, prevention, and treatment.

They need to understand the risks associated with sexual transmission as well as unsafe injecting practices. The objective should be to encourage young people to seek assistance early rather than creating an environment in which they are frightened or ashamed to approach the health system. Mr. Speaker, Sir, when we look collectively at drugs, HIV, crime, and school dropouts, we should recognise that these are not four completely separate crisis.

In many instances, there are different symptoms of deeper social and economic problems affecting the same generation. Mr. Speaker, Sir, this is where Government must accept responsibility for its priorities. Social problems of this magnitude do not simply develop overnight.

They grow when warning signs are repeatedly ignored and when Government becomes consumed with its own political agenda instead of concentrating sufficiently on the priorities of ordinary families. While political attention is consumed elsewhere, parents are trying to keep their children away from drugs. Families are struggling to find rehabilitation centres.

Young people are leaving school without qualifications. Graduates are searching for their first employment opportunity. Communities are confronting crime, and our health system is dealing with the consequence of HIV.

Keeping a child in school is a national priority. Helping a young person find employment is a national priority. Protecting communities from drugs is a national priority. Providing rehabilitation for somebody struggling with addiction is a national priority. Tackling HIV is a national priority. This matter affects people's lives every day, and Government policy and expenditure must reflect the reality.

Mr. Speaker, Sir, we must pay particular attention to children leaving our education system

prematurely. When a young person drops out of school, we should not simply record that person as another statistic and move on. We should be asking why that child left.

Was it the financial hardship? What is the problem at home? Was it drugs? Was it bullying? Was the child struggling academically? Was there inadequate support? Could somebody have intervened six months or a year earlier and changed the direction of that child's life?

Government must therefore strengthen an early intervention system between schools, families, social welfare authorities, communities, organisations, and other agencies so that children at risk of leaving school are identified before they appear on the education system.

Mr. Speaker, Sir, education must also lead somewhere. Every year, our universities, technical institutes and schools produce young people who are eager to begin their working lives. Yet too many encounter the same barrier. Employers want experience, but no one is prepared to give them the opportunity to obtain that experience. Government must work more closely with the private sector to create meaningful apprenticeships, paid internships and entry-level employment opportunities. Our education must also remain responsive to the skills actually required by the economy, particularly the technical field, agriculture, technology, trade, engineering, et cetera.

Mr. Speaker, Sir, we must genuinely believe in empowering our young people that empowerment cannot stop at employment programmes, sporting activities and youth forums. Young people must also have meaningful opportunities to participate in institutions where the future of this country is actually decided.

We repeatedly tell young people that they are the leaders of tomorrow, but we must also be prepared to give them opportunity to lead today. I am pleased that on this side of the House, the Opposition has younger MPs represented in Parliament. Their presence matters because they bring the experience and perspective of another generation directly into the national decision-making.

The policies we debate concerning education, employment, technology, housing, climate change, drugs, health and cost of living will affect today's young people long after many current Members have left Parliament. Youth representation should not, however, be confined to one political grouping. Every political party should provide genuine opportunities for capable young Fijians to contest the election and participate in political leadership. Young people should not simply be useful to political parties during election campaigns.

We cannot ask them to attend rallies, distribute campaign materials, organise on social media, bring energy to political movement and vote for us and then tell them that the actual position of political responsibility must remain reserved for somebody else.

Experience matters in politics, Mr. Speaker, Sir, but so does generational representation. Parliament benefits when experience sits alongside new ideas and when different generations participate in deciding the future of the country.

Mr. Speaker, Sir, to conclude, that opportunity must extend all the way to this Parliament. We on this side are pleased to see younger Members represented amongst us and I encourage every political party to open its doors genuinely to the next generation. Do not simply campaign in their name and do not simply ask for their votes. Give them the opportunity to lead. Give them an opportunity to contest elections and give them the opportunity to sit in this House and participate in shaping the Fiji that they will inherit.

Mr. Speaker, Sir, our young people are not simply the leaders of tomorrow. They are citizens

of Fiji today. They are watching the decisions we make. They are living with the consequences of those decisions, and long after our time in Parliament has ended, they will inherit the country that we will leave behind.

Mr. Speaker, Sir, let us make sure that it is a country in which they have every reason to believe that they belong and they can succeed and their voice matters.

HON. J. SAUKURU.- Mr. Speaker, Sir, I thank the honourable Member for raising the important issue of our youth, their issue, their future. The concerns highlighted were brought to the attention of this House. Before I do that, I wish to remind the honourable Member that when he talks about youth representation, that it was the FijiFirst Government that shut the door for the youth of this nation. We have to reinstate the National Youth Council of Fiji on 30th November, 2023. For his information, maybe he has forgotten, we made the biggest decision of this Government to write off \$650 million TSLs debts to 53,000 students and youth of this beloved nation.

Our young people, Sir, face significant challenges, but they also possess the energy, creativity and potential to drive positive change. Our responsibility is to unlock that potential by providing the opportunities, skills and support they need to succeed.

Mr. Speaker, Sir, the Ministry's work is guided by the National Youth Policy 2023 to 2027 and aligned with the National Development Plan 2025 to 2029 and Vision 2015. Through its focus on economic resilience, people empowerment and good governance plan, places youth participation, skills development and inclusion firmly within Fiji's development agenda.

Skills development remains central to our efforts. Through our youth training centres, we provide vocational and personal development training in areas such as agriculture, carpentry, music and other practical disciplines. These programmes create pathways to employment, further education and self-employment, particularly for young people who have left the formal education system.

Mr. Speaker, Sir, our mobile skills and specific skills training programmes extend these opportunities into communities. Working with training providers, including the Fiji National University (FNU), we bring practical training closer to rural and maritime communities, where distance and cost can often limit access to education and skills development. Training in areas such as climate adaptation and disaster preparedness also equips young people with the knowledge and skills to contribute to the resilience of their families and communities.

The Ministry also supports youth entrepreneurship through grants, financial literacy, and income-generating initiatives. However, we recognise that providing financial assistance is only the beginning. We must strengthen business mentoring, financial planning and access to markets, so that young people can turn their skills and resources into sustainable livelihoods.

Our employment and capacity-building programs are designed to develop confidence, leadership and responsible decision-making. Youth clubs, the National Youth Council, youth consultations and the Youth Parliament provide important avenues for young people to express their views and participate in national dialogue.

The Duke of Edinburgh International Award encourages service, perseverance and personal development, while youth festivals and symposiums provide opportunities for young people to access information, develop networks and connect with Government services.

Mr. Speaker, Sir, drug abuse and mental health pressures require a coordinated, compassionate and practical response. Through community outreach, the Ministry works with

partners to raise awareness on drug-related harm, health and personal safety. Our engagement with the Fiji Corrections Service also contributes to youth empowerment and supports young people preparing for reintegration into their society. We acknowledge, however, that awareness must be accompanied by effective support.

We must improve the identification of vulnerable young people, strengthen referral pathways to qualified health and counselling services and ensure that our young officers are equipped to connect those requiring assistance with the appropriate professionals. Families, communities and community leaders must also be supported because addressing these challenges requires a collective effort.

Mr. Speaker, Sir, support remains an important instrument for youth empowerment, Government assistance for rural playing fields, sporting equipment, outreach and training expands these opportunities for participation and talent development.

Through sports, young people develop discipline, teamwork, resilience and leadership. We must continue to ensure that young women and young people with disabilities have equitable opportunities to participate and benefit from sporting activities.

Mr. Speaker, Sir, we can also do more to prepare our young people for rapidly changing labour market. Stronger partnerships with employers, recognised training, meaningful work experience and digital literacy must receive greater attention. We must also improve how we measure the outcomes of our programmes.

It is not enough to count the number of young people who participate in training. We should also follow up to determine whether participants secure employment, establish sustainable businesses, pursue further education or contribute meaningfully to their communities. Supporting our youth is not a waste of resources. It is an investment in Fiji's future. As Government, we have a responsibility to ensure that this investment is well managed, reaches those who need it most, and delivers lasting benefits.

Mr. Speaker, Sir, I welcome the honourable Member's contribution to this important discussion. Empowering our youth requires sustained cooperation between Government, employers, educational institutions, families, communities, and young people themselves. We must listen to the concerns of our young people, we must recognise their capabilities and, most importantly, we must create conditions that enable them to participate meaningfully in building our nation.

Our youth are not simply the leaders of tomorrow. They are contributors to Fiji today. Let us, therefore, continue to invest in their skills, support their aspirations, address the challenges they face, and give them the opportunity to shape the future they will inherit.

Mr. Speaker, Sir, I thank the member for his contribution, and I thank you for this opportunity.

SPEAKER'S RULING

Clarification on the Voting Threshold – Hon. J. Usamate

MR. SPEAKER.- Honourable Members, before we proceed to the next item on today's Order Paper, I wish to address correspondence submitted to my office by the honourable Jone Usamate on behalf of the Opposition Members that is linked to the item before you today.

Honourable Usamate had sought a clarification on the voting threshold for a Bill to amend the 2013 Constitution. I was away on duties abroad when the request was delivered to my office. I had nevertheless responded that I would reply in full upon my return.

I had in fact begun formulating my response on my return when there was a press release accredited to the Office of the Opposition raising the same issue in public and informing the media that the public a view of the Speaker of the Parliament had been sought by the Opposition.

I wish now to briefly respond in public to honourable Usamate's letter of request and clarification. I begin with my draft response that I have attempted to the honourable Member, and it follows and it is still in draft form.

“Dear Honourable Jone Usamate,

Re: Clarification on voting threshold for a Bill to amend the Constitution.

Thank you for your and the Opposition's views in the matter above. I am not in a position to offer my view on the matter, unless and until a Bill to amend the Constitution is tabled before the House.

And that I think all the lawyers amongst you, will know that is the absolute correct response to such an enquiry.

Yours faithfully,

F. JITOKO
[SPEAKER]

So, to complete the circle, as it were, now that I am privy to the Bill, I make the following statements.

This Parliament will interpret Chapter 11 of the Constitution in accordance with the Supreme Court's interpretation as set out in an advisory opinion of 29th of August 2025. This is taken after careful consideration of all the relevant issues that pertain to the matter and also understanding that the Court, in the end, is the ultimate authority on the interpretation of the Constitution.

Your legal team may wish to peruse the 1908 Speakers Ruling in Australia that has been frequently quoted as a key reference to Parliament recognising the role of the courts in interpreting the Constitution.

Public trust and confidence in Parliament are the bedrock of our democratic governance. Questions, concerns or debates regarding Parliamentary procedure must always be met with absolute clarity and unwavering fidelity to the Constitution of the Republic of Fiji. The Standing Orders, previous Speaker's Rulings, and established practices of legislative bodies are also included, and in other jurisdictions.

The Chair reassures all Members of the public and the citizens of our beloved Fiji that the Parliament of the Republic of Fiji remains resolute in upholding its statutory duties, legislative oversight and constitutional obligations without compromise.

I deliver this clarification so as to provide clarity regarding the procedural pathway that will unfold when this August House deals with the Constitutional (Amendment) Bill 2026.

Through judicial interpretation based on the landmark Supreme Court Advisory Opinion, the Supreme Court has “read down” the Parliamentary threshold and, given the Supreme Court Advisory Opinion, Parliament must now apply a two-thirds majority threshold during the second and third readings.

The Commonwealth's common law jurisdictions have made it clear that Parliament cannot go against the interpretation of the Constitution by the judiciary. A 1908 Speaker's Ruling in Australia, as I referred to earlier, is quoted as a key reference for Parliament recognising the role of the courts in interpreting the Constitution. When asked to rule on whether a piece of proposed legislation or Parliamentary action was constitutional, Speaker Holder established a major precedent separating Parliamentary authority from Judicial interpretation, and I quote:

“...the obligation does not rest upon me to interpret the Constitution... the only body entitled to interpret the Constitution is the High Court.”

So, Holder's ruling formally established that it is not the role of the Speaker, or Parliament itself, to adjudicate upon the constitutional validity of an Act as a constitutional tribunal.

The 1908 ruling sets a firm parliamentary precedent that has been followed by subsequent Speakers ever since. When a Member of Parliament raises a point of order claiming a Bill is unconstitutional, the Presiding Officer, in our case the Speaker, will typically decline to rule on the constitutional question, citing this principle.

So, by interpreting the Constitution as requiring a two-thirds vote of all Members of Parliament in favour of a constitutional amendment, the Supreme Court has defined the amending process of this Constitution.

I move on to another key area, namely vacancies in Parliament and the calculation of total membership. Another key question before this Chair is how this two-thirds threshold will be calculated, given the two vacant seats resulting from the passing of our two honourable Members of Parliament.

Standing Order 8(2)(a) provides:

“(a) If a Standing Order requires the permission, vote, or otherwise of a majority of Members (where all Members or those present), any vacancies must not be included when determining the threshold number of Members.”

In addition, Standing Order 52 on decisions determined by Members present and voting provides:

“A question proposed for decision by Parliament is determined by those Members present in Parliament and voting.”

Furthermore, Section 69 of the Constitution stipulates, and I quote:

“Except as otherwise provided in this Constitution, any question proposed for decision in Parliament must be determined by a majority of the Members present and voting.”

Honourable Members, in the light of all the above provisions, the Chair's interpretation is that the two-thirds threshold must be calculated against the 53 seats, excluding the two vacant seats. If there are absentees today, then the ratio becomes two-thirds of the number of Members present and seated in the House, with the inclusion of the approved virtual attendance.

So, honourable Members, Parliament exists to serve the people of Fiji. I repeat, due diligence is not simply an administrative requirement, it is a fundamental responsibility that helps ensure every law we pass and every action of the executive we scrutinise, upholds the principles of justice, fairness, constitutional integrity and public interest.

I thank you all.

CONSTITUTION (AMENDMENT) BILL 2026

HON. S.L. RABUKA.- Mr. Speaker, Sir, pursuant to Standing Order 85(1), I move:

That the Constitution (Amendment) Bill 2026 (Bill No. 32 of 2026), be now read a second time.

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

MR. SPEAKER.- Honourable Members, in accordance with Standing Order 85(1), the debate will focus only on the principles and merits of the Bill.

HON. S.L. RABUKA.- Mr. Speaker, Sir, the honourable Deputy Prime Ministers, the honourable Leader of the Opposition, honourable Members of this august House, fellow citizens listening in or watching from across Fiji and abroad.

Today, Fiji takes another step in Fiji's constitutional journey. Our constitutional history has passed through the Constitutions of 1970, 1990, 1997 and 2013. Each reflects a particular period in our country's history and the circumstances of its time. The 2012 Draft Constitution is also part of that journey and that history. Although it was never enacted, it captured the views and aspirations of many Fijians as an important point in our national journey. Today, we continue that conversation.

Mr. Speaker, Sir, there is also an important development in Fiji's constitutional journey that must be recognised. As you just referred to, in March 2025, Parliament considered a Bill seeking to amend the Constitution. The Bill did not secure the required support to proceed. Following that, Cabinet referred questions concerning the interpretation and application of the constitutional amendment provisions to the Supreme Court of Fiji. The Supreme Court heard the matter in August 2025 and delivered its opinion on 29th August 2025. The Court affirmed that the 2013 Constitution remains legally effective and clarified the constitutional requirements for future amendments.

Importantly, the Court confirmed that the constitutional amendments require the support of at least two-thirds of all Members of Parliament at the second and third readings, together with the approval by majority of voters voting in a referendum. This provided important clarity on the constitutional pathway for amendment and confirmed the role of the people in deciding constitutional change through a referendum. Following the court's opinion Government proceeded with the work on the legislative framework for the conduct of a National Referendum.

The National Referendum Bill, 2025 was subsequently introduced into Parliament, and we have dealt with that and have enacted the Referendum Act. This is very important because the constitutional process does not belong to the Government alone. It involves Parliament. Ironically,

quite contrary to what I thought almost 40 years ago, Mr. Speaker, Sir, the Constitution must be changed in the hands of the people, no one else.

Mr. Speaker Sir, I would like to commend all Members of Parliament of today who have worked tirelessly in the various consultations, Committee work to bring us this far. It looked a very long and arduous journey at the beginning, but I remember Mr. Speaker Sir, a question that was asked of Sir Admin Hillary after he descended from Mount Everest. They asked him, how did you do it? He said to them, “One step at a time.” Mount Everest, we all know, or have heard, is 29,071.7 feet above sea level, that, I think, is 8,884.86 metres, and he conquered that one step at a time.

I thank all honourable Members who participated in each of those steps to get us here today in our constitutional review process.

Mr. Speaker, Sir, the Constitutional Review Commission was given a clear mandate to review the 2013 Constitution and, importantly, to consult the people of Fiji and obtain their views. The Commission undertook extensive nationwide consultations as part of that mandate, but the consultation process did not begin simply by asking people for their views.

Before the Commission commenced its consultation, the Public Awareness and Civic Education Programme (PACE) was undertaken to help Fijians understand the Constitution, the purpose of the review, the role of the Commission, and how the people of Fiji could participate. That was an important foundation for meaningful consultation.

We thank His Excellency the President, for accepting our advice on the commissioning of the Commission and the naming of the Commissioners. That was an important foundation for meaningful consultations with the people. The people should not only be given an opportunity to speak, they should also have an opportunity to understand the subject they are being asked to consider and how their views can contribute to the process.

Following that the Commission undertook consultations across Fiji and Rotuma and received views and submissions from people and organisations across the country. The Commission visited 105 venues across the country, including our cities and towns, provinces and island communities. Participation was not limited to those who could attend the meeting in person. Fijians who could not travel to a consultation venue, who could not attend it on a particular day, or who preferred to provide their views in writing, were able to make submissions online.

It is important because public participation in Fiji today cannot be measured only by attendance at a physical meeting. The Commission also received submissions from a wide range of representative groups and institutions. These, Mr. Speaker, Sir, include civil society and non-government organisations, religious organisations, professional bodies, indigenous representative bodies, landowning units, and mataqali, trade union, political parties, academic institutions, Government ministries, and territory bodies.

The Commission also received submissions from representative bodies such as the Great Council of Chiefs, Shree Sanatan Dhrma, Pratindhi Sabha of Fiji (Sanatan Sabha), Methodist Church in Fiji and Rotuma, from the Catholic Archdiocese of Suva, Fiji Council of Churches, Namoli Methodist Church, Fellowship of Pastors in Suva and the Seventh-day Adventist Church, to name just a few.

A collective or representative submission should be understood in its proper context. It does not necessarily mean that every individual member of that organisation or community held exactly the same view. At the same time, a submission made on behalf of a group should not simply be dismissed as the view of one individual because one person presented or signed the submission.

In Fiji, people participate in public affairs not only as individuals but also through their communities, churches, traditional institutions, organisations, and other representative bodies. Those forms of participation are an important part of our democratic life.

The Commission invited a broad range of stakeholders to participate, including religious organisations, political parties, former ministers, and other stakeholders. Not every invitee chose to participate, but the opportunity to contribute was provided. The constitutional review also did not occur in isolation.

The Electoral Law Reform Commission had previously undertaken nationwide consultations on Fiji's electoral system. That process provided another avenue for Fijians, political parties, civil societies, and other stakeholders to express their views on electoral arrangements. Some of those discussions and recommendations informed the constitutional review that followed.

For those reasons, Mr. Speaker, Sir, the consultation process should not be viewed simply through the length of the formal consultation period. We must also consider the opportunities that were provided, the different avenues through which people could participate, and the nature and breadth of the submissions received. The Commission completed the task entrusted to it and presented its report and draft constitution.

Mr. Speaker, Sir, the work of a Commission does not end the consultation process nor the constitutional process. A commission provides its findings and recommendations. It is then the responsibility of the Government to consider those recommendations and determine the legislative course that follows.

The Coalition Government has therefore carefully considered the report and recommendations of the Constitutional Review Commission. The Bill before the house, Mr. Speaker, Sir, is based on the draft constitution prepared by the Commission. The Government has made changes where it considers necessary to reflect on its broader policy position and the practical requirements of governing Fiji.

This is not a departure from the constitutional review process; it is part of that process. From the Electoral Law Reform Commission, consultations in 2025, through the Constitutional Review Commission, consultations in 2026, the Government has continued to engage with the people of Fiji and consider their experiences, their views, and their ideas. The people of Fiji have remained at the centre of this process.

Mr. Speaker, Sir, the tabling of this Bill does not bring the constitutional process to an end. It is another stage in that process. The Bill will now be considered by Parliament. There will be further opportunity for the proposed amendments to be examined, debated and scrutinised. Where the constitutional process provides for public participation, the people of Fiji will have another opportunity to consider the proposed changes and make their views known. If the constitutional requirements are met the people of Fiji will, ultimately, have their say through a national referendum and we put into place the Act to facilitate that. The people of Fiji, therefore, remain central to this process from the beginning to the end.

His Excellency the President stated when the CRC Report was handed over, history will judge Parliament not merely by the sharpness of its debate but by the wisdom of its outcomes. It is a responsibility we must all take seriously.

Mr. Speaker Sir, allow me now briefly to speak to the main areas covered by the Bill.

A Constitution is more than just a legal document. It establishes how our country is governed.

It sets out the powers and responsibilities of our institutions. It protects rights and freedoms. It provides checks and balances, and it defines the relationship between the State and the people. Ultimately, a constitution is about people. It is about our families, communities, identity, values and our hopes for the future.

The Bill before this august House, Mr. Speaker, Sir, therefore, seeks to provide a constitutional framework that reflects Fiji as we are today while preparing our country for generations to come. Chapter 1 sets out the foundations of the Republic, including national identity and the values that underpin our society.

The Bill recognises Fijian in our common civic identity, while recognising the distinct identity of the *iTaukei ni vanua o Viti* as the indigenous people. These identities can exist together. Fijian reflects our common citizenship while *iTaukei ni vanua o Viti* recognises the history, culture, traditions and connections to the *vanua* of the indigenous people of Fiji.

The Bill also recognises the historical and cultural place of Christianity and family values while protecting religious freedom and respecting Fiji's multi-faith society.

Mr. Speaker, Sir, Chapters 2 and 3 set out the rights and protections that are central to the proposed constitutional framework. Chapter 2 deals with fundamental human rights and freedoms. It provides greater clarity on when a right may be limited, requiring any limitation to be provided by law and to be reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom.

The Bill also places clear responsibilities on the state to respect, protect, promote and fulfil these rights. Where legislation may limit a fundamental right, Parliament must consider the purpose and extent of that limitation and whether a less restrictive approach could achieve the same objective.

The protection of children is also strengthened with guarantees relating to their basic needs, protection from abuse, neglect, violence and exploitation and the principle that the best interests of the child must be the primary consideration.

Chapter 3 extends its protection to matters affecting communities, land, natural resources, culture and the environment. It provides for the responsible management of natural resources for the benefit of present and future generations and recognises the right to a clean and healthy environment. It also provides for consultation with communities affected by major development and resource projects, and in specific circumstances, pre, prior and informed consent must be obtained. This chapter protects customary land and related rights, including interest in the foreshore, seabed, reefs and riverbeds, while also recognising existing freehold land leases and tenancies.

These two Chapters establish an important principle: constitutional rights are not limited to individual freedoms alone. They also recognise the rights, interests and culture, land and environment and identities of the communities that make up Fiji. The balance is to protect individual and group rights, respect customary interests, safeguards our environment and heritage while allowing responsible development and ensuring that public power remains subject to clear constitutional safeguards.

Mr. Speaker, Sir, Chapter 4 - Parliament and Elections. One of the significant changes proposed is the return of the Bicameral Parliament consisting of a House of Representatives and the Senate. The purpose is to provide another level of consideration and review of legislation.

Chapter 5 - The Executive sets out the constitutional framework for the Executive, including the President and the Vice-President, the Prime Minister and Cabinet and the Attorney-General.

Chapter 6 - The Judiciary deals with the judiciary and introduces reforms to strengthen consistency, independence and confidence in our justice system.

Chapter 7 - The Public Service and Discipline Forces, deals with those and strengthens the independence of the Public Service appointments by requiring consultations between the Public Service, Permanent Secretaries and responsible ministers, rather than requiring political approval for routine staffing of these issues.

Chapter 8 - Bose Levu Vakaturaga, which provides constitutional recognition of the Bose Levu Vakaturaga. Not only that, we passed the Bose Levu Vakaturaga Act earlier this week.

Chapter 9 - Rotuma, some relationships are created by law. Others exist long before the law finds the words to describe them. This relates to the relationship between Rotuma and Fiji and the Constitution.

Chapter 10 - Public Finance, which is of great interest to all of us and very important.

Chapter 11 - Code of Conduct. We have had questions on this, and one raised in this august House. However, if I may, Mr. Speaker, Sir, go to Chapter 14 because it has caused a bit of a concern in some areas of society.

Chapter 14 addresses immunity and provides the constitutional framework governing it. We, in Cabinet, are thinking that because the Supreme Court had ruled, we will have to go back to differ from that ruling in our journey towards the actual promulgation of the Constitution. Not an effort to give immunity chapter in, in the interest of those of us who may be feeling some tribulation part of our history and past.

Chapter 15 - Constitutional Amendments.

Chapter 16 Commencement and Transition, which will become very clear as we continue with the work in the 30 days that will come.

Mr. Speaker, Sir, I commend the Bill for Second Reading.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion. I have a list of speakers here from the Government side. As far as the Opposition, I invite any Member of the Opposition who wishes to contribute to the debate to, please, just stand up and you will be recognised. Let us begin the debate whereby everyone is accorded 20 minutes in the length of their contribution.

HON. I.B. SERUIRATU.- Mr. Speaker, I rise to contribute to the debate on the Second Reading of the Constitution (Amendment) Bill 2026. Mr. Speaker, Sir, I will not, again, repeat what the honourable Prime Minister has shared on the floor about the constitutional journey that we had undertaken over the years from pre-independence, post-independence, to this very day. However, let me just put into context what I will be speaking on because it is important for all of us to understand where my presentation will be based and where I will also have a particular focus in terms of the Bill that is before us.

Mr. Speaker, Sir, our Constitutional Review has provided an opportunity for a change in our direction and we need to understand the reasons that necessitate the change, what needs to be changed and what are the implications, benefits, options, best solutions and we look at these within the machinery of good governance, particularly the involvement of the people, consensus, ensuring that

it is inclusive and equitable, accountability, transparency, et cetera.

I quickly had a glance at the 1997 Constitution, and what was of interest to me was the driving forces of Fiji's constitutional machinery, and it was broken down into four areas, Mr. Speaker, Sir:

- (1) paramountcy of iTaukei interests.
- (2) communal representation - and the honourable Prime Minister has given us in his address the reasons why these two issues are so important, because we are a multiracial, multicultural, multireligious society. We have different ethnic groups and that sometimes can also be a barrier in our affairs as a nation.
- (3) electoral system - which is also very, very important, and there have been debates in the last few days. I will not spend much time on this because I also have some key issues when it comes to the principles and merits of the Bill.

The issue about the majority of Government, those are the four driving forces of Fiji's constitutional machinery, according to the 1997 Constitution, Mr. Speaker, Sir. I have talked about our past and let us not forget the fact that we have also had our own problems. We cannot deny that, given the unfortunate events that we went through in 1987, 2000 and 2006.

Again, within the context of the exercise that we are going to undertake in the next stage, there are a few contributing factors from that history as well, such as ethno-political factors, socio-economic factors, issues of governance and socio-psychological factors, which relate to how people's state of mind can easily propel them to inflict harm. Social and cultural factors, Mr. Speaker, Sir, and how issues relating to identity and culture become politicised and become the basis for mobilisation, the role of the military itself, and the impact of other sources of power in Fiji.

I think when the honourable Acting Attorney-General presented on the work undertaken by the Constitution Review Commission (CRC), I spoke about this, particularly, on the role of the Churches and the role of the media. These are two sources of power that have influence on our communities. That is just the context that I wanted to bring, additional to the constitutional journey that the honourable Prime Minister shared with us this afternoon.

Mr. Speaker, Sir, this is not an ordinary piece of legislation that we have before the House. We are not only considering an amendment to an administrative law, a taxation measure or a policy that can simply be reversed by another Parliament. We are considering a Bill that proposes to repeal provisions of the 2013 Constitution, with the exception of Chapter 10, and replace those provisions with an entirely new constitutional framework contained in the Schedule.

That places an enormous responsibility, Mr. Speaker, Sir, upon every Member of this Parliament. Governments come and governments go, Prime Ministers change, Leaders of the Opposition change, political parties rise and fall, and every Member sitting in this Chamber today will eventually leave public office; a Constitution, however, is intended to endure beyond the political circumstances of the day. Therefore, we cannot approach this Bill simply by asking whether its provisions suit the Government of 2026, the Opposition of 2026, or any particular institution as it exists today. We must ask whether the constitutional system we establish will serve Fiji fairly and democratically for generations to come.

Mr. Speaker, Sir, the first principle that must guide any constitutional reform is that the Constitution must genuinely belong to the people. The opening words of the proposed Constitution are, "We, the People of Fiji." Its Preamble describes the constitutional review as involving wide consultations with the citizens of Fiji. Those are powerful words. However, they also impose a very high standard upon those who seek to enact this document as the supreme law of our country. When

we say, “We, the People of Fiji”, we must be confident that we are genuinely speaking on behalf of the people of Fiji.

Constitutional legitimacy cannot simply be measured by the fact that a consultation exercise took place or that submissions were received. There is an important distinction between consultation and genuine public ownership. Consultation process may provide an opportunity for people to express their views, but the greater constitution question is whether the final document sufficiently reflects the aspirations, concerns and expectations of the wider population whose lives will be governed by it.

I do not suggest that every Fijian must agree with every provision of a constitution. No constitutional process could ever achieve complete agreement amongst an entire population. However, when we are fundamentally restructuring Parliament - the executive, constitutional offices, the electoral system and other institutions of the State, the process must command sufficiently broad confidence that the people can regard the final document as their constitution. Even when they may disagree with individual provisions, a constitution cannot simply be written for the people and presented to them as a finished product. If it is to endure, the people must, ultimately, be able to regard it as something that belongs to them.

Mr. Speaker, Sir, this becomes even more important because of the unique character of our country. Fiji is a multicultural nation made up of *iTaukei*, Indo-Fijians, Rotumans, Banabans, Chinese, other Pacific Islanders, Europeans and members of many other minority communities. We practise different religions, speak different languages and maintain different traditions and cultural identities.

The proposed Constitution itself recognises this history in its preamble by acknowledging the ancestors of the *iTaukei* and Rotuman people and the arrival and contribution of subsequent communities, including Indians and the descendants of the *Girmitiyas*, Chinese, Banabans, other Pacific Islanders and Europeans. That recognition is important, but constitutional recognition must go beyond the words contained in a preamble. The institutions created by the constitution must give every community confidence that Fiji remains a country in which they have a place, a voice and an equal stake in the future.

Constitutional reform must never become a contest, in which the recognition of one community is perceived as coming at the expense of another. We can recognise the unique history, culture and interests of the *iTaukei*, Rotuman people, while at the same time recognising the equal citizenship and contribution of Indo-Fijians and every minority community that has helped build this nation. That is the balance a constitution for Fiji must achieve. It must protect our diversity, without allowing that diversity to divide us. It must respect our different histories, without creating different standards of citizenship. It must acknowledge the communities from which we come, while strengthening the nation to which we all belong. The constitution should, therefore, be the document through which our differences are protected, and our common future is strengthened, because its ultimate purpose should be to bring greater unity to Fiji rather than create new sources of division.

Mr. Speaker, Sir, it is in that context that I acknowledge an important feature of the proposed Constitution – Section 6 expressly provides that all citizens of Fiji are to continue to be known as Fijians, whilst the citizenship provisions affirm the equal status and identity of our citizens. I believe the retention of that common national identity is important to the future of our country. We do not have to surrender our individual cultural identities in order to share a national identity. A person can proudly be identified with his or her *iTaukei* heritage, Indo-Fijian heritage, Rotuman heritage, or another cultural background, while also recognising that we share one country and one common national identity.

Our children should grow up understanding the history and traditions from which they come, but they should also grow up knowing that regardless of their ethnicity, religion, province, or ancestry, they belong equally to Fiji. That sense of common citizenship is something that constitutional reform should strengthen rather than with it.

Mr. Speaker, Sir, another fundamental issue is whether the institutions established by this Constitution genuinely reflect the democratic principles that the Constitution itself declares. The proposed Constitution describes Fiji as a sovereign, democratic State and identifies among its founding values, respect for human rights, the rule of law, equality, good governance, limitation and separation of powers, transparency and accountability. Those principles deserve serious consideration because they provide the standard against which the remainder of the constitutional framework should be measured.

Democracy cannot simply be something that we proclaim in the opening chapter of the Constitution. If we say that Fiji is democratic, then democratic accountability must be reflected throughout the institutions created by the document. If we say that government must be transparent, then institutions exercising constitutional authority must themselves operate transparently. If we say that public power must be accountable, then there must be effective mechanisms through which those exercising their power can be held accountable. If we say that there must be a limitation and separation of powers, then no institution should be given significant constitutional authority without appropriate checks and balances. This is particularly relevant when we consider the balance between elected and unelected authority under the proposed Constitution.

The Bill creates a bicameral Parliament consisting of an elected House of Representatives and an appointed Senate. The proposed Senate consists of 23 Members, of whom 14 are appointed by the President on the advice of the Bose Levu Vakaturaga, six on the advice of the honourable Prime Minister, two on the advice of the Leader of the Opposition, and one on the advice of the Rotuma Island Council.

Mr. Speaker, Sir, the existence of an appointed second chamber is not, by itself, incompatible with democratic government. There are democratic countries that have appointed or indirectly selected upper chambers. The important question is the extent of the constitutional authority exercised by the chamber, safeguards governing the appointment of its Members, the accountability attached to the exercise of its powers, and the relationship between that unelected institution and the representatives directly elected by the people. Those are the questions that Parliament must examine carefully when considering the principles of this Bill.

Mr. Speaker, Sir, this also leads me to what I consider one of the other most important principles in this entire debate - a constitution is not merely a document that distributes power among institutions. One of its central purposes is to control the exercise of power. The proposed Constitution itself recognises limitation and separation of powers as founding principles. Parliament should therefore examine the institutions established by this Bill by asking:

- (a) Who appoints those exercising constitutional authority?
- (b) Who can remove them?
- (c) Who scrutinises their conduct?
- (d) Who can challenge their decisions, and ultimately to whom they are accountable?

Those questions must be checked without regard to the personalities presently occupying public office. We should not design constitutional powers because we test the person who happens to occupy an office today. We must design those powers on the assumption that one day, the office may be occupied by someone else whose political philosophy, decisions or conduct we strongly

disagree with. This is why the Constitution must be written around institutions rather than personalities.

Mr. Speaker, democracy must also mean more than majority rule. An elected government must, of course, have the constitutional authority to govern, but a democratic constitution must simultaneously protect those who do not form part of the majority. A proposed constitution itself protects political rights and provides free, fair, and regular elections. Those democratic principles should not begin and end at the ballot box.

A functioning democracy requires an opposition capable of holding government accountable, a media capable of scrutinising public institutions, citizens capable of criticising those in authority, courts capable of independently determining disputes, and communities confident that their interests cannot be disregarded because they lack numerical strength. The true strength of democracy is therefore not demonstrated only by how effectively a majority can exercise power. It is also demonstrated by how securely a constitutional system protects the rights of those who disagree with their majority.

Mr. Speaker, we also should recognise that constitutions are rarely tested when everything is going well. They are tested when governments face criticism, when institutions disagree, when unpopular opinions are expressed, when courts make decisions that those in authority do not like, and when political power changes hands.

The proposed constitution declares itself to be the supreme law, provides that inconsistent laws are invalid, requires constitutional obligations to be fulfilled through the courts, and states that the constitution cannot be abrogated or suspended. It also declares unlawful attempt to establish a government otherwise in accordance with the constitution. Those are significant principles but let me conclude by saying that the strength of our constitution cannot be measured only by the promises written to its text. It must also be accompanied and measured by whether the institutions created by those constitutions are capable of enforcing those promises when they are placed under pressure.

Mr. Speaker, Sir, I will end there because of time allocation, but I am happy to present the rest of my contribution to the Secretariat. I thank you.

HON. S.D. TURAGA.- Mr. Speaker, Sir, I rise to support the Constitution (Amendment) Bill 2026. Before I do so, first of all, Mr. Speaker, I would like to thank you for your wisdom in the ruling this afternoon. Habakuk 2.3. For the vision is yet for an appointed time, but at the end, it will speak and will not lie.

Though it tarries, wait for it, because it will surely come it will not tarry. *E se bera tiko na gauna ni lesia tu na raivotu ni sa totolo tiko na kena vakayacori ena sega ni lasu kevaka sa berabera, waraka ga ni na yaco dina mai, ka na sega ni berabera sa yaco na kena gauna.* (Even if the vision seems to be taking a long time to come to pass, do not lie; if it seems delayed, just wait, because it will surely come to pass. It will not be delayed; it will happen at the appointed time.)

Thank you, Mr. Speaker, I would like to say, God is good. God is good. Today, this august House considers a Bill that goes to the very heart of our constitutional democracy, and to the kind of nation we wish to live for future generations. A constitution is not merely a legal instrument - it is the foundation of the relationship between the State and its citizens. It determines how power is exercised, how rights are protected and how accountability is maintained.

Every Fijian has a stake in its content because it shapes the institution that governs our nation, safeguards the freedom and opportunities upon which our people depend. It is not merely a document for lawyers or politicians - it is a covenant between the people and the State. This Bill reflects the views

and aspirations expressed through extensive consultation across Fiji. It seeks to bring together what features from different backgrounds, communities and generations have told us about the future they wish to build together.

At its core, the Bill affirms a simple but fundamental principle that all power must be exercised within constitutional limits that no individual is above the law and that the constitution must remain a living instrument that serves the interests of the people of Fiji both now and for generations to come. Ultimately, constitutions endure not because they are imposed but because they continue to command the covenants of the people they serve.

Mr. Speaker, Sir, the Bill of Rights strengthens the protection of fundamental rights for all Fijians and brings closer to the international human rights standard. It reflects our belief that human dignity, equality and justice are not privileged to be granted but rights to be respected and protected.

Firstly, it makes it more difficult for the State to limit people's rights. Any restriction must not only be lawful but also reasonable, justified and necessary in a free and democratic society. That is a stronger safeguard for every citizen unlike the 2013 Constitution.

Secondly, the Bill clearly recognises both civil and political rights such as freedom of speech, freedom of religion and association, economic and social rights such as education, health, care, food and water. In doing so, it recognised that true freedom means not only being free from interference but also having the opportunity to live with dignity. A truly democratic society is one which every person is empowered not only to survive but to realise their full potential.

Thirdly, the Bill strikes a balanced approach on the issue of corporate punishment. It puts the best interest of the child first while recognising that reality is faced by families and schools. Any form of discipline must be lawful, reasonable and proportionate with proper safeguards in place.

Mr. Speaker, Sir, the Group Rights which is an additional chapter on rights, outlines land, environmental and group rights. It strengthens the protection of land rights, natural resources and the environment by promoting sustainable development, transparency, community participation and the right to a clean and healthy environment.

While this Chapter continues to protect the inalienability of *iTaukei* land, as well as the land of Rotuman and Banaban people, Chapter 3 also protects customary rights over the foreshore, seabed, reefs and riverbeds.

Although these areas remain owned by the State, the customary right of access and use cannot be alienated. This means that such rights are protected and may only be permanently extinguished by the State. In such cases, compensation may arise particularly where customary access to or use of these areas is restricted or removed. This is subject to the applicable written law in place.

Moreover, Chapter 3, incorporates the principle of free, prior and informed consent for significant projects affecting communities and natural resources. This ensures that development proceeds through consultation and partnership - *veirogoci, veiwekani*. Development is the most sustainable when communities are participants in progress rather than observers of it.

Importantly, Chapter 3 includes an entrenchment provision for amendments to its provision as well as to the laws relating to the *iTaukei*, Rotuma and Banaban people. Entrenchment means that these provisions are given special constitutional protection and cannot be amended in the same way as ordinary laws. Any such amendment requires the approval of their representatives in Senate. This

ensures that no Government can change these protections without the involvement and support of their Senate representatives. In this way, the Constitution not only protects rights, but it also preserves trust between the communities and the State.

Mr. Speaker, Sir, on the Judiciary, the Bill undertakes the recommendation of the CRC that the same retirement age should apply to all Judges, regardless of their citizenship status. This removes the disparity under the 2013 Constitution whereby local judges must retire at 70 years while non-citizen judges may remain in office until 75 years. This provision aligns with broader commitment of rights to equal treatment and protection against unjustified discrimination. Justice should be guided by merit, integrity and independence, not distinctions based on citizenship status.

In relation to the Judicial Services Commission, the Commission's report recommends a political composition and function. Consistent with this recommendation, the Bill removes any requirement for consultation with the Attorney-General in the appointment of judges and other judicial officers. This is intended to enhance judicial independence, safeguard the appointment of process from political influence. An independent judiciary remains one of the strongest safeguards of liberty in any democratic society.

Mr. Speaker, Sir, the chapter on Code of Conduct in the Bill does not contain the detailed provisions recommended by the Constitution Review Commission. It does, however, set out key principles of conduct of public officers, namely integrity, accountability and the avoidance of conflict of interest in the performance of their public office. These are not merely legal obligations. They are standards of leadership that the people of Fiji are entitled to expect from those entrusted with public power. This approach is set further from the Code of Conduct chapter in the 2013 Constitution, which merely requires that a code of conduct is established by legislation.

Mr. Speaker, Sir, the approach in the Bill is similar to the other democracies like Vanuatu, where the Constitution contains a leadership code that sets out the basic standard expected of leaders and public office holders, including honesty, integrity and the avoidance of conflict of interest. The detailed rules in Vanuatu, such as disclosure requirements, investigations and penalties are contained in the Leadership Code Act rather than in the Constitution itself.

This allows the law to be updated and strengthened, when necessary, without requiring constitutional amendments. The chapter on Code of Conduct adopts similar balanced approach. It places the core standard of conduct in the Constitution while leaving the detailed rules and enforcement mechanism to be prescribed by legislation. This strengthens constitutional accountability while giving Parliament the flexibility to improve and modernize the code of conduct framework over time. Good governance depends not only on strong institutions but also on the culture of public service founded on honesty and responsibility.

I now turn to the Constitutional Offices Commission. While the Commission proposed a political model, the Bill retains the bipartisan approach in the 2013 Constitution. This is appropriate given the important role of the Commission in appointing holders of key constitutional offices, including the Governor of Reserve Bank of Fiji, Commander of RFMF, Commissioner of Police, Commissioner of Corrections, and the Secretary- General to Parliament. These institutions are central to our democracy, security and governance. It is therefore important that both the Government and Opposition as representatives of the people have a role in the recruitment process. Their participation promotes transparency, accountability, and public confidence that appointments are made in the national interest. Public confidence in institutions begins with confidence in the ways their leaders are appointed.

At the same time, the Bill safeguards the independence of constitutional office holders once appointed through security of tenure, protection from arbitrary removal, and constitutional guarantees against interference. In this way, the Bill strikes the right balance between democratic oversight in appointment and their independence in office. This approach is not unique to Fiji. Other democracies have similar approaches, where constitutional appointment bodies include political office holders from both the Government and Opposition.

I now turn to the Bill's proposal to remove the Fiji Independent Commission Against Corruption (FICAC). Sir, FICAC was established in 2007 to investigate and prosecute corruption and was later recognised under the 2013 Constitution. Prior to this, corruption related investigations were carried out by the Fiji Police Force and prosecution functions were conducted by the Office of the Director of Public Prosecutions (ODPP).

The Bill restores this arrangement by returning investigations to the police and the prosecutions to the Director of Public Prosecutions. This removes duplication and provides clear separation between investigative and prosecutorial functions. Allow me to clarify that the approach adopted does not place Fiji in breach of its obligations under the United Nations Convention Against Corruption (UNICAC) which Fiji acceded to in 2008.

Mr. Speaker, Sir, UNICAC requires states to maintain effective independent measures to prevent and combat corruption. It does not require that these functions be carried out by a single dedicated institution. Fiji can continue to meet its international obligations through existing independent and accountable institutions.

Mr. Speaker, Sir, the fight against corruption, abuse of office, and misuse of public resources will therefore continue through the Fiji Police Force, Office of the Director of Public Prosecutions, and the other accountability institutions established under the Bill, which includes the Office of the Ombudsman. Accordingly, the Bill reflects the view that anti-corruption functions can be carried out more effectively through existing institutions while continuing to uphold accountability, transparency, and the rule of law.

Mr. Speaker, we recognise that the de-establishment of FICAC will have significant consequences for the livelihoods of many dedicated employees and their families. The Government is fully conscious of its responsibility in this regard and is committed, through this Bill to ensure that fair and appropriate transition arrangements are put in place as part of the implementation of the new Constitution. This Bill gives effect to that constitutional transition, and the de-establishment process will be undertaken in a prudent, orderly, and responsible manner, with due regard to the welfare, rights, and interest of FICAC staff and all other affected personnel.

Mr. Speaker, Sir, the Bill re-establishes the Office of the Ombudsman, consistent with the recommendations of the Commission and reflective of the position that existed under the 1997 Constitution. The absence of an Ombudsman under the 2013 Constitution created a significant gap in Fiji's accountability framework. While FICAC performs an important role in investigating corruption and related criminal conduct, it is not intended to address complaints concerning improper administration in public office, unfair treatment, unreasonable administrative action, or poor decision-making by public authorities.

Under the 1997 Constitution, the Ombudsman provided an independent and accessible avenue through which citizens could seek redress where public authorities acted unfairly, improperly, or unreasonably. The restoration of this institution, therefore, strengthens accountability, promotes good governance, and enhances public confidence in the fairness and integrity of public administration.

Mr. Speaker, Sir, the Bill adopts a different approach from that proposed in the draft Constitution prepared by the Constitution Review Commission. While the draft Constitution contains detailed provisions governing the Ombudsman's powers, functions, and jurisdiction, the Bill establishes the office as a constitutionally established institution while leaving its detailed mandate to be prescribed by written law. This approach strikes an appropriate balance between constitutional protection and legislative flexibility, allowing Parliament to refine and strengthen the Ombudsman's role over time while safeguarding its independence and existence as an important institution of accountability and oversight.

Mr. Speaker, Sir, on the power issue of referring constitutional questions to the Supreme Court, the Commission recommended that this power be extended to certain constitutional bodies, including the Constitutional Offices Commission, the Fiji Law Reform Commission, the Human Rights and Anti-Discrimination Commission and the Office of the Ombudsman. However, the Bill retains the approach adopted under both the 1997 and 2013 Constitutions, whereby only Cabinet may refer constitutional questions directly to the Supreme Court. This reflects the unique nature of Supreme Court referral proceedings. Such matters are heard urgently by the most senior judges of the Supreme Court and concern questions of constitutional significance that often have national implications. It is therefore appropriate that the decision to invoke this exceptional jurisdiction remains vested in Cabinet.

This approach also promotes consistency and avoids duplication of proceedings. If multiple constitutional offices were granted independent powers of referral, there is a real possibility that similar or overlapping constitutional questions could be referred separately, resulting in unnecessary duplication, the inefficient use of judicial resources, and the risk of conflicting approaches on matters of national importance. Where a constitutional office considers that such an issue warrants a referral to the Supreme Court, it may raise the matter through its responsible Minister, who can then place the issue before Cabinet for consideration. This ensures a coordinated and orderly process for matters requiring determination by the Supreme Court.

I also wish to clarify that this approach does not prevent these constitutional offices from seeking judicial determination of constitutional questions arising in the course of their duties. Like any other person or body affected by a constitutional issue, they may still bring proceedings before the courts, that is, the High Court, based on the factual circumstances relevant to the exercise of their functions.

On the amendments to the Constitution, the Bill requires the support of a two-thirds majority of the Members of Parliament. Similar to the 1990 and 1997 Constitutions, there is no requirement for a referendum to approve a constitutional amendment. This approach, Mr. Speaker, Sir, has streamlined the constitutional amendment process and places responsibility for constitutional change in the hands of democratically elected representatives, while still safeguarding arbitrary amendments through the requirement of a substantial parliamentary supermajority. At the same time, it recognises that constitutional reform must be possible when the national interest requires it.

However, amendments to the Immunity Chapter are subject to a higher threshold and require the support of three-quarters of the Members of both Houses of Parliament. This is distinguishable from the 2013 Constitution, under which the Immunity chapter is not amendable at all. This distinction was central to the debate during the suspension motion considered on Wednesday.

Moreover, amendments to the Bose Levu Vakaturaga (BLV) Chapter and related BLV provisions require the support of at least nine of the 14 BLV nominees in the Senate. This requirement safeguards the establishment of the BLV and ensures that any amendment affecting its role or function cannot be made without substantial support from its own representatives.

Mr. Speaker, Sir, finally, allow me to clarify the transition provisions contained in the Bill. Constitutional reform must provide legal certainty and stability. The transition to a new constitutional framework must therefore be orderly, predictable and carefully managed. The transitional provisions are designed to ensure the continued and effective operation of the State during this period of change. They preserve the continuity of existing laws, institutions, constitutional offices, rights, obligations and legal proceedings, while maintaining the uninterrupted functioning of government, public finances and public administration. In this way, they safeguard legal certainty and institutional stability while enabling the progressive implementation of the reforms contained in the Bill.

In essence, these provisions provide a bridge between the present constitutional order and the future constitutional framework. Before I highlight one important transitional provision, Mr. Speaker, Sir, the Bill nominates 31st March, 2028, as the commencement period. This is subject to the approval of the House, but the intention is to ensure legal certainty, particularly considering Parliament's current term, which is set to expire in December.

To highlight one important provision, the Bill provides that the next Parliament (which will be constituted under the 2013 Constitution) will automatically become the House of Representatives upon the commencement of the new Constitution. However, it will continue to serve the remainder of the existing four-year parliamentary term established under the 2013 Constitution, with all other applicable parliamentary provisions of the Constitution remaining in force.

Thereafter, the first General Election under the new Constitution will be conducted under the new electoral system. The new five-year parliamentary term will apply to the Parliament elected at that election, once constituencies have been established and the new electoral framework is fully operational.

In conclusion, Mr. Speaker, the true measure of the Bill is not found in the clauses alone, but in what it seeks to deliver for our people. It seeks to give every Fijian greater confidence that their rights will be protected, their voices will be heard, their communities will be respected, and their opportunities will be strengthened. At its heart, this Bill is about strengthening the bond between citizens and the institutions that serve them.

The Bill seeks to build institutions that are more accountable, representative and trusted, and a government that is better equipped to serve the people effectively, fairly and lawfully. In doing so, the Bill recognises a simple truth: when our constitutional institutions are strong, our democracy is stronger; when our democracy is stronger, our people are better able to prosper; and when our people prosper, Fiji prospers.

The Bill is therefore not simply about constitutional reform. It is about renewing our collective confidence in Fiji's future, strengthening the foundation of democracy and ensuring that future generations inherit a nation that is just, stable and united.

Let us therefore approach this Bill not as a matter of politics, but as a matter of nation-building. Let us seize this opportunity to strengthen the constitutional foundation of our democracy and reaffirm our commitment to the people of Fiji. I fully support the Constitution (Amendment) Bill before this House.

HON. P.D. KUMAR.- Mr. Speaker, Sir, I rise to speak on the Constitution (Amendment) Bill 2026 (Bill No. 32 of 2026).

Mr. Speaker, Sir, this Bill is called a Constitution (Amendment) Bill, but what is before us is far more than an amendment. The Bill proposes to repeal virtually the entire 2013 Constitution,

except Chapter 10, and replace it with a fundamentally different constitutional framework. That is a profound undertaking. This Bill requires us to examine its principles, its safeguards and its consequences for future generations of Fijians in a multi-racial, multi-cultural and multi-religious nation.

Mr. Speaker, Sir, I will acknowledge what is good in this Bill, but I will also identify where, in my view, the Bill departs from fundamental constitutional principles that should guide any attempt to reshape our supreme law.

The Supreme Court's determination is central to this debate. The Court recognised the 2013 Constitution as Fiji's supreme and operative law. At the same time, it addressed what it regarded as a democratic deficit. The Court, therefore, interpreted the amendment provisions to make constitutional changes feasible. But there is an important distinction. The Court did not give the government a licence to replace the whole Constitution. What we have before us is very different than what CRC and Fatiaki Report stated on the composition and size of the Parliament and other matters.

Mr. Speaker, Sir, we must therefore ask: how much of what is contained in this Bill reflects the views expressed to the Commission and how much represents subsequent political choices made in the drafting process? If anything, democratic renewal should mean more participation, more transparency, more accountability and stronger safeguards against the concentration of power. A Constitution cannot be said to belong to the people merely because people were consulted at one stage. The question before us is, what kind of Constitution we are creating, who is creating it, whose interests it protects and what safeguards are in place?

Mr. Speaker, Sir, I acknowledge the religious freedom guaranteed in the proposed Constitution. The 2013 Constitution established Fiji as a secular State. It recognised freedom of religion and provided that the State does not favour or profess a particular religion. The proposed Constitution changes that constitutional foundation. It introduces Christianity and family values, as we have heard from the honourable Prime Minister, as part of the foundational values of the State. Fiji is a deeply religious society, and Christianity has an important place in the lives, traditions and values of many Fijians, and we all respect that. The Constitution we want for Fiji must belong equally to every citizen. As the honourable Prime Minister said, it should belong to not just one faith, it should belong to Christians, Hindus, Muslims, Sikhs and people of other faiths, as well as citizens who do not even profess a religion.

A Constitution must, therefore, protect religious freedom while maintaining the neutrality of the State. That is the distinction we must preserve. If the State constitutionally identifies one religion as part of its foundation, questions inevitably arise about the constitutional position of citizens of other faiths and of citizens with no religious belief. Then how will the State identify itself constitutionally and remain neutral towards all faiths and towards those who hold no religious belief?

The constitutional neutrality and religious liberty are not the same thing. Religious freedom protects the individual's right to practise, change or hold a religion or to have no religion. Constitutional neutrality, on the other hand, requires the State to exercise its authority fairly and without favouring one faith over another. Therefore, the Government must explain how these two principles will operate together under the proposed Constitution. Mr. Speaker, Sir, the Constitution must preserve religious freedom and the neutrality of the State. Our Constitution must give every Fijian, whatever their faith or belief, the confidence that the State belongs equally to them.

Bill of Rights, Mr. Speaker, Sir, I acknowledge that much of the Bill of Rights has been retained. The proposed Constitution continues protection for civil and political rights as well as

social, economic and cultural rights. It retains the Human Rights and Anti-Discrimination Commission and continues to provide limitations on rights through principles of legality and proportionality in a democratic society. The Oakes Test and Minimum Impairment Principles remain important safeguards. These are positive features, but rights on paper are only as strong as the institutions and principles surrounding them.

Mr. Speaker, Sir, some provisions cause serious concern, and this is mainly to do with children's rights. I am particularly concerned about Clause 40 which permits lawful and moderate chastisement for the purpose of correction of children. We should be extremely cautious about placing such language in our supreme law.

A Constitution should strengthen the protection of children from violence and abuse, not create constitutional room for physical punishment. Fiji is a party to the Convention on the Rights of Children and the Convention against Torture. Our constitutional framework should therefore uphold the highest standard of protection for children and be consistent with our international human rights obligations. Often the problem is not the children, but we must start acknowledging, the problem is parenting.

Mr. Speaker, Sir, since we are drafting a constitution for the next generation, our starting point should be the dignity, safety and protection of every child. We should not constitutionalise an exception that may be interpreted as permitting physical punishment.

Mr. Speaker, Sir, equal citizenship and democratic government, I would like to speak on that. The Government speaks of national unity and equal citizenship. I support both, but national unity cannot simply be written into the Constitution. It must be reflected in the distribution of constitutional power.

Fiji has travelled a difficult road since Independence. Race and communal identities have often been placed at the centre of our politics. We should be moving beyond that history. We must not create a constitutional framework that risks re-entrenching identity politics. Our Constitution should recognize culture without making political power the preserve of one community. It should protect customary rights without compromising individual rights. It should recognize our history without allowing history to determine the political status of future generations but constitutional language about unity must be matched by constitutional structures that give equal citizenship practical meaning.

Mr. Speaker, Sir, the Bill proposes the return of a 23-Member Senate - 14 Members would be appointed by the President on the advice of the BLV, six on the advice of the Prime Minister, two on the advice of the Leader of the Opposition, and one on the advice of the Rotuma Island Council. At the same time, the Bill gives BLV a significant constitutional role, not only in the composition of the Senate, but also in the appointment and removal of the President and Vice-President.

Mr. Speaker, Sir, the Senate is not an elected chamber. Therefore, it does not derive its authority directly from the people, yet it is given significant constitutional responsibilities. The fundamental democratic question: How do we reconcile an unelected Upper House in selecting the Head of State with the principle of equal citizenship?

The President and Vice-President are national offices. The office serves every citizen, irrespective of race, ethnicity, religion, colour or creed. Mr. Speaker, Sir, this is not about diminishing the place of *iTaukei* institutions. It is about ensuring that our constitutional institutions are designed to serve all the people of Fiji while respecting our history, culture and traditions.

Cultural recognition and constitutional power are not necessarily the same thing. When significant constitutional powers are assigned to any institution, those powers must be clearly defined, accountable, and consistent with the fundamental principle that the Constitution belongs equally to every citizen. We must therefore carefully consider whether the proposed institutional arrangement provide the right balance between customary representation, democratic accountability, and equal citizenship.

Mr. Speaker, Sir, let me move on to legal certainty. Voters and political parties must know which rules apply before an election is held. The rules of the game must not be changed once the game has been called. The Bill states that the new Constitution comes into effect on 31st March, 2028. However, the very next clause allows the President, by notice in the Gazette, to bring the new Constitution into force on an earlier date. It is this second provision that creates uncertainty.

Mr. Speaker, says if this Constitution is passed and an election is called under the 2013 Constitution to recognize the rights of voters in a democratic manner, and if the date is announced, and before Fijians can vote, the President can publish a single notice in the Gazette and bring the new Constitution into force early. The moment that happens, the transitional rules of the new Constitution take over and allow the Prime Minister and Ministers to continue governing – we do not know for how long they will govern. Mr. Speaker, Sir, an election means little if a single notice can change the rules. So, I ask, what is the end game? If there is no intention to delay or replace a scheduled election, then the constitution should provide certainty.

Mr. Speaker, I also wish to place on record my concern about the constitutional provisions concerning the Republic of Fiji Military Forces. Fiji's constitutional history teaches us one important lesson. The military must remain subject to civilian constitutional authority. It is for this reason the Republic of Fiji Military Forces should not be part of the Constitution.

Mr. Speaker, I come now to perhaps the most fundamental issue in this Bill. Who gets to change the Constitution? The Constitution begins, “we, the people of Fiji.” If sovereignty ultimately belongs to the people, then the people should have a meaningful role, not only in creating the Constitution, but in determining its future. The Government must therefore explain the role of the people in future constitutional change. The Bill makes constitutional amendments a matter for two Houses of Parliament and removes the requirement for a national referendum. It is not explicitly stated in the Constitution, as we see other things very clearly stated in the Constitution. That is a fundamental change to the role of the people to change their supreme law.

Mr. Speaker, strengthening democracy must mean strengthening the people's voice, not narrowing it. If this Bill is intended to address a democratic deficit, then the government must explain why it proposes to remove one of the most direct forms of public participation in constitutional change. That is the fundamental question before the House: does the Bill give the people a greater voice over their Constitution, or does it transfer that voice entirely to Parliament and the Senate?

In conclusion, Mr. Speaker, Sir, a constitution is not designed for the government that happens to be in power when it is enacted. It is designed for every government that comes after it. The Government of today will not be the government forever. The Opposition of today may be the government tomorrow. Political circumstances will change, leaders will change and parliamentary majorities will change. The Constitution must therefore be strong enough to protect citizens regardless of who exercises power. That means we must have democracy without domination.

Mr. Speaker, Sir, the Supreme Court identified, as I said earlier on, a democratic deficit and opened the way for Fiji to consider its constitutional future. We cannot claim to address a democratic deficit while reducing the people's role in future constitutional change. We cannot strengthen rights while

providing exception for physical chastisement of children.

Mr. Speaker, I therefore urge that these matters be treated as fundamental issues of constitutional principle because a constitution is not meant to protect the government from the people - it is meant to protect the people from the misuse of government power. That is the standard by which this Bill must be judged.

HON. V.R. GAVOKA.- Mr. Speaker, Sir, I rise to address the House on the Constitution (Amendment) Bill 2026. I wish to start on Chapter 3 - Land and Environment and Group Rights. At the outset, I wish to acknowledge the importance of Fiji's tourism industry as a major pillar of our economy and an integral part of our national development. Tourism creates employment and livelihoods, supports businesses and communities across the country, generates foreign exchange and creates opportunities for investment and economic growth.

However, tourism is different from many other industries because the foundations of our tourism economy are the very resources that belong to and are valued by our people. Our beaches, reefs and marine resources, forests, rivers and landscapes, villages, cultural traditions, languages and heritage are not simply attractions for visitors. They are part of Fiji's identity, they sustain communities and livelihoods, and they are resources that we have a responsibility to preserve for future generations. This places an important responsibility on the State. As we seek to grow tourism, we must create an environment that enables investment and development, while ensuring that development does not come at the expense of the rights of landowners and communities, our environment or our cultural heritage.

Mr. Speaker, Sir, it is in this context that Chapter 3 of the Bill becomes particularly important. It brings together matters relating to land, natural resources, environmental protection, customary rights and cultural heritage - matters that are closely connected to Fiji's development and, in particular to the future of our tourism industry.

The tourism sector depends upon access to land, the sustainable use of natural resources, a healthy environment and the continued strength of Fiji's cultures and communities. At the same time, tourism development can have significant impacts on those very resources. Our constitutional framework must provide for both protection and progress, protecting rights and resources while enabling responsible development that creates opportunities for our people.

This approach is consistent with Fiji's current tourism policy direction. The Fiji Tourism Policy provides a policy direction for the development of Fiji's tourism legislature framework, focusing on sustainability, resilience and inclusive prosperity. The Fiji Indigenous Tourism Framework further recognises the importance of increasing *iTaukei* leadership, ownership and economic returns in tourism, while safeguarding the *vanua*, culture and natural environment.

Mr. Speaker, Sir, the Bill gives these principles an important constitutional foundation. Clauses 43 and 44 provide the foundation for responsible land development and environmental protection. It assures that the security of land rights for legitimate users and occupiers, while requiring land and natural resources, including minerals, oil and gas, forests, genetic resources and marine resources to be protected and managed for the benefit of present and future generations.

For the tourism sector, these principles are particularly relevant. Tourism developments are often closely connected to land, coastlines and natural resources. The Constitution therefore provides an important foundation for development that is properly planned, environmentally responsible and respectful of the interests of those who own, occupy or depend upon the land and natural resources on which the development takes place.

Mr. Speaker, Sir, clause recognises that major development and resource projects can have significant consequences for individuals and communities. It therefore provides for consultation, information sharing and constructive engagement and, where the special criteria are met, requires free, prior and informed consent. This is particularly relevant to tourism. A resort, marina, port, road or other major tourism development may bring investment, employment and economic opportunities, but it may also affect customary land, fishing rounds, cultural sites, and access to natural resources or places of significance to communities. The question, therefore, is not simply whether development should occur, it is how the development occurs, who participates in it, and who shares in its benefits?

Mr. Speaker, Sir, section 46 is equally important. The recognition of a right to a clean and healthy environment reflects a fundamental reality for Fiji. There can be no sustainable tourism industry without a healthy environment. Our coral reefs, mangroves, beaches, forests and water ecosystems are environmental assets, but they are also economic, community and cultural assets. They sustain livelihoods and support tourism activities across our islands.

Mr. Speaker, Sir, the provisions concerning customary and freehold land are equally significant. Tourism development frequently requires access to land, coastal areas and natural resources. Protecting customary ownership and recognising the interests of landowners are therefore essential to ensuring that development is undertaken fairly and that communities have a meaningful stake in the benefits generated from their resources.

At the same time, Clause 49 protects existing freehold land, leases and tenancies, while seeking to balance fair transfer to landowners with security of tenure for those who invest and develop. That balance is essential. Investors need certainty, landowners need fairness, communities need participation, Government needs the ability to facilitate development, and our environmental needs to be protected. A sustainable tourism economy must accommodate all these interests.

Mr. Speaker, Sir, the group rights provisions complete this framework. Fiji's tourism product is inseparable from our cultural diversity. Our languages, customs, traditions, heritage, customary practices and significant sites contribute to the identity that Fiji shares with the world.

Clauses 52, 53 and 54 therefore have significance beyond cultural recognition. They provide a constitutional fundraising for respecting and protecting Fiji's cultural heritage while allowing it to contribute to our social and economic development. However, where culture forms part of our tourism offering, we must also recognise the responsibility that comes with it. Culture must not simply become a commodity for consumption. Tourism should create opportunities for communities to share, preserve and benefit from their cultural heritage, while respecting its meaning, integrity and ownership.

Mr. Speaker, Sir, this is ultimately about getting the balance right. We need development and need to protect our rights, because those most directly affected by development must have a meaningful voice in what happens to their land, resources, and communities. We need to protect the environment because the degradation of our natural assets threatens not only our ecosystems, but also our livelihoods and economic opportunities that depend upon them. We need to protect our cultures and communities because they are part of what makes Fiji distinctive and a chosen destination.

The tourism sector, therefore, provides a powerful illustration of why Chapter 3 is necessary. The choice is not between rights and development. The objective is development that respects rights, protects our environment, strengthens our communities and creates last opportunities for our people. That is the foundation of sustainable tourism, and it is also the foundation for ensuring that the Fiji we welcome visitors to today, is a Fiji we can proud proudly hand to the generations of tomorrow.

On Chapter 2, Bill of Rights (Connectivity for Every Island), Clause 35 of the Bill gives every person the right to reasonable access to transportation. The explanatory note records that this was raised in submissions to the Commission, particularly by maritime communities. For our all people in Lau, Kadavu, Rotuma, and our maritime islands, an air service is how they reach medical care and how they stay close to home.

Clause 31 is honest about how these rights are delivered. They are to be realised progressively, through reasonable measures within available resources. I will not stand here and promise new routes or lower fares. What I can tell the House is this – Fiji's Civil Aviation Master Plan 2026-2031 recommends a full review of the Community Service Obligation air route scheme, which dates from 2003. The new right gives the review a constitutional foundation.

The Master Plan also recommends that any airport or airspace expansion near customary land include heritage assessments, consultation, and informed consent from landowning groups where applicable. That is the standard Clause 45 would set for the whole country.

For Rotuma, Clause 155 requires the free, prior, and informed consent of the Rotuman people for development that applies to Rotuma. Any future work on the Rotuma air service will be done with the Rotuma Island Council.

Chapter 4 on Parliament: Constituency Representation; Mr. Speaker, the success of sustainable development ultimately on how the voices of our people are represented in making of those decisions. It is therefore appropriate that I now turn to another important reform under the Constitution: the return of constituency representation in the House of Representatives.

Under the present electoral system, Fiji operates as a single national constituency. Members of Parliament are elected on a nationwide basis, rather than being elected to represent a particular constituency. The 2026 Constitution takes a different approach by restoring constituency-based representation, ensuring that communities across Fiji are represented in Parliament by members elected from their respective constituencies.

Mr. Speaker, the importance of this change is quite simple. Our people should know who represents their area. They should have an identifiable Member of Parliament who understands the communities they represent, the issues affecting those communities, and the priorities that need to be brought before Parliament.

Clause 64 of the Constitution gives effect to this system. It provides for a 55-member House of Representatives, comprising 33 constituency members and 22 party-list members. The 33 constituency members will be elected directly by the registered voters of their respective constituencies through first-past-the-post elections, while the remaining 22 seats will be allocated through the party-list system. This gives us a 60:40 balance between constituency and party-list representation.

Mr. Speaker, there is an important reason for combining these two forms of representation. Constituency representation provides that direct connection between an elected representative and a particular community. At the same time, the party-list component allows the overall composition of the House to reflect as closely as practicable the proportion of votes received by political parties. This is expressly recognised under Clause 64(1) of the Constitution. The Constitution therefore seeks to achieve both objectives. It brings Members of Parliament closer to the communities they represent, while maintaining proportionality in the overall composition of the House.

Fiji is made up of communities with different circumstances and different needs. The issues facing people in our urban centres may be very different from those affecting rural communities. The challenges faced by people living in the interior may be different from those faced by coastal and maritime communities. A constituency member will have a direct responsibility to the people of that area. Those people will know who their representative is, and the member will know the communities that he or she has been elected to represent. The relationship gives constituency representation its real meaning. It is not simply about dividing Fiji into electoral boundaries, it is about creating a closer connection between the people and their Parliament.

Mr. Speaker, Clause 64(9) of the Constitution also recognises the particular circumstances of our maritime communities. It recognises and specifically provides for five maritime constituencies, namely Rotuma, Yasawa, Kadavu, Lomaiviti, and Lau. This is significant because representation cannot always be determined by population numbers alone. Distance, isolation, transportation and accessibility can affect the ability of communities to engage with their representatives and with governments. The Constitution recognises those realities by ensuring that these maritime communities have their own direct representation in the House of Representatives.

Mr. Speaker, Sir, Clause 94 of the Constitution also establishes a Constituency Boundaries Commission, which will be responsible for determining the boundaries of the constituencies. Under Clause 94(6), in determining constituency boundaries, other than the maritime constituencies, the Commission must seek, as far as reasonably practicable, to ensure that the number of voters in each constituency is the same.

Importantly, however, the Commission is also required to look beyond voter numbers. It must take into account the physical features of an area, existing administrative and recognized traditional boundaries, the means of communication and travel within a constituency, and relevant communities of interest. The boundaries must also be reviewed in the year following each official census so that we can respond to changes in the distribution of our population.

Mr. Speaker, Sir, these considerations are particularly important in Fiji. A constituency drawn purely on numbers may not always reflect the practical realities of the people living within it. Geography, accessibility and the connections that already exist between communities are matters that must also be considered. The Constitution therefore provides a process through which constituency boundaries can be determined with those realities in mind.

Another important feature, Mr. Speaker, is that constituency representation is not limited to candidates belonging to political parties. The Constitution expressly allows an independent candidate to contest a constituency seat and, if elected, to serve as an independent Member of Parliament. This provides an opportunity for a person who has the confidence and support of a local community to seek election without having to be affiliated with a political party.

At the same time, Mr. Speaker, Sir, the return of constituency representation does not remove proportional representation from our electoral system. The 22-party list seats will allow the overall composition of the House to more closely reflect the votes received by political parties nationally, with the Constitution retaining the 5 percent threshold for a party to qualify for proportional representation. In this way, the proposed system combines constituency representation with proportional representation in the composition of the House.

Mr. Speaker, Sir, while these provisions establish how representation will work, their significance is ultimately about the people who elect us. When people have concerns about their roads, schools, access to services, the development of their communities, or other matters affecting their daily lives, they should know who represents their constituency and who can bring those

concerns before Parliament.

Equally, a Member elected to represent a constituency carries a responsibility to understand the needs and concerns of the communities within that constituency and to ensure that those matters are heard in Parliament. Constituency representation, therefore, gives a greater meaning to the relationship between an elected Member and the people he or she represents.

That, Mr. Speaker, is what the return of constituency representation seeks to achieve. It brings representation closer to our communities and ensures that the concerns and aspirations of our people have a clearer path into Parliament. Ultimately, Parliament must remain responsive to the people it serves. Whether our people live in our cities, our rural communities, or across our maritime islands, they should know who represents them and have confidence that their issues affecting their communities can be raised in this House.

Mr. Speaker, when we consider these reforms together, they speak to a broader purpose of this Constitution. Chapter 3 recognises and protects matters that are fundamental to our people - their land, natural resources, environment, culture, and heritage, while the return of constituency representation seeks to strengthen the voice of those same people in this Parliament.

These are matters that will shape the future of our country. As Fiji continues to develop, it must ensure that economic progress creates opportunities for our people, that our natural environment and resources are protected, that our cultures and communities remain strong, and that the people affected by the decisions we have, have a meaningful voice in our national affairs. We must ensure that economic progress creates opportunities for our people, that our natural environment and resources are protected, that our cultures and communities remain strong, and that the people affected by the decisions we make have a meaningful voice in our national affairs.

Mr. Speaker, Sir, ultimately, a constitution must serve not only the institutions of the State, but the people of Fiji. It must provide the foundation upon which we continue to develop as a nation, while protecting what we value and ensuring that our people remain at the centre of that development.

As we look to the future, our responsibility is to ensure that Fiji continues to progress in a way that brings our people with us – where development creates opportunity, where our land, environment, culture, and heritage are protected, and where every community has a voice in shaping the future of our nation. That is the Fiji we must continue to build, not only for those we represent today, but for the generations that will follow us.

HON. J. USAMATE.- Mr. Speaker, Sir, thank you for giving me the opportunity to share my thoughts at the Second Reading of the Constitution (Amendment) Bill 2026. The Session of Parliament that we are currently going through has been a very historical one for many reasons. It was the first time that a party with the largest number of Members of Parliament was deregistered, also the first time that we had more Independent MPs in this House than any other political party. It has a lot of history, and this exercise that we are going through now, is also a very historical exercise.

Mr. Speaker, Sir, a constitution is the key legislation of a country. It is the most important law – the mother of all laws. The future of any country is always driven by the tenor of the Constitution. The tenor of the Constitution becomes the tenor of the nation, with all the good and with all the bad that they bring. It, therefore, requires very careful attention, which is exactly what we are doing here in Parliament today.

In terms of the Constitution that currently exists, the 2013 Constitution, I would like to say at the outset that no constitution is set in stone, no plan will be perfect all the time, it may work well for

the context for which it was developed, we must, however, never just discard anything willy-nilly; never ever do that. The 2013 Constitution was stated by many that it was not based on citizens' views. That view does not take into account all the work that was done by the National Council for Building a Better Fiji, the extensive consultations that they undertook, the thousands who participated and indeed that exercise was led by the Archbishop at the time. A lot of those findings are eventually fed into the 2013 Constitution itself.

The Supreme Court has rightly stated that the 2013 Constitution has proven its legitimacy in the three elections that have been held under the Constitution, together with a smooth transfer of power that took place at the end of 2022. That augurs well for our democracy, that we can have that kind of smooth transfer of power. I think it is a hallmark of a growing democracy, and that is something that we must cherish, keep and protect at all costs.

Incumbent upon us now as Members of Parliament in this House, is to consider the merits and demerits of the proposed Constitution that is in this Bill. In order to do so, we must look at the key principles that we must adhere to. My contribution is going to be very short, but I will just talk about some principles that we need to take cognisance of, that we must be thinking of as we look at this Constitution (Amendment) Bill.

First, is the idea of democracy itself and what it means. Democracy – where people take the lead, and we are here as representatives of the people. People give their ideas; those ideas are listened to. The Government has talked about the statistics to show how they have met the people. The honourable Prime Minister stated that consultation was not just limited to the formal part of the consultation, there was also informal consultation, that is very important in the development of a constitution.

We have seen the reports that have come out from the Fatiaki Committee and the also the Valenitabua Commission, who provided their findings, the Commission in particular, together with a draft Constitution to Government. The Government has then amended the CRC recommendation. So, the question to my mind, to some degree, is this therefore a departure from the maxim of Government for the people? When the Commission talks to the people, has their ideas, and then the executive alters it to what it sees as right and fitting. That is the question that hangs in my mind and something that we need to think about and ponder, as we are looking at this Bill.

One of the important things that I talked about earlier, I think it was yesterday or two days ago, an important question for our country, and this is, how well does the Constitution manages the nexus between individual rights, liberal democracy on one part and traditional power structures such as we, *iTaukei* have in our *tokatoka*, *mataqali*, *yavusa*, and *vanua*. How well does it manage that nexus? That is a question that we need to ponder because it is when we do not manage that nexus well, that all kinds of funny things happen in this country.

We want to be able to maintain, preserve our traditional structures and at the same time, see ourselves as a democracy where we cherish and hold true to the democratic rights, the rights of the individual that are protected in the Bill of Rights in the 2013 Constitution. Once again, in this Constitution, though, here I see that the limitations to those rights are specified to a greater degree.

Mr. Speaker, Sir, one of the other things, when you talk about democracy, there is always the idea of representative democracy, which is what we do. We represent people that vote us in and we make decisions. One of the things that has been expressed here also, when this Constitution changes, it will need to go through a referendum. That is participative democracy. It is where every single citizen has a say.

In the new Constitution (Amendment) Bill it takes out that requirement for participatory democracy, where people actually have their say. It is not only their representatives deciding for themselves what the Constitution should be, but they themselves have a direct say. I think that is an important principle. The honourable Deputy Prime Minister talked about some other plebiscites along those lines, but I think that is a very critical concern when you talk about the notion of democracy and what it means.

Another issue I think that is very important for us in Fiji that needs to be reflected in the Constitution, and we need to ponder how well it is reflected in this Constitution, the idea of unity. Constitutions must bring about unity and togetherness because it is through unity that Fiji grows, it is through disunity that Fiji will disintegrate and Fiji will suffer. Unity is fundamental, so we have to see how unity is weaved into the Constitution. Is it weaved into the Constitution or not, that is something that we need to look at.

In the past, Mr. Speaker, Sir, as others have said, politics in Fiji have been largely ethnic focused. Even now, the ethnic breakdown, Fiji is more than 70 percent *iTaukei*, that is still remnants of that kind of thinking that still abounds in our country, even though the percentages have changed. The Constitution must never embed principles that lead to divisiveness. We must ask ourselves; does it have principles that lead to divisiveness? It is upon us to look critically at the Constitution, to see whether the Constitution does that. If so, we must eliminate the things that bring about divisiveness.

That famous saying that everyone says, it is very true, united we stand (not only one party unite, the other not united but all of us) but then divided we will definitely fall. The current 2013 Constitution tried to do that, I believe, the way that I interpret it, by doing a single National Constituency, which encourages all politicians to not focus on any particular ethnic or religious group or geographic area, but for all leaders to focus on everyone in the country. That was one approach and that is perhaps one of the tenets upon which the idea was that we only use English in Parliament. Of course, this is behind us now, all of that has changed. I think the important thing for us now is to see if the Constitution encourages divisiveness, or whether it encourages unity.

Mr. Speaker, Sir, it is important for all of us, and I have seen you talk about the issue of group rights, recognition of all the communities that live in Fiji, that call Fiji home, that are Fijians themselves and their role in developing Fiji. For us, the *iTaukei*, wherever we came from, people say that we came from Africa directly, I do not believe that. I believe the first inhabitants of this country were the Lapita, mixed together with the Papuans who came through Vanuatu and through incursions over the past *iTaukei*, chiefs and commoners.

Amongst us *iTaukei* are descendants of those who have wandered around Fiji in 17 different parts and keep on moving. There are descendants in Fiji of *iTaukei* who are more or less sold off into servitude to go and work in plantations with the money going to someone else. There are parts of our history like that. There are some whose lands were taken from them in Colonial and pre-Colonial times, the middle of Viti Levu is obviously an example of that. So that is part of who we are, our Indo-Fijian brothers and sisters, descendants of Girimitiyas, those settlers that came later on, and of course, our cousins, the Melanesians, blackbirding, who have suffered a lot of tragedy in this country and they remain that. All these Chinese, the traders, you go to any village in Lau, Kadavu, you will find where the Chinese shops used to be; all over the place. They are intertwined into us, Fiji is not just us *iTaukei*, it is all of us. I think that is very important, we must ensure also that there is no ethnic nationalism in Fiji. We need to treat all of us as Fijian and I am glad to see that that is stated in the Constitution.

I am about to finish, Mr. Speaker, Sir, I think one of the important things that I keep thinking about over the past three years is how well the Constitution manages the separation of powers - separation of powers between the legislature, executive, and judiciary. There have been some concerns in the past

about excessive power in the Executive, in the 2013 Constitution, and even some are saying in this Constitution. Executive override is something that we do not want to have, it has been criticized in various Constitutions and we must make sure that we are able to separate that.

I think the third last point is the independence of the institutions that we have. I think if I look back, the independence of institutions, the way they are appointed, the way they are funded, the way they are governed, when you are talking about parliament, judiciary, civil service - strong institutions mean a strong country. Weak institutions mean a weak country. It is very important for us to be able to do that.

Religious freedom has been talked about. The Constitution mentions God but gives us the liberty to practice our own religion and the Constitution does that. I am a Christian, a Methodist, but I am not being a Christian when I ram my Christianity down someone else's throat. I am being a Christian when I love others as I love myself, when I do for others who are not like me, who do not look like me or speak like me, as I would want them to do to me or for me.

We must make sure in this country and in the Constitution, that we do not allow religious fundamentalism or religious nationalism. We need to look at the Constitution to say, is it geared towards maintaining that harmony that is needed in Fiji? I am not accusing anyone of anything. I am just saying. These are all principles that need to be embedded in the Constitution. I am not talking about the content of the Constitution; principles that should be there.

Lastly, Mr. Speaker, Sir, we often want things that are good for our group, our ethnicity, our religious group, or our geographical area only. But many times, however, what is good for just one group is not in the best interest of everyone. It may not even be in the best interest of that particular group in the long term. That is why, as we look at the new Constitution, we must ask ourselves whether we are just pandering to the desire of some at the expense of others, whether we are pandering only to the short-term interests of that group in the short term, but in fact are harming their long-term interests, which they cannot see, but maybe we can see. Will we then tarry along in the way that they want, suffer the consequences that we can already foresee, and do what is best for our country in the long term?

I am not convinced that all of these concerns that I have, these are personal concerns have adequately been addressed in the Constitution, and it is something that we still need to discover and talk about.

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, Sir, I rise today to support the Bill that has been tabled in Parliament in the last few days and support the Second Reading of the Bill. Of course, in doing that, from my honest perspective, this Bill not only represents constitutional reform but represents a reset of the upward trajectory of our beloved country. I also hope it will offer an opportunity to lay a stronger foundation for economic growth, investor confidence, business development and national prosperity. This historic Bill, Mr. Speaker, seeks to align the constitutional framework with the aspirations of the people of Fiji while ensuring our institutions remain capable in responding to the demands of our modern economy.

Mr. Speaker, Sir, as Minister responsible for Industries, Commerce and Business Development, I know that this House expects me to focus on aspects of this Bill, particularly, where it is significant for economic development, investment, entrepreneurship and creation of opportunities for our people. However, my remit today is a bit broader. Let us face it, if this Bill unifies Fiji and creates stability, my job will be a lot easier.

Mr. Speaker, allow me to make some overarching remarks before I touch on the principles of the Bill, or what I see as the principles of the Bill. As we reflect on today's historic event, I cannot help but admire God's sense of humour and time. On the eve of Christmas Day of 2022, this House

elected honourable Sitiveni Ligamamada Rabuka as Prime Minister of Fiji on one singular vote. If someone had told me then, Mr. Speaker, that we will be able to change the 2013 Constitution, I would have told them, “Go away.” Yet here we are on the cusp of making history. God surely works in mysterious ways.

I wish to highlight to this House that this is not a new path, this Bill, that we are talking about today. This Bill represents our sixth attempt to develop a new path for Fiji. I speak of the 1990 Constitution, I speak of the 1990 Constitution, of course, the burnt Yash Ghai Constitution and the 2013 Constitution. Sir, 2026 represents our sixth attempt at a Constitution. Admittedly, our journey as a democracy and a nation has not been easy, however, it is time to put our nation’s troubles to bed once and for all.

Mr. Speaker, Sir, yesterday, I regaled my honourable colleague, honourable Ketan Lal, on how the 2013 Constitution was conceived. On our part, this Government on this side of the House, led by honourable Sitiveni Rabuka, has tried its best to stay within the rule of law. To get this point or to make this point, we brought an amendment to this House which was voted out.

We then went to the Supreme Court under Section 91(5) of the 2013 Constitution to seek an opinion on the amendment provisions of the 2013 Constitution. The Courts declared that whilst the Constitution of 2013 was legal, it had a democratic deficit. It, therefore, legally read down the 2013 amendment provisions, allowing us to get to this point.

Mr. Speaker, Sir, in summary, a democratically elected government in this country, using all the avenues available under law, has tried to make changes to the 2013 Constitution. If that is not adhering to the rule of law, then I do not know what is. Just to be clear, Sir, for the House to know, and all of Fiji to know this, this Government is going to elections before February 2027 as required under the 2013 Constitution. Some naysayers were saying that we would try to delay elections. I would like to say to Fiji, “we are sticking within the rule of law, we are not delaying the election.”

Mr. Speaker, Sir, the third overarching principle that I thought I would share, I would like to assure every citizen of Fiji, my friends on the other side of the House, that through this process, we have been listening, and we have tried our best to come up with a document that is balanced, pragmatic and tries to position Fiji for the future. I will return to this point later.

Mr. Speaker, Sir, this Bill tries to unify the people of Fiji. Why do I say this? In the spirit of listening, my friend honourable Alvick Maharaj stood in this House in the Opening of Parliament this year and explained his priorities in terms of a constitution: common identity; equal citizenry; secular State; security of land tenure; and Bill of Rights.

Mr. Speaker, Sir, I will say to the people of Fiji that all these issues are well addressed in this draft Bill and dare I say, I hope that my colleague and friend will be very happy. I wish to emphasise, that this Bill preserves the identity of all people in this country as Fijians. This is not a symbolic provision; it is a powerful affirmation of national unity.

In fact, if you look at the Constitution Review Commission (CRC) document, this side of the House has gone further than the CRC document. The CRC document contains some conditional provisions on national identity; this Bill does not. On equal citizenry, that again is addressed. All citizens of Fiji have equal status and identify under this Bill in Chapter 1. This is also enshrined in Clause 1 and Clause 5 of this Bill. On the Bill of Rights, it is a major improvement on what was there before. It defines the test and you, Sir, will appreciate this, through which rights can be limited under law. Therefore, going forward, unlike the 2013 Constitution, no government can willy-nilly limit the rights of the people of Fiji.

The Bill recognises every person's right to full and free participation in the economic life of the State, including freedom to choose their trade, occupation, profession, and means of livelihood. By enshrining this right within the Bill of Rights, the Bill recognises that economic participation is not merely an economic policy objective of government, but a constitutional principle that empowers the citizens to pursue opportunity, enterprise, and self-improvement.

The Bill also recognises, Mr. Speaker, the importance of decent work and provides the right to work, and I am sure, Mr. Felix Anthony will be very happy; a just minimum wage. These are some of the rights that affirm Fiji's prosperity and emphasises that it must be built on participation, wellbeing of its people, and ensuring that the benefits of economic progress are shared by all and that no citizen is left behind.

I would like to touch on the secular State. Clause 4 talks about religious liberty and is supported by the Bill of Rights section, Clause 25 talks about freedom of religion (some on that side of the House were talking about freedom of religion – it is enshrined in the Bill of Rights), conscience, and belief. As members on the other side of the House were talking about freedom of religion, it is clearly enshrined in the Bill of Rights, Mr. Speaker.

Security of land tenure was another issue raised by honourable Alvick Maharaj. Chapter 3 covers this very clearly. Chapter 3 also talks about the contributions of all citizens of Fiji. Not only that, the fact that all the communities in this country have to be respected. Therefore, Mr. Speaker, the Bill has tried to be very inclusive and forward-looking in its outlook, et cetera.

Finally, Mr. Speaker, as mentioned by my friend and colleague, honourable Deputy Prime Minister Gavoka, we are now introducing constituencies back into our Parliament. If a country is looking for initiatives or items that will unify this country, what I have said in the last few minutes, in my view, should be the recipe for unity and oneness in Fiji.

Mr. Speaker, I would like to share some of the principles in this Bill that the people of Fiji should be aware of. This Bill seeks to end *coups* once and for all. This has been done by redefining the role of the military and ensuring that it remains subservient to democratic rule under clause 151. In addition, Sir, I urge everyone to read Chapter 1 of the Bill, Clause 2(5) and (6) which draw lines in the sand.

Mr. Speaker, this Bill, once it becomes law, can never ever be abrogated, and any attempt to establish a government other than through this Bill, will be deemed unlawful. To any aspirants out there for any unlawful attempts, please take note.

In terms of principles, I am happy to report to the people of Fiji, particularly the *iTaukei*, that finally this Bill returns the *iTaukei* to its rightful place in the Constitution, and it goes a bit further. As you had correctly stated yesterday, in past times, the Bose Levu Vakaturaga (BLV) was merely a footnote in our lives. The Bose Levu Vakaturaga Act 2026, together with this Bill entrenches the BLV in the years to come. Apart from this, we have re-introduced the entrenchment laws for *iTaukei*-related Bills relating land and resources, the laws relating to the Rotumans, the Banabans, and also the Agricultural Landlord and Tenants (ALTA) Act that was an entrenched provision has been brought back.

Mr. Speaker, on top of that, the ability of the BLV to nominate the President and the Vice-President merely returns us to 1997 and is not an invention by this Government. This, together with the BLV's role in Senate, ensures that the BLV, similar to the House of Lords, can participate in the governance of this country.

I speak briefly in terms of good governance. In this Bill, we have attempted to adhere to good governance and separation of powers. We have tried to ensure the integrity of the Constitutional Offices Commission and the Judicial Services Commission is protected. I think we have done well, but we will allow more comments, I am sure, when the Committee moves around.

Mr. Speaker, where do we go from here? After today's vote, should it be successful, we send this Bill around the country for 30 days, as is required under the Standing Orders. In doing so, I am hoping that those who refused or were reluctant to contribute to the discussions on the Constitution of Fiji will make to do so. Like I said, this Bill is intended to unify Fiji, and anyone in this House that tries to argue opposite, shame on them.

Mr. Speaker, Sir, I appeal to the people of Fiji, our youth and the *iTaukei* communities, over the next 30 days, please find out where the honourable Prime Minister and the Select Committee will be moving. We need to have your voices heard so that we can tidy up the Bill and bring back to the House something that truly reflects the people of Fiji. After that process, what will happen? We will come back here for a vote, and if that vote is passed, we will hand it over to the people of Fiji for a referendum.

Mr. Speaker, I thought I would just read, before I conclude, the Preamble of the Bill and its principles. Right at the bottom, the Preamble says and I quote: "With God as our witness, we (meaning we, the people of Fiji) give us this Constitution." This will be the first time in our country that this will happen. Previous Constitutions were either thought of by some of our chiefs, went through committees, but we never handed it to the people for them to decide.

Mr. Speaker, Sir, with that said in terms of the Bill and its principles, my argument to this House and to the people of Fiji, this is a unifying document. It covers everything that anyone in this country is concerned with. It places the *iTaukei* back, rightfully, in this country where they belong, particularly our chiefs, but at the same time, it ensures that every single Fijian in this country, has rights to live freely, work freely, love freely, and to do whatever they want to do in our beloved Fiji. Mr. Speaker, with those few words, I support the Second Reading of this Bill, and I truly hope that we will unify this country through this Bill.

HON. P.K. BALA.- Mr. Speaker, Sir, I rise to speak briefly on Bill No. 32 of 2026. I do not wish to repeat sections and chapters that had already been talked about, and to save time, I will put that aside. As of now, I have a feeling that Government has the numbers to pass this Bill. So, what should we do? I might differ from my colleagues' views on this matter.

This morning, we had the opportunity to listen to the Solicitor-General. Certain things were cleared, and we should not pretend that all those things that were cleared are still running in our minds. I believe in the parliamentary process. We were elected to take part in whatever is put before this House. We cannot and should not oppose just for the sake of opposing. No constitution is perfect.

The Great Council of Chiefs has given its blessing to reform, and that must be taken into account. Likewise, the concern raised by the Commander of RFMF today needs to be looked at. However, participating is not accepting. It does not mean we will sell any community, but it is another chance to go through the exercise, and at the end, if the text fails the people of Fiji, this House can vote it down at a later stage. However, taking part does not mean keeping quiet about how this has been done.

Our 1970 Constitution was negotiated at a conference table with the leaders of our communities in the room. The 1990 Constitution was branded a racist one, but Fiji did not leave it

there. The Commission of three, Sir Paul Reeves, Mr. Tomasi Vakatora and Dr. Brij Lal, were appointed to prepare a report. The Joint Parliamentary Select Committee examined that report. The honourable Prime Minister here today and the late Justice Jai Ram Reddy negotiated the compromise, and the BLV endorsed it.

Then came the 2013 Constitution. The Yash Ghai Commission's draft, the product of wide consultation was set aside, and a different text was handed down. The Constitution Review Commission delivered its draft on 31st August. Weeks later, a different Bill arrived. The Centre for Democracy and Dialogue asked, "who wrote it, on what basis it departs from the Commission's text, and how a different document was produced?" Those are fair questions, and the people need answers.

A constitution is a compact among all citizens. The Commission heard from 3,875 people face-to-face and received 1,220 submissions. Of those who made submissions, 86 percent were *iTaukei*, 7 percent Indo-Fijian, 6 percent Rotuman, and about 1 percent Others.

Mr. Speaker, Sir, look at the calendar. The Commission's 236-page report was tabled on 22nd September. Standing Orders was suspended so the Bill could be tabled this week. It runs 250 pages and tabled two days ago, and today we debate it. The Committee has 30 days, and the final vote is planned for the November Sitting. Then there is the election. The Supervisor of Elections has told the country that the last possible Writ date is 24th December, with polling by 6th February, 2027.

In the Special Committee, by participating, we can ask the Government to set out one, a side by side of the Commission's draft and this Bill that is before us with reasons for every change. Mr. Speaker, Sir, we have briefly gone through the Bill, and we have some reservations on certain Clauses which needs more discussion. Second, announce the referendum law and date so that the people have the final vote.

Mr. Speaker, Sir, as elected Members, we must commit ourselves to dialogue and consensus building to resolve the problems, and that can only happen if we are genuine to resolve the problem. We must continue to make effort to ensure that goodwill prevails. Political memories can be short, and once again, I must state that participating in the process does not mean we have accepted what is in the Bill, but it can only improve through the process of dialogue with all those concerned. We need to go with open-mind and hearts and if our wishes for our discussion draws no positive concern, then we can decide otherwise, Mr. Speaker, Sir.

Let me also reiterate that a consensus is the only way that will work. Consensus is not possible unless we engage ourselves sincerely in the process of dialogue. The point that I want to make, Mr. Speaker, Sir, is that common sense demands that we take part in the process and put it to a test.

Mr. Speaker, Sir, we want to be honest with everyone that for the past few days, some of us from this side were talking to some of Government Members on the approach to this Amendment Bill.

Mr. Speaker, Sir, at this juncture we want to thank Government, because there were certain requests made and those requests were delivered. With this brief contribution, I want to say thank you very much.

HON. PROF. B.C PRASAD.- Mr. Speaker, Sir, let me begin by saying that this is the beginning of one of the most important chapters in our parliamentary history since the resumption of democracy in this House on 6th October, 2014. I say that all honourable Members should work together to ensure that it becomes a defining moment in our independent history, because the decisions we will make will shape the relationship between the people of Fiji, and those interested to

govern them.

Mr. Speaker, Sir, I am not going to talk about the merits and concerns in the Bill. I want to thank both the honourable Deputy Prime Minister Kamikamica and honourable Parveen Bala for laying out the process because there is a lot of misinformation and perhaps lack of understanding of the process. As I have said, even some of the journalists have got it wrong. This motion, this vote today is about referring this Bill to the Joint Parliamentary Committee. The vote for this Bill to go to the Parliamentary Committee does not mean that we agree with everything that is in the draft, the concerns, et cetera.

I am very pleased to hear honourable Bala laying that out very clearly. So, at the outset, therefore, Mr. Speaker, the National Federation Party makes clear that it supports taking the draft Constitution introduced by the honourable Prime Minister through the Constitution (Amendment) Bill into a genuine process of parliamentary examination and public consultation. That support does not mean that we accept every provision as it stands. It means that we are prepared to do the work necessary to produce a constitution that is fair, workable, broadly acceptable to the people of Fiji, and some of my colleagues have highlighted some of the principles that are already there.

Today is an important step towards a bipartisan approach through the proposed establishment of a Special Parliamentary Committee. That Committee must provide the opportunity for extensive consultation, negotiation and careful examination of the draft. We must all understand that constitutional change remains subject to the applicable requirements of Sections 159 and 160 of the 2013 Constitution, as interpreted by the esteemed Supreme Court. So, the weight of the constitution process, Mr. Speaker, Sir, lies heavy on our shoulders as it must.

The National Federation Party helped to frame Fiji's first constitution; the constitution that guided our transition to Independence and that was not an easy constitution to frame. It was uneasy because our *iTaukei* communities had deep anxieties about their future, and this anxiety stemmed from in no small measure, from the fact that, at that time the *iTaukei* community was a minority one. The Indo-Fijian and general electorate communities were in excess of 50 percent and to allay this anxiety, it was the NFP that first proposed that Fiji should proceed to Independence without an election. This allowed the then Alliance Party, under the leadership of the late Ratu Sir Kamisese Mara, to proceed to lead our country into Independence, allaying fears from our *iTaukei* and many others, who had concerns about what the constitution held for them. So, Mr. Speaker, as far as we are concerned, that has been the NFP's philosophy.

Today, there might be others, Indo-Fijians and other minority communities, they may be facing similar anxieties, so the substance of the Constitution matters, but what matters more is how we listen and respond to these anxieties and unstated fears. I think that is the weight on all of us, not just our party, but all of us. Yes, there might be anxieties out there, there are questions about the uncertainty, there might be questions about insufficient representation, this may be or may not be true, but there may be a perception. We have an opportunity to listen to them and to hear everyone on how they feel about the core elements of the proposal in the new Bill.

Mr. Speaker, developing a fair and just constitution through parliamentary democracy is a political process as honourable Bala stated. Of the four Constitutions in our history, 1970 and 1997 Constitutions emerged from political negotiation. The 1990 and 2013 Constitutions were promulgated by Decrees, so we have this history from which we can learn. The 2013 Constitution was formulated after the draft was prepared by the Ghai Commission, but that was set aside. Political parties' registration was not allowed until after the consultation was done. So, that history, Mr. Speaker, Sir, is relevant to the claim by some that the Government lacks a mandate to pursue constitutional change because of the narrowness of its Parliamentary majority.

The Parliamentary majority permits the government to introduce proposals. It does not, by itself, permit that Government to enact a new Constitution. The constitutional requirements to change that process or change that Constitution for approval remain. Therefore, we should recognise the value of examining a proposal in an elected Parliament with participation from the Opposition and the public. We can disagree about the contents of this Bill while agreeing that scrutiny and consultation are necessary.

As far as the National Federation Party is concerned, Mr. Speaker, Sir, we have expressed our concerns about some of the serious Clause in the imposed 2013 Constitution. In fact, all our manifestos, 2014, 2018 and our vision statement for the 2022 election made clear that we wanted constitutional change. That position was put before the electorate, and it was also advanced in Parliament during our years in Opposition. So, no one should suggest that our participation in this process is a sudden departure from what we told the people.

The late honourable Justice Jai Ram Reddy, which is longest-serving Leader of the Opposition and former Leader of NFP advised the party in 2014 that we should seek a review of the 2013 Constitution. He had worked with the then prime minister and now Prime Minister to help bring about the 1997 Constitution, and we understand the processes that are involved.

As honourable Bala pointed out, it is correct that participation in the process is very important. We entered Parliament under the 1990 Constitution with a mandate to seek a change to that Constitution. Having participated under the 2013 Constitution and taking oath under the 2013 Constitution does not mean that we cannot seek change in the Constitution. That is precisely what is required of all Members of Parliament.

Every constitutional process encounters opposition. No Constitution that we adopt is perfect, and no Constitution can anticipate every circumstance that future generations will face. The amendment provisions of the 2013 Constitution set thresholds that made change exceptionally difficult. As we heard, the Supreme Court's advisory opinion recognised a route requiring an absolute two-thirds majority of the Members of Parliament and a simple majority of those voting in a referendum.

So, we have before us, Mr. Speaker, Sir, a draft that will be examined and must be examined and if necessary, improved. It should become the starting point for a constitution that can command broad confidence rather than a document that the public is simply asked to accept. All of us understand that. The honourable Prime Minister understands that he has been part of the constitutional process before. Our responsibility, Sir, is to explain what is proposed, listen to those concerns raised and make changes where arguments justify them.

Mr. Speaker, Sir, I want to speak directly to the people of Fiji, especially to the Indo-Fijian community and other minority communities who may feel apprehensive and anxious when the constitutional change is discussed, given our history, that apprehension is understandable. As we have heard from a few speakers from Monday about some of those anxieties. However, my message is very clear, you should not fear about taking part in this extremely important national process. You are entitled to ask questions, disagree with the proposal, and tell your representatives what you believe should change. You do not need a legal qualification to explain what security, equality, or fair treatment means in our own lives.

A constitutional change ultimately belongs to the people who live under it, and their experiences must inform the decisions made in this House. A farmer who wants security of tenure, a landowner who wants protection of customary ownership, a parent concerned about education and a worker seeking fair treatment all have a place in this discussion. Their concerns are practical and

legitimate, and the bipartisan committee that we are going to be part of will be discussing some of those anxieties fears and explaining to the people in detail some of the provisions where they might have anxiety or misunderstanding as to what it is.

That reassurance must also be honest. We cannot promise that every proposal in this draft is satisfactory or will satisfy everyone, or that consultation is going to produce agreement on every question. That is part of the process, Mr. Speaker, Sir. We know that from our experience in the past. So, the National Federation party's (NFP's) position on the electoral timetable is unequivocal, as the honourable Prime Minister has said very clearly elections must be held before 6th February, and he assured the nation.

The honourable Deputy Prime Minister just reiterated that the elections will be held within the logical time frame. Therefore, this rumourmongering, speculation by the media and social media fake posts about elections being delayed should be disregarded by all our people.

I want to especially appeal to Members of the Opposition to participate fully. Their scrutiny is necessary, and their proposals should be considered on their merits. I also appeal to members supporting the Government to recognise that accepting a sound amendment strengthens the outcome.

A committee process will have little credibility if positions are fixed before the evidence is heard or if disagreement is treated as disloyalty. NFP will bring to its long-standing commitments to that work, including our philosophy of equal citizenship, lawful Government and respect for Fiji's communities. As the Deputy Prime Minister Kamikamica pointed out, a lot of those elements or principles are already provided in the draft Constitution.

Mr. Speaker, Sir, the Constitution must serve those who oppose us as faithfully as those who vote for us. It is incumbent upon all of us present here as members of Parliament to encourage and build confidence in our people by reading their proposals, by trying to understand their explanations, and the disagreements that they might have about provisions in the draft Bill. No one should be asked to remain silent as its concerns are politically uncomfortable.

Therefore, we support moving this Bill into a genuine process of consultation and parliamentary scrutiny. We do so with the expectation that if there are concerns, the draft will be improved through the contributions of members and the public. Our support for the process carries a responsibility to examine the substance honestly. Fiji has an opportunity to undertake constitutional change through its democratic institutions and with the participation of its people.

We should use that opportunity carefully, and I urge honourable Members to make this a process in which citizens feel heard, rights are protected, and the public power is clearly accountable. That is the basis on which the NFP will contribute, and on the basis on which we support taking this Bill forward.

Let me once again, in conclusion, Mr. Speaker, Sir, reiterate the process. As the honourable Prime Minister explained, and as other Members have explained, following the Supreme Court's advisory opinion, the Constitutional Review Commission (CRC) was established. After consultations were conducted and the report was presented to Parliament, a draft Bill was presented to Parliament on Monday. Today, we are debating the second reading, the principles of the Bill, and why it should be referred to the Parliamentary Committee. That process, Mr. Speaker, Sir, is very important.

Once again, support for the vote today does not mean that the Constitution, or the new Constitution, is approved. I want to reiterate that because there is a lot of confusion. The vote today is to refer the draft Constitution to the proposed Parliamentary Committee, which the honourable

Prime Minister will move to be established. The Committee will consider the draft Bill and report back to Parliament, after which, if it is approved and supported by a two-thirds majority, it will go to a referendum, which requires fifty plus one percent support.

That is the process. I once again urge all honourable Members to explain that process very clearly to our people so that there is no confusion or misunderstanding about the Parliamentary process that is available.

MR. SPEAKER.- Honourable Members, as rightly pointed out by the Honourable Professor, there are, as of now, even at this phase, two distinct phases remaining for this Bill tonight. Processes are still left, and it looks like we are heading in the same way as we were last evening.

Let us take a break for dinner now. Whoever needs sustenance to keep going for the rest of the evening may do so, and we will resume in 45 minutes.

The Parliament adjourned at 6.44 p.m.

The Parliament resumed at 7.37 p.m.

HON. K.K. LAL.- Mr. Speaker, Sir, I rise to speak on the Second Reading of the Constitutional (Amendment) Bill 2026.

Mr. Speaker, Sir, my contribution today is based purely on principle and merit. A Constitution is not an ordinary piece of legislation. Ordinary laws regulate particular areas of national life. A Constitution stands above ordinary political disagreements. It establishes the foundation upon which democratic Governments operate and defines the relationship between citizens and the State. That is why constitutional change must always be approached with extraordinary care.

Mr. Speaker, Sir, Governments change, Prime Ministers change, Oppositions change, Members of Parliament change, and political parties rise and fall. But the constitutional foundations of a nation must possess a degree of permanence that extends beyond the political circumstances of any particular generation. That is where my objection begins.

I believe constitutional reform should be guided by several fundamental principles, democratic legitimacy, equality, accountability, checks and balances, institutional independence, public participation, stability, and ultimate authority of the people. These principles should guide us regardless of who sits on the Government side and regardless of who sits in the Opposition.

Mr. Speaker, Sir, my first principle is very simple. The Constitution belongs to the people. It does not belong to the Coalition Government. It does not belong to the Opposition. It does not belong to any political party. It certainly does not belong to the politicians temporarily occupying this Chamber. We are just custodians. The people are the real owners.

Mr. Speaker, Sir, every authority exercised in this Parliament ultimately exists because citizens have entrusted representatives with the responsibility to govern. That relationship must never be reversed. The people do not serve Parliament - Parliament serves the people.

Mr. Speaker, Sir, the people do not exist for the Government. Government exists for the people. Therefore, whenever a fundamental constitutional change is proposed, the starting point must always be the citizen. Does change strengthen the citizen? Does it protect the citizen? Does it make the Government more accountable to the citizen? Does it strengthen the citizen's confidence in democracy? Those should be our tests.

Mr. Speaker, Sir, the second principle is democratic legitimacy. Political authority must ultimately be traceable back to the people. That is the foundation of representative democracy. I sit in this House because people voted. Every elected honourable Member in this Chamber derives authority from citizens, and there is something humbling about that. No matter how important politicians may sometimes believe themselves to be, eventually, we must return to the people. If we fail them, they can remove us; if we disappoint them, they can remove us; and if we forget why we were elected, they can remove us. That is not a weakness of democracy - that is its strength. Political power should never become detached from political accountability. The greater the power exercised, the stronger the accountability should be. That principle should guide constitutional reform.

Another principle I strongly defend is equality. Fiji is a home of people of different cultures, traditions, religions, histories and backgrounds. Their diversity is part of our national character. We should respect it, protect it and celebrate it, but our differences should never diminish the equality of our citizenship. When citizens participate in the democratic process, each must possess equal political dignity. No citizen should feel politically superior to another; no citizen should feel politically inferior to another; and no person's voice should matter because of their surname, ancestry, religion,

wealth, status or connection.

A democracy must begin with the proposition that every citizen matters. That principle has particular importance in Fiji because history has shown us what can happen when political identity becomes divided along communal lines. Our future should continue moving forward towards a common citizenship rather than backwards into political division. We can protect our different cultures without dividing our citizenship; we can recognise our different histories without creating different levels of political belonging; and we can celebrate our communities while remaining one nation. These principles are not contradictory. They strengthen each other.

Mr. Speaker, Sir, the next principle is checks and balances. Power requires limits. That statement applies regardless of who holds power. Our constitutional system should never depend upon the assumption that every future leader will exercise authority wisely. People are human, and politicians are human too, and Governments make mistakes. That is why democratic institutions require checks upon one another.

The most useful test is very simple. Whenever we create political power, imagine that power being exercised by the politician you trust least. Would you still support giving that office to the same authority? That is how constitutional rules should be tested. Do not write constitutional rules for today's Prime Minister; do not write them for today's Opposition; and do not write them for today's Parliament. Write them for leaders whose names we do not yet know.

A Constitution must survive good governments and bad governments; it must survive popular governments and unpopular governments; and it must survive responsible leaders and restrain irresponsible ones. That is the purpose of constitutional safeguards. Alongside checks and balances must come accountability. No one's exercising public power should be beyond scrutiny. The greater the responsibility, the greater the accountability.

Citizens must have the confidence that decisions are made lawfully, transparently and in the public interest. Accountability should never depend upon political friendship or political collisions. It should never depend upon who is in Government. It should never disappear because the person who is being scrutinised is powerful.

Mr. Speaker, Sir, the strength of a democracy is demonstrated not by how institutions treat the powerless, but by whether they can hold the powerful to account. That principle must remain central to Fiji's constitutional democracy.

Mr. Speaker, Sir, closely connected to accountability is institutional independence, which we have been talking about in the past four years. Independent institutions must be independent in substance, not merely in name. Their credibility depends upon public confidence. Citizens should know that institutions established to protect democracy can perform their responsibilities without fear, favour, or political pressure. That independence protects everyone. It protects Governments when accusations are unfounded, it protects Opposition when Government overreaches, and it, most importantly, protects ordinary citizens.

Strong institutions should never be viewed as obstacles to Governments. They are safeguards for good Government. Mr. Speaker, Sir, I place particular importance on constitutional stability. A Constitution cannot become another political manifesto. Manifestos change from Election to Election. Policies change, Governments change, political priorities change. The fundamental rules for the country should possess greater prominence. If every change of Government produces a fundamental redesign of the constitutional order, the constitutional law risks becoming an extension of ordinary political competition. That would be dangerous for Fiji.

There is value in continuity, and there is value in predictability. There is value in people knowing that, regardless of who wins the Election, the fundamental democratic rules remain stable. Mr. Speaker, Sir, change should therefore have a clear justification. The question should never simply be: can we change it? The more important question is why must we change it? What democratic failure are we correcting? What public interest requires the change? What constitutional problem cannot be addressed without fundamental alteration? And will the change leave our democracy stronger than before?

Constitutional reform should never happen merely because political circumstances make it possible. Mr. Speaker, Sir, constitutional legitimacy also requires meaningful participation. A Constitution is ultimately lived by the ordinary people. It affects the farmer who may never read a legal judgment. It affects the market vendor who may never enter Parliament. It affects the teacher, the nurse, the police officer, the taxi driver, the labourer, and the small business owner. It affects young Fijians who will inherit the country we leave behind. Therefore, constitutional change must never become a conversation, conducted mainly among politicians, lawyers and experts.

Mr. Speaker, Sir, people need sufficient opportunity to understand the direction in which their country is being taken to. Consultations should never become merely an exercise in collecting numbers. The quality of participation the people must understand, and the people must question and they must challenge and people must ultimately feel ownership of the constitutional system in which they live.

Mr. Speaker, Sir, constitutional reform should therefore pass a very demanding test. Does it strengthen democracy? Does it strengthen equality? Does it strengthen accountability? Does it strengthen institutional independence? Does it strengthen meaningful checks and balances? Does it strengthen public confidence? Does it maintain political power close to the citizens? And can the change be justified not merely for today, but for generations to come? Those are the questions that matter.

Mr. Speaker, Sir, because constitutional reform should not be judged according to who proposed it. A good constitutional principle does not become bad simply because it originated under a government we dislike. Likewise, Mr. Speaker, Sir, a constitutional proposal does not automatically become good simply because it comes from a government we support.

Mr. Speaker, Sir, principles must stand independently.

HON. S.D. TURAGA.- Point of Order.

MR. SPEAKER.- Yes.

HON. S.D. TURAGA.- Point of Order 60. Mr. Speaker, Sir, from last night, he has basically continued. He has not referred to a specific section on the Amendment. He is like reading an essay.

(Laughter)

HON. S.D. TURAGA.- I think it would be more mature as reading an essay. Speak on the Constitution! If we said it is not legitimate, speak out which provision is not, and if you have not participated in the consultation, you cannot come here and complain.

MR. SPEAKER.- I agree, I really agree. Hang on, listen, honourable Members. Under Standing Order 85, the Second Reading is only confined to the principles and merits, and principles and merits do not include general criticism. General criticism is on the Bill, so you speak on definite

and particular parts of the Bills if you wish to. It is not for you. It is not free for you to go and talk about it generally, or many other things.

You may continue, honourable Ketan Lal.

HON. K.K. LAL.- Thank you. Mr. Speaker, Sir, my understanding was that we cannot speak on the contents of the Bill directly, but with respect.

MR. SPEAKER.- Do not dare challenge my interpretation.

HON. K.K. LAL.- Not at all, Mr. Speaker. I will end my contribution here, and I cannot support the Second Reading of this Bill.

HON. V. NAUPOTO. - Mr. Speaker, Sir, I rise in full support of the motion moved by the honourable Prime Minister, that is before the House.

Mr. Speaker, Sir, the bottom line of what we are doing today is this, today we are deciding as to whether the process, the constitutional process ends here, or it continues. The draft constitution before us, in my view, projects and protects the spirit of what a good constitution should be. It is founded on the values of democracy, justice, equality, accountability and respect for the rights and the dignity of our people. More importantly, it recognises that a constitution does not exist for its own sake. It exists to serve the people, to protect their freedoms, to strengthen their democratic institutions and to ensure ultimately the sovereign will of the people remains at the heart of our constitutional order.

Mr. Speaker, Sir, the people must be heard, and the people must decide. On 9th August, 2024, Mr. Speaker, Sir, I stood in this House as an independent member of Parliament in the Opposition and delivered my End of Week Statement calling for a review of the 2013 Constitution. My argument then was simple: views on the 2013 Constitution had become closely associated with the political party one supported. I said then that the way to move beyond that political divide was to take the constitution back to the people to allow the people to have their say and for their collective voice to return to this House.

Mr. Speaker, Sir, I held that view then and I hold that view today - Fiji is one of the few countries in the world with double entrenchment provisions that prescribe the pathway for amending its Constitution. The way those provisions are structured places an extraordinary responsibility upon every Member of this House.

On two separate occasions, a two-thirds majority of all Members of Parliament must support the amendment before the matter can ultimately be put before the people. That means, Mr. Speaker, that before the people of Fiji are able to speak for themselves, we, their elected representatives, must first decide whether they will be given the opportunity to speak. And that, Mr. Speaker, Sir, is the real significance of the motion before us today.

We are not being asked today to make the final decision on this constitutional amendment. We are being asked whether we will allow the Amendment Bill to continue along the constitutional pathway laid out for it - a pathway that ultimately leads back to the people. If we vote, yes, and pass the Second Reading, the Bill will proceed to a Parliamentary Committee where members of the public will have the opportunity to express their views. It will then return to this House for Third Reading. If it secures the constitutionally required support at that stage, Mr. Speaker, the matter then goes to the people through a referendum where the people themselves will have the final say.

Let us be very clear about the decision before us today. A vote in support of this motion is not a vote that determines the outcome of the proposed constitutional amendment. It is a vote to allow the constitutional process to continue. It is a vote to allow further parliamentary scrutiny. It is a vote to allow public consultation and, ultimately, it is a vote to allow the people of Fiji to exercise their own judgment on the proposed changes.

Mr. Speaker, Sir, over the years we have heard the argument that the people of Fiji effectively endorsed the 2013 Constitution when they voted into government the political party that introduced it. A similar connection was made during Wednesday's debate on the suspension motion that an election result can somehow be treated as the people's verdict on whether the Constitution should or should not be changed.

Mr. Speaker, Sir, I believe we must be very careful with that argument. An election gives a political party a mandate to govern. It does not necessarily amount to a referendum on every law, policy or constitutional arrangements associated with that party. People vote for political parties for many different reasons. They vote on economic management, leadership, employment, education, health, cost of living, security and many other issues. We cannot simply take all those individual choices made for different reasons and convert them into a specific endorsement of the Constitution.

More importantly, Mr. Speaker, Sir, if we accept that reasoning, then we must be prepared to accept its logical consequence. If an election of the party that introduced the 2013 Constitution is evidence that the people endorsed that Constitution, then what are we to say when that party loses an election? Are we then required to conclude that the people have withdrawn their endorsement of the Constitution? Are we to say that because they no longer return the party to government, they have lost confidence in the constitutional order?

Surely not and that, Mr. Speaker, Sir, exposes the weakness in that argument because we cannot treat election victory as a constitutional referendum when it suits one argument but refuses to treat an election defeat in the same way when the logic becomes inconvenient. The two questions must remain distinct. The people elects governments through elections, but when we want to know the people's view and the fundamental law that governs them, particularly where the Constitution itself provides a process that ultimately takes the question to the people, the proper course is to let the people speak on that question directly. That is why the process that we are following should not deviate.

Those who strongly support the 2013 Constitution should have confidence in taking it to the people. Those who believe it should be changed should equally be prepared to make their case. Ultimately, Mr. Speaker, Sir, the strongest endorsement of a constitution is not an endorsement inferred from the election of a political party - it is an endorsement given consciously and directly by the people themselves when the constitutional question is placed before them.

Mr. Speaker, Sir, I also want to address those honourable Members who generally believe that the 2013 Constitution, in its present form, is the best Constitution for Fiji. I respect their position. However, I say to them that this process that we are going through does not undermine that belief. In fact, this process provides an opportunity for that belief to be tested and validated by the very people in whose name the Constitution operates because when we take the proposed changes in this Bill to the people, we are indirectly taking the 2013 Constitution itself back to the people. The choice before them will necessarily involve comparing the changes to what exists today.

Mr. Speaker, Sir, there is an even more important reason why that matters. The Supreme Court in Fiji, in its ruling, recognised that while the 2013 Constitution is the legally effective Constitution in Fiji, it went further to say that it was imposed on the people, not chosen by them, is

therefore a democratic deficit. Those are important words, Mr. Speaker, Sir.

The Court did not say that the Constitution is not legally effective. It expressly recognised it as legally effective, but at the same time it recognised something that goes to the heart of the debate we are having today. The people themselves did not choose it. So, here is an opportunity to address the democratic deficit.

The very debate we are having today is part of that process, whether honourable members rise in support of the motion or in opposition to it, by engaging in this debate, we are taking an important step towards closing the democratic deficit and returning the question of our Constitution to the people.

For those honourable Members who firmly believe that the 2013 Constitution, in its present form, represents the best constitutional arrangement in Fiji. I disrespectfully ask if you have confidence in the Constitution, why would you not have confidence in the people of Fiji to validate that belief? If the people believe that the existing provisions are better than the amendments being proposed, then let them say so. Let them reject the proposed changes and affirm through their own democratic voice that they prefer the Constitution as it stands.

Surely, Mr. Speaker, Sir, those who have the greatest confidence in the present Constitution should have the least to fear from allowing the people to judge it. This brings us back to the fundamental question before this House. This should not simply be a contest between those who support the 2013 Constitution and those who want to amend it. The deeper question is who should ultimately settle that disagreement? Should 53 members of Parliament settle it among ourselves, within these walls, or should we allow the people whose Constitution this is to have the final say?

Mr. Speaker, Sir, the Supreme Court has identified the democratic deficit. This process allows us to begin addressing it, not by imposing another constitutional outcome upon our people, but by putting that choice before them. Let those who support the Constitution as it stands make their case to the people and then let the people decide.

Mr. Speaker, Sir, there is an important distinction here. Today we are not being asked to speak for the people on the final question. We are being asked whether we will allow the people to speak for themselves. For me, that distinction is fundamental. If we truly believe that sovereignty belongs to the people, then on an issue as important as the Constitution of our nation, we should not be afraid to hear their voices. We should not close the door before they have had the opportunity to enter the conversation. We should open that door, allow the constitutional process to take its course, and, when the time comes, trust the people of Fiji to make their own decision.

Mr. Speaker, Sir, in conclusion, I have a final appeal. We talk of unity in this House. Today is an opportunity to show the people of Fiji that we can walk the talk. We can vote yes and allow this constitutional process to continue. We can come back and meet again on the Third Reading.

Mr. Speaker, Sir, I fully support the motion that is before the House.

MR. SPEAKER.- I thank the honourable Minister for his contribution. Let me explain why you do not have general criticism of the Government under Standing Order 86, the second reading. The second reading is specifically limited to the Bill's contents. It is not an opportunity or licence for you to generally criticise policies or the administration. That is not the purpose of the Standing Orders, nor is it the purpose of the second reading.

HON. F.S. KOYA.- Mr. Speaker, Sir, I do not think I am going to be very long. As you correctly spelt out, Sir, today is a day for debate on the merits and principles only. A couple of things need to be established as guidelines.

Mr. Speaker, Sir, in order to establish the principles of our law and governance, we must have the spirit of self-determination. We in Fiji must also celebrate our diverse voices, our shared values, and our common purpose. I think these things have always been at the forefront of all the constitutions that have come before us.

We must also understand, Mr. Speaker, Sir, that we have a duty to future generations. After all, we have had four different Constitutions in the space of about 50 years. On average, that is about a ten-year lifespan for each Constitution. So, the question we all need to ask is: What is wrong? Do we have mutual tolerance or not? Do we have civic harmony or not? Do we have social and political freedom or not? All of these elements have been addressed in the previous constitutions and even in the one before us in the Bill.

We have had a constitution since 2013, which has now lasted some 13 years. We must respectfully and honestly examine the record of that constitution over the last 13 years. I know politics will allow us to go back and forth and say, "You did this, and we did that."

Mr. Speaker, Sir, with respect to constitutions, we have to look at the necessity of reform. Any discussion of constitutional reform should begin with the question: Where is the constitutional problem? What is the fundamental failure? And why does that failure require constitutional change rather than ordinary legislative or administrative reform? Do we have constitutional stability?

A constitution should outlive governments and even political cycles, Mr. Speaker, Sir. Fundamentally, constitutional change should not become routine whenever political leadership changes. But this also comes against the backdrop of the sovereignty of the people. The ultimate source, and I think honourable Naupoto spelt all of this out just before me, the ultimate source of political authority is always the people.

Reform has to be tested by whether it strengthens or weakens citizens' control over those exercising public power. We also have to look at the fact of democratic legitimacy. Political power requires democratic legitimacy. The greater the authority exercised by an institution or an office, the stronger the justification and accountability for that authority should be.

The issue of equal citizenship has been addressed in the 2013 Constitution and in this one. Constitutional reform should address that, and it has, in terms of the equal political dignity of every citizen, regardless of ethnicity, religion, ancestry, wealth, social position or political connections.

The checks and balances that need to exist and the separation of powers that need to exist, all of these things need to be addressed in every Constitution. These are the questions that we need to ask, whether this one does so or not. Institutional independence. We have had issues that have arisen with respect to different institutions. Institutions responsible for accountability, elections, justice and public administration require genuine independence rather than independence merely in name.

Accountability. With respect to accountability, constitutional reform should make public power more accountable, not less. No officeholder should become more powerful while becoming less answerable. There must be protection against abuse of power.

One of the most important issues is public participation. Constitutional legitimacy requires meaningful participation by ordinary citizens. That is not just a simple sentence. That is a huge ask

of our population, and that must be heeded. Consultation should involve understanding and engagement, not merely counting how many meetings have been held or how many submissions have been received.

Consensus over a temporary majority. Fundamental constitutional reform should seek broad national agreement. You will always get complaints about whether it was broad enough or not. Having enough political numbers to make a change is different from establishing that the change has sufficient democratic legitimacy.

Rights and freedoms - again, this is also addressed in the Bill, but it was addressed before. This is why I think we see a lot of provisions from the 2013 Constitution that have been taken directly from there into the Bill.

While I am at it, Mr. Speaker, Sir, I just wanted to remind the Deputy Prime Minister, honourable Kamikamica, that he made a very passionate speech. He spoke very passionately about the abrogation of a constitution and the fact that there was a clause stating that the constitution cannot be abrogated or suspended by any person. Just a reminder to him that that clause also appears in the 2013 Constitution and is exactly the same.

Mr. Speaker, Sir, we also, as a multiracial nation, have to consider whether we are looking after the minority. Minority protection. Democracy is more than majority rule. Constitutional design should ensure that minorities remain protected regardless of which group commands political power.

Continuity must be there before replacement. Reform should not automatically mean replacement. If an existing constitutional principle works, protects citizens and supports democratic government, the burden should be on those proposing the change to explain why it should be abandoned. Yes, Sir, if we do go out in the next 30 days, if we are moving forward after this particular vote, we will see whether something should be abandoned or not.

Improvement or change must not be changed for its own sake. We have to ask, does this reform demonstrably show Fiji's constitutional democracy? Being different is not itself a constitutional merit. The longest term we test now is, I think, 13 years. Constitutional rules should be judged not only against today's Government, but against unknown governments 30 years from now. We may not all be around that, some of us may, and some of us may not, but that is the test that you have – the long-term test. The future generations, as I said right at the outset, Parliament in making decisions whose consequences may outlive every current member here. The interests of future citizens should, therefore, outweigh immediate political advantage.

Mr. Speaker, Sir, while I was sitting here listening to everyone, I went back in my mind about how this all started. I also went back in my mind – I am sure you will appreciate this too, Sir – to law school. I remembered that in the UK, there is no constitution. It is not codified. You exist within a certain number of rules. Sometimes I wonder whether we might have been better served without one and just had the rules as they do in the UK, because it has served them well, and they have survived without a codified constitution. Especially in our case, where we have had four already in the last 50-something years.

The ultimate test is bringing everything back to three questions. Where does the power sit; who exercises it; and who holds that person or institution accountable? These are the things that are important parts of the constitution. I refer to the documents that are currently before us, and I am not going to argue on the merits, but those are the three things that need to be there. Is it there or is it not? These are the things that people need to ask and will have to ask.

Mr. Speaker, Sir, the constitutional reform should not be measured by how much we can change. It should be measured by whether the change is necessary; whether it strengthens the democracy; whether it restrains power; whether it protects equality; and whether it leaves people with greater confidence and control over those who govern them. These points also complement the central principle with respect to political power remaining with ordinary citizens.

The Constitution belongs to all the people of Fiji. It does not belong to the Government of the day, the Opposition of the day, any particular community or any temporary parliamentary majority. The process intended to replace or substantially rewrite a constitutional arrangement must, therefore, command the confidence beyond the walls of this Parliament. I think I do not need to go over it again.

Honourable Bala spelt out the actual Constitutional Review Commission's report with respect to how many participants, et cetera. It is not a case of, okay, we have these many submissions, and you only have that much. Taking this participation and submission figures at their highest, the number directly engaged in the current process that was undertaken, was well below one percent of Fiji's population, and that is a worrying figure. In our haste, have we left something out? In our haste, have we not done enough?

That does not mean that the views of those who participated are unimportant. It is important. It means the Government should be extra careful. That is all it means. Even the Commission itself acknowledged the representational limitations that it was under in terms of the consultation process. It is actually reported that 86 percent of participants were *iTaukei* while Fijians of Indian descent accounted for about 7 percent.

Mr. Speaker, Sir, the Government draft is also not simply the Commission's draft that was placed before Parliament unchanged. There are material differences between what the Commission recommended and what the Government has ultimately put into this Bill. So, that in itself, will tell you that there needs to be a serious consultation exercise because there is a lot of change that has gone on with respect to the document that is before us. I hope and pray Sir, that, that 30 days will be enough. I certainly hope so.

Mr. Speaker, Sir, some of the other recommendations that were there that have been taken out, for example, the Commission recommended a two-term limit for the Prime Minister and a Cabinet of up to 14 ministers. These recommendations actually demonstrate that the Commission considered limits on executive power to be part of the constitutional settlement it was actually proposed. This is one of the reasons why the timing of this particular process matters.

A constitutional exercise of this magnitude should allow sufficient time for the public to obtain the actual Bill, maybe go home, sit down, read it in its entirety. Some of us have not even been able to finish it in its entirety. Purely because we just have not had the time to do so.

The Government has made and obtained independent legal and civic analysis and communicated the informed views to the elected representatives. And this issue is not merely where the consultations occurred before the Commission reported it, the public must also have an opportunity to scrutinise government's final product. And again, I say this, I am not sure if 30 days is enough, Sir, because we may not even be out on a daily basis - those in the actual Committee.

Mr. Speaker, Sir, this Parliament began its term in December 2022. And if comprehensive constitutional reform was considered urgent, there was ample opportunity to do it during that term. There was time to establish a process that allowed time for consultation, drafting, public education, etcetera. We are now dealing....

HON. M.S.N. KAMIKAMICA.- A Point of Order!

MR. SPEAKER.- Yes, Sir.

HON. M.S.N. KAMIKAMICA.- I really respect honourable Koya as a lawyer and as a professional but, Sir, in his discussion so far, there is very little mention of the merits or demerits of the Bill. He is talking about things like we should have started this process earlier. That has nothing to do with what is going on in this House.

MR. SPEAKER.- Thank you. It does in fact, very close to what I was talking about because at the end, it amounts to the criticism. I must think about criticism of policies and terms. Anyway, I think you are just about finished.

HON. F.S. KOYA.- Mr. Speaker, Sir, with what is before us is about to go onto a vote and then if the vote is won, it goes up to the general public. There are Clauses in here that need thorough scrutiny. If I started to go through it in its form, I would be here for another two hours, Sir, but I was trying to restrict it to that. I laugh at the end always with the *lave liga* squad. Mr. Speaker, Sir, I think I will finish off there.

With those words, Sir, we do not support the actual motion before the House.

MR. SPEAKER.- It is not that you are not allowed to criticise. Criticism awaits the Third Reading. That is when you really have a full blast of what is happening. But in here, it is almost procedural, procedural in the sense that the First Reading and then the Second Reading is in by nature a process where you go through to the Third Reading. I know you are quite experienced, honourable Koya, in these matters, but I think I agreed with the Point of Order from the honourable Deputy Prime Minister.

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, I thank you for allowing me the opportunity to speak at the Second Reading of the Constitution (Amendment) Bill 2026 this evening and to close off the batting order.

Mr. Speaker, as you have rightly pointed out, at Second Reading, the House is not here to debate about the contents, clauses and sections - it debates the principles and the merits, convictions, not the mechanics, but the many. So, before I go on to tell what this Bill does, let me tell the House what it is about because this Bill is about a single question, Mr. Speaker; does Fiji's Constitution belong to a moment? Does it belong only to 2013? What does it belong to the people? Is it a document frozen at a point in our history, or is it a living compact that each generation of leaders are permitted to improve?

Mr. Speaker, every generation of Fijians has faced that question, and every generation has had to answer, not with words but with choices. Today, this generation of leaders is out there. Let me be honest with this House, Mr. Speaker, constitutions are not easy things, and they are not meant to be. They are the rules we write for ourselves when we are calm, so we can live together when we are not. They are the promises we make to people we will never meet.

Mr. Speaker, the measure of a Parliament is not whether it argues, it is whether it can argue and still build, so I take this opportunity to thank honourable Bala on the democratic maturity that he has shown today and that is what we are called to do.

I want to speak on three Chapters. Chapter 3 - Land, Environment and Group Rights. The principle of belonging; Chapter 4 - Parliament and The Principle of Representation; and Chapter 14

– Immunity, all of its complexities and challenges. The principle of continuity. Three Chapters, three principles, one Fiji.

Mr. Speaker, let me start where Fiji always starts, with land - not land as an asset on our balance sheet, land as an ancestry, land as identity and land as the place where our ancestors are buried and where our children will one day stand. For the *iTaukei*, the Rotuman, the Banaban, Fijians land, we all know, is not just a commodity, it reflects relationship. A constitution, Mr. Speaker, that does not understand that, has not understood Fiji, so here is the first merit of Chapter 3.

For the first time, Mr. Speaker, our Supreme Law would dedicate a distinct and separate, dedicated chapter to land and environment, recognising that how we treat land is not just an administrative question, it is now a constitutional one. Mr. Speaker, I would submit that this is not just constitutional symbolism, this is the statement of who we are. The second merit is the principle of intergenerational stewardship.

Chapter 3 requires land and natural resources to be managed for the benefit of those present and future generations, while protecting biodiversity and environmentally sensitive areas. Mr. Speaker, no generation owns Fiji. We of course hold it in trust for those who will come after us and this provision makes that trust a legal constitutional obligation, not just a moral aspiration for the now, and I invite this House to listen very carefully because it is a principle of genuine consent.

Section 45, requires consultation with communities affected by major developments for large projects, meeting specific criteria requires free prior informed consent. Not consultation as we know but consent as a substance.

Mr. Speaker, for very long, consultation in Fiji has meant telling people what has already been decided. Free Prior Informed Consent (AFPIC) changes the grammar. It says you are not a stakeholder to be managed you are a right holder to be respected and that is the profound shift principally and meritoriously in this Constitution.

The fourth merit is environmental justice. Section 46 recognises the right to a clean and healthy environment with the State required to take reasonable measures with available resources towards progressively realising that right.

Now, Mr. Speaker, I want to be honest about what this means. It does not promise that the environment will be perfect tomorrow. It promises that it will be better than yesterday. That is what progressive realisation means that it is honest and also enforceable.

The fifth merit, Mr. Speaker, is fair return. Sections 46 and 47, as it stands maintains state's ownership of minerals but provides that customary and freehold landowners and registered customary fishing rights holders are entitled to fair share of royalty and other payments for mineral extractions through statute.

Mr. Speaker, Sir, I want to be direct with what that means. For generations, resources have been taken from beneath Fijian land and the benefits have gone elsewhere. This provision in this new Constitution says it ends. Not ownership transferred, but fair return guaranteed.

The landowners of this country will no longer be spectators in their own economy. They are going to be participators and beneficiaries of it. That, Mr. Speaker, is the principle and it is a principle that has been long overdue.

The sixth, merit, is protection of what cannot be replaced. Chapter 3 protects customary

ownership and provides that customary rights over foreshore, seabed, reefs and riverbeds cannot simply be extinguished.

Mr. Speaker, the *i qoliqoli* is not just a fishing ground, it is a birthright and this Constitution says so.

The seventh merit is balance. Section 49 protects existing freehold land leases and tenancies while requiring a balance between fair returns to landowners and security of tenure for lessees and tenants. Mr. Speaker, this is the hardest principle in Chapter 3 because it refuses to choose between two legitimate interests. It says landowners deserve fair return and tenants deserve security and both are true in this constitution.

A constitution must not be weak, Mr. Speaker, but it must contain wisdom. This constitution strikes a balance between the two.

Mr. Speaker, the group rights provision completes this Chapter. Section 51 recognises the rights of individual communities and groups whilst affirming equal rights for all citizens.

Section 52 recognises *iTaukei* and Rotuman as indigenous languages while requiring respect for all other languages used in Fiji.

Section 53 recognises *iTaukei* and Rotuman customary law as a source of law.

Section 54 recognises the contribution of all communities in Fiji, unity and wellbeing and protects their culture, their heritage and significant rights.

Mr. Speaker, Sir, this is the principle of Chapter 3 in a single sentence, we protect who you are without diminishing who anyone else is, and that is Fiji at its best, and this Bill writes that into law.

Mr. Speaker, Sir, I now turn to chapter four and the principle is representation. Not representation just as a slogan, rather representation by architecture. How do we design a parliament that is close enough to the people to hear them and strong enough to scrutinise itself? That is the question, and this chapter provides us the answer. The first merit is the return of the bicameral Parliament, a House of Representatives and a Senate.

Mr Speaker, Sir, the reason is not tradition - the reason is a principled one. Power should never scrutinise itself alone. A unicameral Parliament is not illegitimate and a second chamber of review, is something no committee fully replicates. A distinct, deliberative body whose purpose is to examine, refine, and where necessary, to question.

Not every Bill, Mr. Speaker, Sir, as we understand, is as the nature of Standing Order (51), where the Committee gets to scrutinize. Every Bill now would require Senate review, and that is the difference. Now let me address the obvious objection. Is this not just creating more politicians? Mr. Speaker, Sir, the answer is no and the numbers will prove it.

Under the 1997 Constitution, there were 103 parliamentarians, out of which 71 were representatives and 32 were senators. Under this Bill, there are 78 members, comprising of 55 House of Representatives and 23 senators. That is 25 fewer members than our previous bicameral Parliament. The Senate itself is nine members smaller than 1997, so this is not a return to the size of the old parliament. It is the restoration of the safeguard of a second chamber within a smaller structure. We are adding through this constitutional Bill scrutiny, however, we are not adding the

bloat.

Mr. Speaker, Sir, the second merit is proportionality with accountability. The mixed member proportional model is 33 constituency seats, 22 party list seats, which is an exact 60:40 balance.

Mr Speaker, Sir, the principle here is that representation has two duties, to be-

- (1) Local – as every Fijian should be able to name the member who speaks for that constituency or that community; and
- (2) Fair - as the overall composition of the House should reflect as faithfully as practicable the votes cast by the people.

For too long we just had one without the other. This Bill gives us both.

Mr. Speaker, Sir, the third merit is recognition of our maritime reality. Five maritime constituencies; Rotuma, Yasawa, Kadavu, Lomaiviti and Lau. These are not just remote communities because they are part of Fiji. And for too long, our electorate architecture has treated geography as an afterthought.

This provision, Mr. Speaker, Sir, recognises what every Fijian who lives on an island, as you would know, that distance is not an abstraction. It is transport costs, it is time away from home, it is whether your voice can actually reach the floor of this house. If your community is separated from Suva by an ocean, and most of us, then the Constitution must cross that ocean to find you.

The fourth merit is that this system preserves the pathway for independence. A citizen who earns the trust of their communities, Mr. Speaker, Sir, but chooses not to join a party can still contest a constituency. This is democratic pluralism, choice, and it belongs to a modern democracy.

The fifth merit is that the Bill permits temporary measures, special measures to promote balanced representatives between women and men and broader diversity.

The sixth merit is electoral stability. Clause 96 establishes a nine-month period of regulatory stability before the expiry of a parliamentary term.

The seventh merit is clear institutional responsibility. Clause 92 gives a five-member electoral commission the power to register and deregister political parties. Clause 93 places the Supervisor of Elections under the Commission's direction and accountability.

Mr. Speaker, Sir, the principle is this: a constitution should establish durable institutions, allocate responsibility, and leave detailed regulations to legislation. That is what this does. It creates clarity where there was ambiguity in 2013.

Mr. Speaker, Sir, I now come to the hardest chapter: immunity. Let me speak to it honestly, because this House and the people of Fiji deserve it. Immunity, Sir, is not a very comfortable subject. It touches history, it touches pain, and it touches questions many would prefer left unasked. So let me be clear about what this Bill does and what principle justifies it.

The first principle, Mr. Speaker, Sir, is continuity. The Supreme Court in 2025, advisory opinion affirms the legal effectiveness of the existing immunity provisions within Fiji's Constitutional Framework in its view, Supreme Court maintained the immunity on the basis of stability. The Government's approach is therefore one of constitutional continuity, not because the past is beyond question, but because the legal position is settled, and reopening it would create

uncertainty where certainty has already been established.

Mr. Speaker, Sir, this is not an endorsement of history; it is a recognition of the law. Those are different things, and it matters that this House understands the difference.

The second principle, Mr. Speaker, Sir, is finality. The Bill retains the entrenchment of these provisions. Clause 207 provides that the immunity chapter cannot be challenged in court and that no compensation may be claimed from the State in respect of conduct covered by those matters.

Mr. Speaker, Sir, the purpose is to prevent matters that have long been constitutionally settled from being continually opened. Not to deny justice, but to provide closure so that a nation can move forward rather than litigate forever, but this is the merit I want this House to hear most clearly.

The third principle is that nothing is permanently beyond amendment. Mr. Speaker, Sir, this is the change. The 2013 Constitution prohibited any amendment. This Bill provides, for the first time under the current constitutional framework, a constitutional pathway for amendment. Any amendment would require the support of three-quarters of the Members of the House at the second and third readings.

Mr. Speaker, Sir, think about what that means. Immunity is no longer a locked door. Under this Constitution, it is a door with a heavy key, held collectively by a supermajority of this Parliament, accountable to the people. This is not a small thing I would propose, Mr. Speaker, Sir. It is a fundamental shift from constitutional silence to constitutional process.

May I conclude, Mr. Speaker, Sir. Let me return to where I began. Three chapters, three principles. Chapter 3: belonging, land, environment, and group rights. The principle that every Fijian belongs to their land, to their culture, and to their future. Chapter 4: The Principle of Representation. A parliament closer to the people, fairer in its composition, and stronger in its scrutiny. Chapter 14: The Principle of Continuity. A settled past and a democratic pathway to the future.

Mr. Speaker, Sir, these are not just technical reforms. They are statements about who we are and who we intend to become. I want to speak in the next 33 seconds, directly to every Fijian who is listening. The landowner in Vanua Levu whose *i qoliqoli* has fed families for generations. This Bill says that your rights are now constitutional, and your consent will matter. The voter in Lau who has wondered whether their voice truly reached the capital. This Bill says to you that you will now have a constituency and a member who will answer to you. To the young person who has lost faith that politics can be about anything other than power. This Bill says institutions can be improved, rules can be made fairer, and your generation can inherit something better than what we have received.

I will close with this, Mr Speaker, Sir, a constitution is a promise one generation makes to the generation it may never meet. The promise we make today is this: with the three chapters, the principles, and the merits that I have shared, land will be respected, representation will be real, the power you choose will be scrutinised, history will be settled, and the future will be open. That is the promise of this Bill.

I support the Second Reading of the Constitutional (Amendment) Bill 2026 moved by the honourable Prime Minister today.

Me lagilagi saka o Viti, vinaka saka vakalevu. (May Fiji be greatly blessed and honoured, thank you very much.)

MR. SPEAKER.- That completes our list of speakers in the debate. Honourable Members, I will now invite the honourable Prime Minister to speak and exercise his right of reply.

HON. S.L. RABUKA.- Mr. Speaker, Sir, I thank all the honourable Members who have contributed to this very important debate. To use honourable Usamate's favourite word from the past, we have sort of meandered around in the debate and, in some cases, probably missed the main idea of having a Second Reading, although it has been highlighted by some of the honourable Members also.

We are discussing today not simply a Bill, Mr. Speaker, Sir; we are discussing the framework by which our people will live, work, raise their families, practise their faith, protect their communities and determine the future of our country. That is why throughout this process, we must keep one thing at the centre of our minds.

The Constitution must serve the people, as honourable Ketan Lal has said. It must respond to the realities of the Fiji we live in today, giving our children and future generations a framework that they can have confidence.

Mr. Speaker, Sir, we have heard many views in this honourable House, and there are areas where we agree, I can sense that. There are areas where we disagree. There are also areas where further discussion is necessary. That is precisely why the parliamentary process matters.

If this Bill is passed by this House at this stage, it will proceed through the next stages of the parliamentary process. It will first be considered and scrutinised by the Special Committee formed today by Parliament, including consultation with the public and stakeholders. The Special Committee will have an important responsibility. It will not simply be looking at words on paper; it will have the opportunity to engage with the people, hear their concerns, listen to their experiences, and consider how the proposed constitutional changes may affect their everyday lives. That is why I believe we must keep our focus.

Mr. Speaker, Sir, if this Bill progresses to the Special Committee, I encourage honourable Members to see that stage not only as a formality but as an opportunity. An opportunity to hear from the people again, to understand where there are concerns, to clarify what may not be understood, and, where appropriate, to consider the views and evidence brought before the Committee. That is how we build public confidence, strengthen the constitutional process, and ensure that the constitution is not simply a document presented in parliament but a framework that speaks to the realities of the people it is intended to serve.

Mr. Speaker, Sir, this Government does not claim that the constitutional consultation ends with this debate - it is quite the opposite. If this Bill proceeds, another important stage begins. We should, therefore, not be afraid of further consultation. We should welcome it, because when we are dealing with the supreme law of our country, listening to our people is not a weakness. It is our responsibility.

A constitution must be strong enough to withstand scrutiny, open enough to hear criticisms, and grounded enough to respond to the real needs of the people. That is the responsibility before this House, and that is the responsibility that we must carry together. At the end of this day, this is not about producing a constitution for this Government - it is not about producing a constitution for this Parliament. It is about building a constitutional framework for the people of Fiji and for generations who will come after us. The constitution must, therefore, remain bigger than politics; it must remain bigger than this Parliament; and it must remain firmly rooted in the people.

I have just been reading some of the things written about me. I started with that one when I thought there was only one way to go about constitutional change and no other way. Then they wrote some more. I am very interested in what some of the writers say about me. The author of this biography wrote, he believed in what he had done, and he continues to be driven by his beliefs. Tonight, that is what I believe. We, as leaders, must go through this process. The last time I went through this was 30 years ago in 1996, and the motion was seconded by the then Leader of the Opposition. We had a bipartisan support for those Bills. We went through the Committee stage, it was very difficult, particularly from among the government Members or within the government ranks, but we managed to go through that.

We came back. There was still division in the *iTaukei* ranks, which led me to ask the honourable Leader of the Opposition to come and address the Great Council of Chiefs. This week, we enacted the Act for the Great Council of Chiefs. Now I am officially not a live member of the Great Council of Chiefs, so I asked the Chairman, "Please write to me and tell me you are no longer a live member of the Council of Chiefs." I said, "well, I cannot blame anyone. I am the Head of Government that brought that Bill and we passed it.

I commend this Bill to the House.

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

Question put.

Votes cast

Ayes	-	38 (including 2 virtual votes, from honourable L.S. Qereqeretabua and honourable I. Tuiwailevu)
Noes	-	5
Note Voted	-	1
Abstained	-	9

Motion agreed to.

Bill read a second time.

MR. SPEAKER.- Honourable Members, for the purposes of achieving full compliance with the Standing Orders, I now call on the honourable Prime Minister to move his motion, listed under Item 7, Schedule 3, of today's Order Paper.

**ESTABLISHMENT OF A SPECIAL COMMITTEE TO
CONSIDER THE CONSTITUTION (AMENDMENT) BILL 2026**

HON. S.L. RABUKA.- Mr. Speaker, Sir, I thank all honourable Members for their vote.

Mr. Speaker, Sir, pursuant to Standing Order 129, I move that:

A Special Committee –

- (a) be established to consider the Constitution (Amendment) Bill 2026 (Bill No. 32/2026), including the following:
 - (1) examine the Bill;
 - (2) receiving submissions from members of the public and interested stakeholders on the Bill; and

- (3) considering any matters relating to the Bill referred to it by Parliament.
- (b) shall comprise the following 11 Members, including four Members of the Opposition, of whom three members shall be nominated by the Leader of the Opposition:
- (1) Hon. S.L. Rabuka, Prime Minister and Minister for Civil Service and Strategic Planning, National Development and Statistics - Chairperson;
 - (2) Hon. V.R. Gavoka, Deputy Prime Minister and Minister for Tourism and Civil Aviation – Deputy Chairperson;
 - (3) Hon. S.D. Turaga, Minister for Justice and Acting Attorney-General
 - (4) Hon. F.W.R. Vosarogo, Minister for Lands and Mineral Resources
 - (5) Hon. L.D. Tabuya, Minister for Information and Environment and Climate Change
 - (6) Hon. M.D. Bulitavu, Minister for Rural and Maritime Development and Disaster Management
 - (7) Hon. Professor B.C. Prasad;
 - (8) Hon. I.B. Seruiratu, Leader of the Opposition;
 - (9) Opposition Member, to be nominated by the Leader of the Opposition;
 - (10) Opposition Member, to be nominated by the Leader of the Opposition; and
 - (11) Opposition Member, to be nominated by the Leader of the Opposition; and
- (c) must, after 30 days of the Second Reading of the Bill, report to Parliament on its findings and recommendations.

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

HON. S.L. RABUKA.- Mr. Speaker, Sir, we have all been highlighting the process that we have adopted and has been ruled for us in the Constitution and also supported by the response to our referral to the Supreme Court of Fiji.

I, therefore, commend the motion before the House and look forward to the support of all honourable Members.

HON. J. USAMATE.- Mr. Speaker, Sir, I think, on behalf of the honourable Leader of the Opposition, now that we are in the parliamentary process of looking at this Bill, we look forward to participation.

I would like to thank the honourable Prime Minister for giving the Opposition the number of places that was requested of him, and I think for all of us, we have aerated the various concerns we have around the Constitution, and these last 30 days gives an opportunity to look at it thoroughly, to meet the people, to hear their thoughts, and then to the best of our ability, God willing, to produce the best ever possible Constitution for Fiji.

HON. A.A. MAHARAJ.- Mr. Speaker, I rise to contribute to the debate on the establishment of the Special Committee of Parliament. I would like to make a few things clear, and for that reason, I would like to speak in Hindi. A lot has been said about the process. We are still in the process of debating the Bill that is before us, and the parliamentary Committee that has been formed. I think it is very important for the people who are listening to understand what the process is and where to from here.

Jaise aap logo ne dekha hai ki, na chahte hue bhi Opposition ko oppose karne par bhi, ye Bill

second reading mein paas ho gaya hai. Humne pahle bhi kaha tha ye numbers game hai. Jinke paas number hoga vote kar ke woh ... voting hua hai aur Government ki jeet hui hai. Opposition ki or se humne oppose kiya parantu hamare paas number nahi the. Humne apna opposition bhi zaahir kiya hai, parantu, samajhna yeh zaruri hai

[As you have seen in Parliament, the Opposition has opposed, but still in the Second Reading, the Bill was passed. I had spoken before that they have the numbers in Parliament, so by voting, they will win. As the voting has taken place, the Government has won. The Opposition had opposed but has lost. We had opposed the amendment, but we all have to understand]

HON. S. NAND.- Point of Order!

MR. SPEAKER.- Point of Order.

HON. S. NAND.- Relevance - Standing Order 60. The honourable Member is talking about what happened during the previous voting on the electoral amendment, he is not talking on the motion at hand.

MR. SPEAKER.- Technically, he is correct.

HON. A.A. MAHARAJ.- Mr. Speaker, I need to put things into context, I am just explaining the process. Definitely, we are going to participate, as alluded to by the Whip.

MR. SPEAKER.- The Standing Order is quite specific.

HON. A.A. MAHARAJ.- Yes, it is on the motion.

MR. SPEAKER.- You still can speak in Hindi.

HON. A.A. MAHARAJ.- Thank you, Mr. Speaker.

Jabki voting ho chuka hai, ab ek Special Parliamentary Committee form hoga jo second reading mei aati hai. Jaise ki Maananiye Pradhaan Mantri ne kaha haiki yeh jo Special Committee hai, ye k bipartisan approach rahega jisme Government ke Member honge aur Opposition ke Member honge. Jo hum voting haar chuke hai, parantu as per Parliamentary Process, jo Parliament ka process hai uske accordingly, hume aap ki jo baat hai, yeh 30 din mei ho sakti hai. Isi liye bipartisan Committee form hui hai, taaki vartalaap ho sake, talanoa ho sake. Aapne Maananiye Kamikamica se suna hoga ki usne jab kaha tha, and I would like to say this in English as well.

[Although voting has already taken place, a Special Parliamentary Committee will now be formed, which is part of the Second Reading. As the honourable Prime Minister has said, this Special Committee will follow a bipartisan approach, comprising of Members from the Government as well as Members from the Opposition.

We have already lost the vote, but as per the parliamentary process or according to the process of Parliament, what you are talking about can take place within 30 days. That is why a bipartisan Committee has been formed, so that there can be dialogue and talanoa. You may have heard what honourable Kamikamica said.]

I do acknowledge that there are certain Clauses that are retained, like the National Identity, Citizenship under Clause 5; Bill of Rights in Chapter 2; Land Tenure under Clause 49; and I also see religious liberty under Clause 4 - while the name has changed from “secular state” to “religious

liberty”, the Subclause is a copy and paste of the 2013 Constitution.

So, we can see *hum dekh sakte hai ki kaafi cheez 2013 Constitution se hai jo abhi tak vartalaap karne se yeh jo badlao aa raha hai, usme hai. Abhi bhi hamare paas mauka hai, before Third Reading. Jo Third Reading ka voting hoga woh sabse important hoga. Waha tak pahunchane ke liye iske beech mei jo Parliamentary process hai, jiske anusaar yeh bipartisan approach aa raha hai, isme hum participate karenge, taaki jitna aur vartalaap ho sake, jitna aur talanoa ho sake, jo bhi aap ka vichaar hai, yeh 30 din mei hum rakh kar uske baad mei la kar iss Parliament ke aage us Committee Room mei ek report rakhenge. Jab teesra voting hoga, woh sabse important voting hoga ki hum kya karenge. Hum uske samarth mei voting karenge ya uske against mei voting karenge. Parantu yeh ek Parliamentary process hai, aur yeh paalan karna – hum aapke representatives hai Parliament mei – yeh hamara kartavya hai. Yeh hum karenge.*

[We can see that quite a few provisions from the 2013 Constitution are still reflected in the changes that are emerging through the discussions taking place. We still have an opportunity before the 3rd Reading. The vote at the 3rd Reading will be the most important.

To get to that stage, we will participate in the parliamentary process in between, through which this bipartisan approach is being taken, so that as much further discussion and talanoa as possible can take place. Whatever your views are, we will put them forward within these 30 days and then bring them before Parliament in the form of a report to the Committee.

When the third vote takes place, that will be the most important vote—whether we vote in support of it or vote against it. However, this is a parliamentary process and following that process is our duty. We are your representatives in Parliament, and this is our responsibility. We will do that.]

We would definitely participate in this particular Committee and try to negotiate whatever is left and come up with a report before the Third Reading. Thank you, Mr. Speaker.

HON. RATU J.B. NIUDAMU.- Mr. Speaker, Sir, may I also be allowed to address our *iTaukei* listeners who will be listening in this evening, in the vernacular.

Turaga saka na Speaker, taumada, au vakavinavinaka ni sa rawa ni yacova saka mai na i vakatagedegede edatou sa mai yacova ena yakavi e daidai na kena sa mai yacova na Second Reading na mosoni ni kena sagai me na veisautaki se na review-taki na Yavu ni Vakavulewa ni 2013.

Ni sa vakarorogo saka tiko mai na neimami, kemuni na i Taukei ena nomuni tikotiko ena yakavi edaidai, Turaga na Speaker, au via veivakadreti tale tiko, me vaka ni sa mai vakacavari ‘qo na i karua ni process. O ni sa na rogoca tiko na Turaga na Prime Minister ni sa vakaraitaka tiko ni sa na tauyavutaki e dua na Special Committee.

Eratou na gole tiko yani me ra na rogoca na domodra na lewenivanua. Era na lewena tiko o ira na Lewe ni Palimedi, vaka kina na i Vukevuke ni Prime Minister, kei na so mai na i To ni Veisaqa. Au sa kerekere tiko yani ena vei delaniyavu tabu vakaturaga ena yasana e 14, au vakamasuti kemuni, ni gole mai e na vanua e na gole yani kina na Special Committee ena liutaka tiko na Turaga na Prime Minister.

Ni gole saka yani ni la’ki soli vakatutu, ni tukuna na cava e lomamuni, na cava o ni vinakata me na biu e na Yavu ni Vakavulewa koya sa draft-taki tiko se koya sa vakaturi tiko me na noda Yavu ni Vakavulewa vou ni na lesu tale ni oti e dua na vula. Kenai balebale oya, ni na oti e 30 na siga,

ena lesu tale mai ena loma ni Vale ni Bose Lawa me na mai laveligataki. Ni sa laveligataki, sa na qai lesu tale yani vei kemuni na wekaqu, ni vakarorogo saka tiko mai ena yakavi nikua.

Turaga saka na Speaker, au mai veivakadreti tiko ni sa na lesu tale yani oya, e dua tale na i kabakaba tale esa tiko, sa i koya nai otioti ni kabakaba ka vakatokai tiko na referendum. Ni sa na rogoca tiko na cava na referendum. Esa tiko na vakamamasu kei na vakanuinui ni ko ni na gole yani.

Ni sa na oti ogo na nomuni soli vakatutu, ni gole yani ena gauna ni referendum, ni la'ki vakaraitaka na lomamuni. Kevaka ni sa duavata kei na veika sa cakava na Matanitu Cokovata ena vuku ni kena sagai me sa dua na Yavu ni Vakavulewa vou ena vuku ni kena review-taki na Yavu ni Vakavulewa, ni mai tukuna ena siga oya. Ni mai vakaraitaka na lomamuni ena 'io' se na 'sega'. Ni na duavata kei na review ni Yavu ni Vakavulewa – 'io' se 'sega'.

Ni nanuma tiko, au veivakadreti tale tiko, ni gole yani vakalewe levu, ni la'i tukuna na nomuni cau vei na Mata Komiti koya sa digitaka na turaga na Prime Minister. Au sa vakamamasu talega vei kemuni na i tabagone ni vakarorogo tiko mai ena yakavi e daidai, kakua ni da vakawelewele, meda vakayagataka na gauna 'qo, o keda eda na veisosomitaki ena veisiga ni mataka.

Ni gole yani mo ni la'ki vakaraitaka na nomuni nanuma, ni la'ki toqa na 'io' se na 'sega' me na veisau se me reviewtaki na Yavu ni Vakavulewa 'qo, me sa na dua na noda Yavu ni Vakavulewa – o koya ena bulia cake e dua na Viti vou ena veisiga ni mataka. Eda na soli vakasama kece kina me na rawa ni buli cake kina e dua na kawa tamata vou, e dua na kawa tamata vinaka ena veisiga ni mataka. Esa vaka saka tiko oya na kena levu, Turaga na Speaker.

[Mr. Speaker, Sir, first of all, I wish to express my gratitude that we have been able to reach this stage this evening, with the motion seeking to amend or review the 2013 Constitution now having reached its Second Reading.

While you, the people of Fiji, are listening from your homes this evening, Mr. Speaker, I wish to remind you once again that we have now completed the second stage of the process. You will have heard the honourable Prime Minister announce that a Special Committee will be established.

They will be travelling around to hear the voices and views of the people. The committee will comprise Members of Parliament, including the Deputy Prime Minister, as well as some Members of the Opposition. I humbly appeal to you, across the 14 Provinces of Fiji, and respectfully urge you to come forward and participate when the Special Committee, led by the honourable Prime Minister, visits your area.

When you go to make your submissions, please express what is in your hearts and tell them what you want to see included in the draft Constitution currently being prepared, or in the proposed new Constitution that will be brought back before Parliament after one month. This means that after 30 days, it will return to Parliament to be put to a vote. Once it has been voted on, it will then be brought back to you, my fellow Fijians, who are listening in this evening.

Mr. Speaker, Sir, I wish to remind everyone that the process will return to the people once again. There is one more step remaining, the final stage, which is known as a referendum. You will hear more about what a referendum is. There is an earnest appeal and hope that you will come forward and participate.

Once the submission process has concluded, please, come forward and participate in the referendum, where you will have the opportunity to express your views. If you agree with what the Coalition Government is doing in seeking to review the Constitution and establish a new Constitution, then make your position known on that day. Express your choice by voting either 'Yes' or 'No', according to your views on the proposed constitutional review.

I wish to remind you once again to turn up in large numbers and present your views and contributions to the committee appointed by the honourable Prime Minister. I also make a heartfelt appeal to you, the young people listening this evening: do not take this opportunity for granted. Let us make use of this moment, because we are the ones who will take over and shape the future in the days to come.

When you go forward to express your views, make sure you cast your vote by selecting either 'Yes' or 'No' on whether this Constitution should be amended or reviewed, so that we can have a constitution of our own—one that will help build a new Fiji for the future. We will all contribute our ideas towards creating a new generation of people, a better generation for the future. That is the extent of my submission, Mr. Speaker.]

HON. S.L. RABUKA.- Mr. Speaker, once again, I thank those who have contributed and I commend this motion to the House because it completes the structure required for the amendment to the Constitution. We have done the Referendum Bill which is now an Act and this one establishes that Committee which will deal with the various submissions, including the submissions that come from us on the Constitution (Amendment) Bill 2026, and they will have 30 days to come back to the House.

I thank you all and I commend the motion to the House.

Question put.

Motion agreed to.

[Constitution (Amendment) Bill 2026 (Bill No. 32/2026) referred to a Special Committee and the Special Committee to report back to Parliament at its November Sitting.]

ADJOURNMENT

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

That Parliament adjourns until Monday, 2nd November, 2026 at 9.30 a.m.

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

Question put.

Motion agreed to.

MR. SPEAKER.- Honourable Members, that concludes the end of our sitting. I thank you all for your contributions throughout this week. I now declare that Parliament is adjourned until Monday, 2nd November, 2026 at 9.30 a.m.

The Parliament adjourned at 9.16 p.m.