

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

THURSDAY, 1ST OCTOBER, 2026

[CORRECTED COPY]

C O N T E N T S

	<u>Pages</u>
Minutes	2133
Communications from Deputy Speaker/Speaker	2133-2134
(1) Welcome	
(2) CWP Fiji Group Pinktober Awareness Programme	
(3) United Nations International Day of Older Persons	
Presentation of Papers and Certain Documents	2134
Presentation of Reports of Committees	2134-2136
(1) Review Report on Energy Fiji Limited 2025 Annual Report	
Questions	2136-2156
<u>Oral Questions</u>	
(1) Programmes for Stray Animal Control	(Q/No. 237/2026)
(2) Land Deposited in the Land Bank	(Q/No. 238/2026)
(3) Technical and Financial Advisory Services for Cane Farmers	(Q/No. 239/2026)
(4) MOU on Friendship and Mutual Co-operation	(Q/No. 240/2026)
(5) Status of Drainage Issues – Harifam Centre	(Q/No. 241/2026)
(6) Village Governance Framework	(Q/No. 242/2026)
(7) Measures to Avoid Delays – Land Registration and Development	(Q/No. 243/2026)
(8) Utilisation Rate for First Home Ownership Grant	(Q/No. 244/2026)
<u>Written Questions</u>	
(1) 2025-2026 Major Development Projects	(Q/No. 246/2026)
(2) Statistics on Official Overseas Travel	(Q/No. 247/2026)
Yaqona (Kava) Bill 2026	2157-2177
Suspension of Standing Orders	2171
HIV/AIDS (Amendment) Bill 2026	2178-2186
Maritime Powers Bill 2026	2186-2196
Bose Levu Vakaturaga Bill 2026	2196-2211
Counter Narcotics Bill 2026	2212-2220
National Referendum Bill 2025	2220-2243
Electoral (Amendment) Bill 2026	2243-2259
Electoral (Registration of Voters) (Amendment) Bill 2026	2259-2263
Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Bill 2026	2263-2271

THURSDAY, 1ST OCTOBER, 2026

The Parliament met at 9.46 a.m. pursuant to adjournment.

MR. SPEAKER took the Chair and read the Prayer.

PRESENT

All Members were present, except the honourable Minister for Rural and Maritime Development and Disaster Management; honourable Assistant Minister for iTaukei Affairs; and honourable S.S. Kirpal.

MINUTES

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

That the Minutes of the sitting of Parliament held on Wednesday, 30th September, 2026, as previously circulated, be taken as read and be confirmed.

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

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE SPEAKER

Welcome

I welcome all honourable Members back to today's sitting, 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, teachers and parents of Vatubalavu Infant School in Navosa. Welcome to your Parliament, little ones! I hope that you will learn about your Parliament, and maybe in the future some of you will aspire to join the rank of the honourable Members you see before you.

CWP Fiji Group Pinktober Awareness Programme

I wish to remind the honourable Members that the Commonwealth Women Parliamentarians (CWP) Fiji Group Pinktober Awareness Programme will be held this morning during the morning tea break. As part of the Programme, we will hear from a health professional, who will provide important information on breast and cervical cancer prevention, early detection and screening. We will also hear from a cancer survivor who will share her personal journey and experience. I remind honourable Members that the donation box will also be available to make your contribution.

United Nations International Day of Older Persons

An old friend of the family, Mr. Hassan Khan, known to some of you, and I am sure the honourable Minister for Women, Children and Social Protection reminded me today of his message, that 1st October is the United Nations International Day of Older Persons, celebrated with the theme

this year, The Age of Longevity: Rethinking Systems for Longer Life. The core goal is examining how societies can ensure that increased life expectancy translates into healthy, productive and equitable lives.

Today is the midpoint of the Decade of Healthy Ageing (2021-2030), a movement that is spearheaded by the World Health Organization (WHO). Whilst there are no events in the country, as there are elsewhere to commemorate the day, I would suggest, honourable Members, that at the very least, we remember and pay homage to those of us who belong to that category and maybe initiate or support local events related to ageing support systems and other age-friendly community initiatives.

Having said all that, I have to declare my interest, given that maybe I belong to the system, plus one or two others amongst you. However, on behalf of those who belong to the older persons group or category in our communities, I wish you, the youth, the young, and the not-so-old, a healthy future. May you live and be as old as the biblical Methuselah!

PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS

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

Standing Committee on Social Affairs

Fiji Ports Corporation Limited Annual Report 2024 (*Parliamentary Paper No. 159 of 2025*)

Standing Committee on Economic Affairs

(1) Reserve Bank of Fiji Insurance Annual Report 2025 (*Parliamentary Paper No. 7 of 2026*)

(2) Fiji Financial Intelligence Unit Annual Report 2025 (*Parliamentary Paper No. 6 of 2026*)

The Reserve Bank of Fiji Quarterly Review June 2026 is for information only and will not be referred to any Standing Committee.

PRESENTATION OF REPORTS OF COMMITTEES

Review Report on Energy Fiji Limited 2025 Annual Report

HON. S. TUBUNA.- Mr. Speaker, Sir, on behalf of the Standing Committee on Economic Affairs, I am pleased to present the Committee's Review Report on the Energy Fiji Limited 2025 Annual Report, together with the Committee's Inquiry Report on Rural Electrification in Fiji.

Mr. Speaker, Sir, Energy Fiji Limited (EFL) is an important State-Owned Enterprise and Fiji's principal electricity provider. The EFL plays a critical role in supporting economic activity, business confidence, household wellbeing and national development by providing affordable, reliable and accessible electricity services. The Committee recognises EFL's responsibility to maintain a reliable electricity supply, safeguard financial sustainability, and advance Fiji's transition towards cleaner and more resilient energy sources.

The Committee notes several positive developments during the year under review. The EFL recorded a significant improvement in profitability, with profit after tax increasing from \$7.17 million in 2024 to \$22 million in 2025. Electricity sales revenue increased from \$421.22 million to \$430.66 million, while the customer base rose from 223,539 to 227,607 customers, including 5,000 new connections. National electricity demand also increased by 2.28 percent, reaching 1.114 billion units

during the year.

To meet the growing demand and strengthen energy security, EFL invested approximately \$162 million in major infrastructure projects, including the Virara-Koronubu 132 kiloVolts Transmission Project in Ba, and the development of 20 Megawatts at Kinoya and 30 Megawatts at Vuda Thermal Power Stations.

The Committee also notes the successful commissioning of the \$6.7 million, 1 Megawatt Mua Solar Photovoltaic Farm with Battery Energy Storage System (BESS) in Taveuni. As Fiji's first grid-connected solar facility, integrated with battery storage, the project represents an important milestone in strengthening energy security, reducing reliance on diesel generation, lowering emissions, and supporting Fiji's target of achieving, at least, 90 percent renewable energy.

Despite these positive developments, significant challenges remain. In 2025, 56.19 percent of electricity generation came from renewable sources, while 43.81 percent came from non-renewable sources. Hydropower remained the dominant renewable contributor, accounting for 615,491 Megawatts or 49.31 percent of total generation, while Independent Power Producers contributed 84,000 Megawatts or 6.79 percent. Wind and solar together contributed only 1,000 Megawatts, representing 0.09 percent of total generation, and highlighting the need to accelerate renewable energy diversification.

Fuel costs also remained a major burden for EFL, amounting to \$206.91 million or 49.2 percent of total operating expenditure. A 10 percent increase in global fuel prices is estimated to add approximately \$20.4 million to annual costs, demonstrating Fiji's continued exposure to international fuel-price volatility and reinforcing the need to accelerate renewable energy investments.

The Committee further identified a need for greater transparency regarding customer security deposits. The EFL reported customer security deposits of approximately \$54.7 million in 2025, however, the information provided did not clearly disclose the interest rates applied, total interest earned, or benefits returned to customers. Given the substantial value of these funds, greater disclosure is necessary to strengthen accountability and public confidence.

As Fiji's sole electricity provider, EFL also has heightened responsibility to provide accessible and responsive customer service. The Committee notes continuing concerns regarding access to assistance outside normal business hours, including weekends and public holidays. Appropriate customer support and emergency response arrangements remain essential, particularly, when service disruptions affect households, businesses and critical public infrastructure.

The Committee further observed that EFL's current and previous Annual Reports provide limited information on the implementation and progress of rural electrification programmes. Given the significant public funding allocated to rural electrification through the national budget, the Committee considered it necessary to undertake a dedicated Inquiry. The findings of that Inquiry are presented in Part B of this Report.

Between 24th August and 8th September, 2026, the Committee conducted site visits and stakeholder consultations throughout the Central, Northern and Western Divisions. The Committee found that several approved projects remain outstanding, leaving communities without electricity, despite the funding approvals and, in some cases, payments have already been made to EFL.

Beneficiaries that we visited expressed their frustration over prolonged delays, limited progress, inadequate communication and uncertainty regarding project completion. Contractors, similarly, raised concerns regarding delayed mobilisation of payments, unresolved land access and

road-reserve issues, and lengthy approval processes affecting project delivery.

These findings point to weaknesses in project management, oversight, accountability and inter-agency coordination involving EFL, the Department of Energy, Roko Tui, District Officers, Provincial Administrators and community representatives. While significant public funds continued to be invested in expanding electricity access, greater focus is required to ensure these investments deliver timely, efficient, and measurable outcomes for communities awaiting electricity services.

On behalf of the Committee, I acknowledge and thank EFL, the Department of Energy, stakeholders, community representatives, and all those who contributed to the Committee's Review and Inquiry. I also acknowledge the valuable contribution of my fellow Committee Members - honourable Premila Kumar, honourable Semi Koroilavesau, honourable Alipate Tuicolo and honourable Kalaveti Ravu.

On behalf of the Standing Committee on Economic Affairs, I present this Report to Parliament and commend its findings and recommendations for the consideration of honourable Members.

(Report handed to the Secretary-General)

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

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

HON. P.D. KUMAR.- Mr. Speaker, Sir, I second the motion.

Question put.

Motion agreed to.

QUESTIONS

Oral Questions

Programmes for Stray Animal Control (Question No. 237/2026)

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

Given the Ministry's acknowledgement in 2024 that some farmers had lost up to 50 percent of their livestock to wild dog attacks, leading to some farmers abandoning farming as a result, can the honourable Minister for Agriculture, Waterways and Sugar Industry explain what specific funded programmes are in place to protect farmers beyond *ad hoc* baiting and stray animal control operations?

HON. T.N. TUNABUNA.- Mr. Speaker, Sir, the Ministry acknowledges the contribution of our livestock farmers throughout Fiji, even though they have been exposed to a lot of challenges, including dog attacks that are happening on livestock farms, particularly, through livestock losses, reduced farm productivity and additional costs associated with protecting animals. These challenges are severe in some instances where our farmers have to look for alternative livelihood.

To address the said challenges, the Ministry has introduced the Stray Dog Control Management Programme in the 2025-2026 financial year with a budget of more than \$300,000 and even in this year's funding. Now, this Programme is carried out in collaboration with private veterinarian service providers, such as Animal Fiji, Society for the Prevention of Cruelty to Animals (SPCA) and Community Animal Lovers.

In the 2025-2026 financial year, a total of 2,221 dogs have been successfully neutered and 88 dogs have been euthanised. Dogs are trapped, assessed for their health conditions and either euthanised, neutered and released to communities. These dogs with severe health conditions are euthanised as per veterinarian's recommendations, while the healthier dogs are neutered and rehomed.

Mr. Speaker, Sir, apart from the Stray Dog Control Programme, the Ministry continues to support livestock farmers with its capital projects with interventions aimed at improving livestock infrastructure such as livestock sheds and fences to reduce risks of livestock losses to predation. A total of \$3.4 million was allocated for this Programme in the 2025-2026 financial year for those activities from programmes, such as the Commercial Livestock Development Programme, the Goat Extension Programme, Sheep Extension Programme and Beef Extension Programme.

Apart from these capital investments on farms, the Ministry is implementing and supporting several measures, including:

- (1) Extension and technical advisory services to livestock officers and Livestock Division staff to provide farmers with capacity building on guidance in livestock management, farm protection measures and appropriate response to livestock threats.
- (2) They are also a part of the community awareness and farmer engagement, to encourage farmers to report livestock attacks and work with the Ministry and relevant authorities on appropriate control and preventative measures.

Mr. Speaker, Sir, the Ministry recognises that wild dog attacks cannot be addressed through isolated or ad hoc operations alone - a coordinated approach involving livestock protection, responsible pet ownership, farmer awareness, extension support and community participation is required.

The Ministry is, therefore, continuing to work with farmers, relevant Government agencies and communities to strengthen preventative measures and improve the protection of livestock, particularly, in the areas experiencing repeated livestock attacks. Our objective is to support our farmers to maintain viable livestock enterprises, reduce available livestock losses and strengthen the resilience and sustainability of Fiji's livestock sector. I thank you, Sir.

HON. P.D. KUMAR.- I thank the honourable Minister for his response, and I do understand it is a difficult task – it is not an easy one, but listening to the farmers and their plight, they need help. It is not just the dog attack; it is also wild pigs and, of course, other livestock, like cattle, et cetera. I would like to ask the honourable Minister whether any economic assessment has been done to understand the losses incurred by the farmers so that we can put a number to it.

HON. T.N. TUNABUNA.- Mr. Speaker, Sir, there have been a number of assessments done on the losses, not only the livestock, but also the impact they have on our livestock farmers' life and the communities.

HON. P.D. KUMAR.- Thank you, Sir, and I again thank the honourable Minister. That is the right direction to take. You have done the economic assessment but the result on the ground shows

that it is not improving. It is getting worse and I think something needs to be done in that area. I would like to ask the honourable Minister that whatever strategies you may have, you need to re-look so that the farmers are motivated. That is all we want. We want them to plant more, and we need to look into that.

HON. T.N. TUNABUNA.- That is why we are moving ahead and we will progress into that.

Land Deposited in the Land Bank
(Question No. 238/2026)

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

Can the honourable Minister for Lands and Mineral Resources update Parliament on the total volume of land being deposited in the Land Bank and land that have been designated so far?

HON. F.W.R. VOSAROGO. - Mr. Speaker, Sir, I am happy to provide the answer to the question raised by honourable Vanawalu this morning. The update to the House this morning is on the progress of Land Bank since its inception.

The Land Bank has made some monumental strides in the past up to now, unlocking land potential for the productive use of our land in our nation's development. To date, Mr. Speaker, a total of 131 parcels of land have been deposited into the Land Bank, and it covers an area of 12,104.858 hectares of land. It involves 110 landowning units, contributing a total of 11,031.59 hectares. Seven State land with the consent of the Director of Lands, totalling 385.67 hectares, and 14 buyback land parcels, totalling 687.598 hectares.

I am also pleased to inform the House that all 131 deposited parcels have been designated by the honourable Prime Minister. It stands, perhaps, Mr. Speaker, as a clear testament of the land use and the Ministry's unwavering commitment to maintain a robust land management system that is investor ready.

Furthermore, interest in the Land Bank continues to grow. This year alone, the Ministry has received expression of interest from 17 other landowning units, wishing to deposit their land into the Land Bank, reflecting an increase in confidence in, perhaps, the Land Bank mechanism and how it is operationalised. More importantly, the benefits that it brings to those who own those land.

Under the Land Bank Framework, 100 percent of the lease proceeds are returned directly to the landowning unit. Every single dollar generated from the leasing of the land goes back to them, goes into their bank accounts and goes to the pockets of the traditional landowners. It is a symbol of economic empowerment, ensuring that our communities receive maximum possible return on their investment, which is their land.

The return of investment from the iTaukei portion of the designated land is sitting at \$18,127,772.59, out of which \$17,633,322.39 has already been disbursed to landowning units. The issuance of formal lease guarantees, as everyone would appreciate, legal security and provides transparency between landowning units and our investors.

Further, to reduce financial and administrative burdens, all required survey work is fully undertaken and funded by Ministry surveyors. By doing this, I guess what it has done is cut the red tape component, accelerated the timeline, and facilitated a more efficient leasing and land tenure process.

The growing interest, I suppose, amongst landowners can now be attributed to the following.

- (1) It provides for a greater financial return from their land, quite different from the system that is practised at the iTLTB, where there is a percentage on poundage, people are responsible for their own surveys and their own valuation. With those who have deposited land in the Land Bank, all of this work is done by Ministry staff, free of charge.
- (2) Productive use of idle or underutilised land.
- (3) There is Government support for land development initiatives.
- (4) Enhanced economic empowerment for landowning communities and improved access to investment portfolios, investors and business opportunities, and it provides a secure, transparent and streamlined leasing process.

I also wish to update the House, Mr. Speaker, Sir, that the Ministry, in collaboration with the Fiji Law Reform Commission, over the past few months, has carried out a very comprehensive nationwide legislative review. The final review report has been handed over to the Ministry by the Law Reform Commission and the Commissioners and has been subsequently tabled in Cabinet this year.

Further consultation is now being organised between the Ministry of Lands and the Ministry of iTaukei Affairs to iron out some of the areas where it touches on iTLTB leasing systems. We are looking at modernising and improving that legislation to promote optimal land usage or utilisation, while balancing the economic growth component with the protection of landowning units and environmental safeguards.

Hopefully once the Bill is ready to be tabled to Parliament, either in November or in the following year, we are hoping that the mechanisms within the legislation are going to move away from needless bureaucracy and move firmly towards a future where our landowners are able to act proactively, empowering them in Fiji's economic participation.

These outcomes demonstrate, Mr. Speaker, Sir, that the Land Bank is now a component that is serving national interests, national development, economic advancement, and in particular, ensuring that landowners remain the primary beneficiaries of this programme.

HON. I.S. VANAWALU.- Mr. Speaker, Sir, I thank the honourable Minister for his response. My supplementary question is, what are some of the long-term benefits and drawbacks faced by the landowners on this Land Bank deposit process?

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, as I had mentioned, under the Land Bank Programme, landowning units spend very minimal, if not none, no money at all. That is because under the designation, once land has been deposited, everything around the deposited land is covered for by the State. The State does the valuation and the survey and looks for the investor. When the investor comes in, the State collaborates between the investor and the landowner and fixes the premium and the rental over a period of 99 years.

There is a component of collaboration. If we are looking at a designated land which has been designated for tourism and special purposes, then there is an area of collaboration, in job employment, in services support, et cetera, that can be guaranteed once the two parties are facilitated by the State or the landowning unit of the Ministry of Lands. It is designed so that the benefit to the landowners is optimised.

As I have said, the life of the lease is 99 years, so it is an intergenerational document and intergenerational relationship that we hope, in the life of the lease, is going to produce what is

required of the Act, which is optimising the return and the benefit to the landowning unit.

HON. F.S. KOYA.- Mr. Speaker, Sir, of the parcels of land that have been designated and leased out, have there been some that have been leased out for purposes of renewable energy projects?

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, I cannot recall off the top of my head if some have been leased for that purpose. What I can assure the honourable Member is, a significant interest has been shown to the Office by the investors of renewable energy. We are already looking at two parcels of land further down in the West, that is, beyond Ba to Rakiraki, where there is a lot of sunshine and capitalisation that can happen with that investment. Once this begins to grow and renewable energy as a component of our own national development initiative is driven at a momentum, then I am sure that in the next few years, we will begin to see some of those designated land having renewable energy programmes or projects being built on it.

Technical and Financial Advisory Services for Cane Farmers
(Question No. 239/2026)

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

Can the honourable Minister for Agriculture, Waterways and Sugar Industry inform Parliament on the technical and financial advisory services currently being extended by the Research Division to help cane farmers enhance soil health, crop yield, and farm management practices?

HON. T.N. TUNABUNA.- Mr. Speaker, Sir, the role of advisory services to farmers in the sugar sector is shared between the Extension Division of FSC, the Sugar Research Institute of Fiji (SRIF), the Extension Division of the Ministry of Agriculture and Waterways, as well as the Research Division of the Ministry, including both research for Ministry of Agriculture and SRIF.

The role of research is critical in achieving high crop productivity. Majority of the soil fertility in the sugarcane planting zones in the Western and Northern Divisions have very poor soil fertility, are highly acidic, and are low in organic matter. This combination is very damaging to the progress of the sugar industry.

Mr. Speaker, Sir, the Crop Division of SRIF are the two organisations responsible for conducting soil testing and recommending appropriate soil recommendations to our farmers. While SRIF mostly concentrates its work on sugarcane farmers, the Ministry of Agriculture, Waterways and Sugar Industry's Research Division works on non-sugar crops.

Mr. Speaker, Sir, the Government of India has donated two mobile soil-testing laboratories to the Ministry of Agriculture, Waterways and Sugar Industry, which are currently operational and conducting on-farm soil testing in the Western and Northern Divisions, primarily serving non-sugar farmers. A further two similar laboratories donated again by the Government of India, will be utilised by SRIF to provide soil testing services to sugarcane farmers in the three Mill areas. Farmers may also submit soil samples directly to the laboratories for analysis and receive appropriate technical advice on the result, and these are both the laboratories for SRIF and Ministry of Agriculture.

Mr. Speaker, Sir, SRIF is also involved in establishing demonstration plots and conducting field days to provide advice to farmers on best crop practices to management practices, to improve farm productivity. Optimum yields depend on well-managed farms, and maximum sugar yield is not simply maximum cane yield. Management should aim for both high tonnes of cane per hectare and high recoverable sugar per tonne, while maintaining soil health and ratoon productivity.

Apart from the research that are normally carried out, as I had mentioned, they do demonstration plots and after the scientific research has been done on research stations, extension and advisory services are extended by both the Extension Division of the Ministry of Agriculture and the FSC.

HON. V. PILLAY.- Mr. Speaker, Sir, as farmers have raised, these services are either only happening on FSC farms or to some selected farms. The question is, why are these services not provided to all the farmers around Fiji?

HON. T.N. TUNABUNA.- As I have mentioned, that role has been carried out by the Extension Office of FSC. There have been a lot of issues on staffing for both, FSC and the Ministry of Agriculture, and that work has been affected a lot with the number of officers serving on the field. We are addressing that by recruitment and appointment of new Extension Officers.

MOU on Friendship and Mutual Co-operation
(Question No. 240/2026)

HON. J.R. VOCEA asked the Government, upon notice:

Can the honourable Minister for Youth and Sports update Parliament on the Memorandum of Understanding between the Ministry and Oita Prefecture, Japan, on Friendship and Mutual Co-operation?

HON. J. SAUKURU.- Mr. Speaker, Sir, I thank the honourable Member for the question. Just before I respond to the honourable Member's question, allow me to share my deepest condolences to the families of honourable Agni Deo Singh and honourable Inosi Kuridrani. May may their good souls rest in eternal peace.

Further to that, Mr. Speaker, Sir, I wish to congratulate Fiji's National Women's Rugby Team that has completed the WXV Global Series Challenger Tournament unbeaten.

Mr. Speaker, Sir, I am pleased to inform Parliament that Cabinet, at its 15th meeting of 2026 held on 25th August, 2026, approved a Memorandum of Understanding (MOU) on friendship and mutual cooperation between the Republic of Fiji and Oita Prefecture of Japan. Following that approval, the Ministry of Youth and Sports informed the Ministry of Foreign Affairs and requested its assistance to make arrangements, through the Fiji Embassy in Japan, for a possible signing date. The methods, therefore, at the signing coordination stage, a confirmed date is not available in the information before me, and I cannot announce it to Parliament at this time.

Although the question refers to an agreement between the Ministry and Oita, the instrument names the Republic of Fiji and Oita Prefecture as the participants. The Ministry of Youth and Sports is advancing this cooperation on Fiji's behalf, with diplomatic coordination through the Ministry of Foreign Affairs.

Mr. Speaker, the purpose of the MOU is to strengthen friendship, mutual understanding and cooperation on the basis of mutual respect, equality and mutual benefit. It provides a framework through which the two participants can identify and agree on practical activities. The first area of cooperation is intergenerational exchanges through rugby and other sports. This offers scope to explore activities that bring young people and other age groups together through sports, to encourage learning between communities and build relationships between Fiji and Oita. Possible initiatives could include sporting exchanges, coaching activities and community engagement, subject to agreement on the scope, participants and costs.

Mr. Speaker, the second area is cooperation in sharing information, including sports, tourism and local products, particularly, forest products. This allows youth to visit Japan for training on the utilisation of waste timber products. This specific area also creates an opportunity to explore how sport can support awareness of Fiji, promote local products and strengthen links between communities and businesses. The MOU also encourages private sector exchanges in a wider range of fields, including economic exchanges towards sustainable societies. It does not itself guarantee investment, export sales or employment outcomes.

For the Ministry, the value of this framework lies in the opportunities it could create for youth participation, sporting development and wider community benefit. These are intended benefits to be pursued through agreed activities; it should not be presented as results already achieved under an operational programme.

Mr. Speaker, the MOU explicitly states that it is a declaration of intent and does not create legally binding rights or obligations. It takes effect on the date of signature, its initial term is five years, after which it is renewed annually, unless either participant expresses an intention to terminate it.

Either participant may terminate it by giving six months prior written notice. Honourable Speaker, on financial arrangements, each participant will, in principle, bear its own expenses for activities under the MOU, any allocation of expenses between participants must be mutually agreed.

Cabinet's approval should, therefore, not be represented as a commitment by Oita to fund activities or as confirmation of a fixed programme budget. Specific proposals will be needed to identify their costs, funding sources and applicable approvals before expenditure is incurred.

Mr. Speaker, the MOU provides for regular contact to review progress and exchange views and allows representatives to be designated where necessary. Once signing is completed, the next critical task will be to agree to priority activities, responsible focal points and achievable timeframe and funding arrangements. A draft focused implementation plan has been developed to translate the friendship framework into activities that can be delivered and assessed.

In developing such activities, the Ministry will seek fair access for eligible participants including women, young people with disabilities and those from rural and maritime communities. The appropriate selection criteria and safeguarding arrangements will depend on the activity agreed. The MOU does not prescribe participant numbers, selection rules or scheduled exchanges.

Mr. Speaker, Sir, update is that Cabinet approval has been secured and the Ministry has initiated diplomatic coordination for signing. The next milestone is agreement on the signing arrangements, followed by the development of practical cooperation activities within available resources. We will be guided by the benefits of the MOU to youth and sports development and by clear responsibility for delivery and reporting.

MR. SPEAKER.- Since there are no supplementary questions, honourable Members, this is the appropriate time to suspend our proceedings for our morning tea break. Parliament is suspended and we will resume in half an hour.

The Parliament adjourned at 10.37 a.m.

The Parliament resumed at 11.17 a.m.

MR. SPEAKER.- Honourable Members, before we proceed, can you, please, join me in welcoming a cohort of Law students from the University of the South Pacific who are here with us. You are most welcome to your Parliament. I hope that today's proceedings will give you some insight and enlightenment on the workings of Parliament. Thank you for joining us today.

Status of Drainage Issues – Harifam Centre
(Question No. 241/2026)

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

Can the honourable Minister for Housing and Local Government update Parliament on the status of fixing the drainage issues near Harifam Centre which blocks up when it rains?

HON. M.K. NALUMISA. - Mr. Speaker, Sir, after consultation with the Suva City Council, I have been advised that the issue around Harifam Centre at the Harifam Building is a longstanding one. It has been there since 2012 and it has really affected pedestrians, as well as businesspeople, motorists and users who normally commute around that area.

Mr. Speaker, Sir, according to the assessment provided by the Suva City Council, the ponding flooding occurs, particularly, during sudden heavy downpours and prolonged rainfall. More recently, the area can experience ponding even with relatively light rainfall.

The Council has identified three contributing factors that contribute to flooding around that area:

- (1) Blockage and damage to the underground stormwater drainage system
The Council has identified siltation and damage to underground stormwater. Drainage infrastructure is a major contributing factor. This issue has been discussed with Fiji Roads Authority, as well as the Ministry of Agriculture and Waterways, who are also aware of the damaged underground drain near the MHCC Building.
- (2) Heavy siltation of Nabukalou Creek
The Council has observed that the water level in the creek becomes critical when rainfall coincides with the king tide. The Council attributes this, in part, to the accumulation of silt over the years, which has raised the riverbed level and reduced the effective capacity of the creek.
- (3) Low-lying and Deteriorating Road Infrastructure Along Greig Street
The Council has advised that the existing road infrastructure requires further upgrading. The low ground level of the area means that during a king tide combined with heavy rainfall, water from Nabukalou Creek can backflow into the surrounding area. The Harifam Building is situated at this low point and is consequently one of the most affected properties. The Council has also noted that the newer FNPF Building along Greig Street has raised its floor level to reduce its exposure to flooding.

The Council continues to undertake routine inspection and maintenance of the drainage infrastructure within the affected area. In its response to the reported drainage blockages and water overflow, Council's operational teams undertake clearing and removal of rubbish, silt, sediment and other obstructions from drains and drainage inlets to restore the flow of stormwater.

During periods of high tide, where the discharge of stormwater is restricted by elevated water levels at the receiving outlet, the Council also undertakes targeted clearing. They focus on opening of drainage outlets and affected drain sections to ensure that any obstruction within the Council's drainage network is removed, and water can discharge as efficiently as possible.

The Council maintenance teams also monitor the affected area during periods of heavy rainfall and high tides and respond to reported blockages as they arise. These measures are intended to reduce the duration and extent of localised water accumulation while a longer-term engineering solution is developed.

Mr. Speaker, Sir, although the relevant road and underground drainage infrastructure falls under the responsibility of the Fiji Roads Authority (FRA), the Suva City Council has not remained inactive. The Council continues to monitor the affected area and meets with FRA regarding the drainage problems.

Where urgent intervention is required and subject to the availability of funds, the Council provides hired flushing and bailing services to assist in clearing blockages and removing accumulated water from the affected drainage system. This intervention is particularly important during periods when heavy rainfall coincides with high or king tides, and the drainage system experiences increased pressure, and the normal discharge of stormwater is restricted.

In terms of inter-agency coordination, because this is an issue that can be resolved by the Suva City Council alone, Mr. Speaker, the Council is collaborating with FRA, WAF and the Ministry of Waterways in relation to drainage and flooding issues within the city.

In terms of a long-term solution, the council has identified several measures that need to be considered as part of a permanent solution. The first requirement is the repair and upgrading of the underground stormwater drainage infrastructure by the responsible authority, particularly, the FRA.

The second is the desilting and dredging of Nabukalou Creek, in coordination with the Ministry of Waterways. This is important, Mr. Speaker, because the Council has identified the heavy siltation of the creek, and the resulting reduction in its capacity as a contributing factor, particularly, during king tides.

The third consideration is addressing the low level of the road and the surrounding area. The Council has identified raising the ground or street level above the king tide level as one possible engineering solution. However, this would be a significant and costly exercise because existing buildings, including the Harifam Building, are already established at the existing low point.

The Council has also identified the possible use of floodgates and water pumps as an alternative or complementary flood mitigation measures. This option, Mr. Speaker, Sir, will need to be subjected to appropriate engineering and hydrological assessments before a permanent solution is selected. The objective is to ensure that any intervention addresses the cost of the flooding without transferring the water problem to adjoining areas.

HON. F.S. KOYA.- Mr. Speaker, Sir, I want to thank the honourable Minister for a very frank and forthright answer with respect to that particular area. Honourable Minister, with all that you have said and all the kinds of refuse that actually comes into that area and causes that, is there some plan in place with respect to the Council to seal those areas? The minute that happens, does a particular area get sealed off because it would seem that it is hazardous to human health? Is there some kind of immediate action plan every time it gets flooded?

HON. M.K. NALUMISA.- Mr. Speaker, Sir, as I have said earlier, there is a special team within the Suva City Council that normally goes out during heavy downpour. We have to go and assist and kind of contain the situation. We even address some of the flooding issues in some of the common areas, such as areas at the Harifam Centre, as well as other areas. It is something that they are working on right now. It is in progress at the moment.

There are a lot of issues that are contributing to this problem, and it really needs a good solution. Good engineering research is in place to try and address this issue. As I said, there is an underground blockage and that is the blockage that needs to be attended to quickly. That is something that needs to be addressed, as well as collaborating with the Suva City Council and the relevant agencies to address this issue.

HON. P.K. BALA.- Mr. Speaker, Sir, to the honourable Minister, at the time when that building was constructed, normally the Town and Country Planning give the conditions, that approval is subject to drainage. Was that done at that point in time for the developer to do that draining system?

HON. M.K. NALUMISA.- Mr. Speaker, Sir, I believe during the time when it was constructed, proper approvals were obtained and also given. What has happened is that there are a lot of developments happening including the new developments. These are some of the things that need to be reviewed, not only by the Suva City Council but also the relevant agencies because of those developments, as well as the amount of traffic moving around the creek, it has also led to damages to the underground drainage system. Those are some of the things that have also contributed to this particular issue. Some of the Ministries, in collaboration with the Suva City Council, have been meeting and liaising with the relevant agencies to try and address this particular problem.

HON. R.R. SHARMA.- Mr. Speaker, Sir, a very quick question to the honourable Minister, sometimes when the work is done and the payment is made, I just want to ask in terms of monitoring and evaluation - monitoring and sort of finalising the final payment for these contractors who do this work. Sometimes the citizens or people in the community are not satisfied with the work that had been done. Do you have a reporting mechanism where it comes to your office and then you tell the person to redo the work, or how does it work? How do you strengthen the monitoring of these works so that they are done properly?

HON. M.K. NALUMISA.- Mr. Speaker, Sir, in every contract and every work given to any contractor, the provisions, all stages that involve a lot of checking by the lead engineer, the project manager, as well as the Council. Those are things that normally take place during stages of any development. If there are seen to be any breach or shortfall in terms of the amount of work that has been done, the responsibility of any consultant as well as the engineer, in this case, for any Council is to ensure that all works are done according to the plan and also review this with whoever is in development for that particular matter.

MR. SPEAKER.- Can I just share my thoughts. As honourable Koya said, it is quite a heavy traffic area for both, traffic vehicles and human traffick because as for me, that is where I go and pay my EFL bill, go across to my dentist and my optician, and it is where the centre of my attention lies.

Village Governance Framework
(Question No. 242/2026)

HON. T.R. MATASAWALEVU asked the Government, upon notice:

Can the honourable Minister for iTaukei Affairs update Parliament on the Village Governance Framework?

HON. I. VASU.- Mr. Speaker, Sir, I thank honourable Rokomatu for his question. The Village Governance Framework matters to every *iTaukei* village and to all of us who call village our home, and I welcome this opportunity to update the House.

Mr. Speaker, Sir, the village is the heart of *iTaukei* life. It is where our people, our land, our culture, our chiefly leadership come together as a *vanua*. For generations, our villages have kept the peace, care for one another, and passed our customs and knowledge from one generation to the next. However, we must be honest about what our villages are facing today.

Many of our young people are leaving for the town and cities. Families are under strain. Respect for traditional leadership is weakening. Illicit drugs have reached our villages and so as the rise in HIV infections that we are seeing across the country. Our village leaders are telling us that they need clearer and stronger tools to deal with these problems.

Mr. Speaker, Sir, this is not a new concern. The Ministry prepared a draft Village By-Law as far back as 2009, but that work was put on hold in 2017. When this Government took office and with the Great Council of Chiefs restored, we recommitted to strengthening *iTaukei* governance and the customary institutions that protect the identity and way of life of our people.

Mr. Speaker, Sir, allow me to take the House briefly through the steps taken so far.

- In September and October 2023, the Ministry worked with five retired Roko Tui who, between them, brought many years of provincial experience, together with the Solicitor-General's Office to produce the first draft of the Guideline.
- In January 2024, the Board agreed that the guidelines should set policy directions for village by-laws on housing, sanitation, hygiene, health, peace and security, with penalties that respect our national law. It also agreed that the guidelines go to the Great Council of Chiefs for guidance before being shared more widely.
- In August and September 2024, the Solicitor-General advised that under the *iTaukei* Affairs Act 1944 and the *iTaukei* Affairs (Tikina and Village Councils) Regulation 1996, the power to make binding village rules belong to the village, the *tikina* and the Provincial Councils. A guideline issued by the Ministry could not, on its own, bind villages or visitors.
- In February 2026, the Ministry met with the Solicitor-General's Office, the office of the Director of Public Prosecutions, the office of Chief Registrar, Judiciary, FICAC, the Fiji Police Force, *iTaukei* Land Trust Board and *iTaukei* Affairs Board. Together, we look closely at possible penalties against the Bill of Rights in our Constitution, and in particular, every person's right to move freely and to choose where they live.

Mr. Speaker, Sir, we have listened carefully to the legal advice. Instead of a stand-alone guideline, we will amend the *iTaukei* Affairs (Tikina and Village Councils) Regulations 1996. This means that any rules our people are expected to follow, will be made by the Council, that the law already empowered to make it. This approach respects the *vanua* and the Constitution. In August this year, the Cabinet endorsed this approach and the way forward.

Mr. Speaker, Sir, the draft amendment will be prepared together with the Office of the Solicitor-General. The draft will then be taken for consultation with all relevant stakeholders. It will be placed before the Great Council of Chiefs for its guidance and present to the Provincial and Tikina Council before it is finalised. The amendment will cover how villages are run and administered; the role and power of village councils; what is expected of them, their members of the community; how

disputes are settled; how our cultural values are protected; accountability and transparency; how customary institutions and the State work together.

Turaga na Sipika, au kerea me'u na vakamacala vei ira na noda ena vei delaniyavu vakaturaga. Na veisau oqo ena sega ni dua na ka ena vakasaurarataki yani vei kemuni mai na Matanitu. Ia, e solia na kaukauwa vakalawa vei ira na bose vakoro, vei ira na noda turaga kei ira na qase ni vanua me rawa ni ra vukea na veidusimaki ena vuku ni veika e dodonu me caka. Me ra taqomaki kina oira na luveda, na noda qele, na noda ivakarau vakaturaga kei na noda veidokai.

Ena sega ni rawa ni dei na noda Matanitu kevaka ena sega ni yavutaki vinaka na noda veikoro. Na veiliutaki vinaka e tekivu mai na noda yavutu mai na loma saraga ni noda veikoro. Sa dodonu kina me cakacakavata na vanua, na lotu kei na Matanitu me baleta na nodra bula vinaka kei na nodra tiko sautu na noda kawa iTaukei. Ni da sa cakacaka vata tiko ena kena taqomaki na noda vei tikotiko vakaturaga.

Au sa vaugeti keda meda lai vakadikevi ena vuku ni mate na HIV and Aids kei na waigaga ni veivamatenitaki, mena vukei kina na noda taqomaki keda na kawa iTaukei vabibi na noda vuvale kei na noda vei tikotiko vaturaga. Vinaka saka vakalevu, Turaga na Sipika.

[Mr. Speaker, I seek permission to explain this to those in our various traditional iTaukei settings. These changes will not be imposed on you by the Government. Rather, they provide a legal framework, empowering village councils, our chiefs, and community elders to help guide decisions about what needs to be done. This is to protect our children, our land, our chiefly traditions, and our mutual respect.

Our nation cannot be stable if our villages are not firmly established. Good governance begins at our foundations, right in the heart of our villages. It is therefore essential for the vanua, the Church, and the Government to work together for the wellbeing and peace of our iTaukei people. As we work together, we are safeguarding our traditional chiefly communities.

I urge us all to get tested for HIV and AIDS and to seek screening for substance abuse, so that we can better protect ourselves as iTaukei people, particularly our families and our traditional chiefly communities. Thank you very much, Mr. Speaker.]

HON. S.T. KOROILAVEISAU. - I thank the honourable Minister for the detailed explanation on the question that has been asked this morning.

I had alluded to previously, and I think the honourable Minister had some indication on the complexity in trying to put forward village bylaws. In that respect, I believe that the landowning units need to be brought in because in contemporary iTaukei culture, land ownership is a critical element of how they can govern their people.

I just wanted to ask the honourable Minister, in his research or the Ministry's research, does he think that the individual rights of human beings under the UN is an obstruction to the iTaukei's control of their own people within their village set up?

HON. I. VASU.- Mr. Speaker, Sir, I thank you for the questions. That is one of the areas that is really stopping us from driving the village by-laws and everything that is within the village. It is the human rights and individual rights that are in the Constitution.

The chiefs would love to put various laws within the village, but they are guided by the UN human rights and individual rights that are there in the Constitution.

MR. SPEAKER.- Did I notice some movement on this side? Honourable Seruiratu, you have the floor.

HON. I.B. SERUIRATU.- Thank you, honourable Minister. The rural to urban drift is, indeed, a major concern. Urbanisation is a global phenomenon. The question that I want to raise is, has there been any analysis or assessment made as to the main contributing factors behind this rapid urbanization, resulting in villages being left with a few people? I would rather hear from you on what we have done in trying to retain people? Has there been a study undertaken to analyse the reasons behind the rural-urban drift?

HON. I. VASU.- People are moving to urban centres for education, for essential services that are being provided out here in the cities and towns. We have the modern technologies that we have now which, at times, is not available in rural areas. The access to communication is not available in most of our interior villages, and that also creates the drift to the urban centres.

In terms of the study, I will come back to you, honourable Leader of the Opposition, and advise me if there are already any studies in regard to the rural-urban drift.

HON. J. USAMATE.- Mr. Speaker, Sir, with your permission, I would like to ask my question in the vernacular.

Ni tiko saka na noda i mudumudu ni lawa ni noda Bose Lawa, e dua ga na noqu taro. E na vanua vaka-Matanikorovatu vata kei na Yavusa na Waidina mai Kalabu, ena vei tikotiko kemudou vakaitikotiko kina ka sa bula rawa tiko ena gauna oqo oqo, e dua na lawa ni koro ena veitikotiko vagalala era tiko kina, era vakarurugi tikoga ena Turaga ni Koro mai Kalabu. Era sa sainitaka tu mai ena vica na gauna sa oti, ka ra vakaitavi tiko kina o ira na neimami lewe ni tikotiko. Me vaka o ni vakaraitaka tiko ni na qai laurai tale na i tuvatuva ni tikina, na noqu taro vei ira na mataqali vaka oya ena lawa vakoro mai Kalabu koya sa vauci ira kece tiko na i tikotiko vagalala ka ra dabe tiko nodratou loma ni qele ena Yavusa e rua - na Matanikorovatu kei na Waidina, ena veisautaki tale na lawa ni koro oya se na cici tikoga koya sa cici tiko ena gauna oqo? E vaka sa veivakaduiduitaki tiko na nodratou cakacaka.

[While we are at this stage of our Law Council meeting, I have just one question. In the Matanikorovatu and Waidina tribal areas of Kalabu, the settlements where you reside and which are already established currently have village bylaws in place. These settlements remain under the authority of the Village Headman of Kalabu. The residents have signed these bylaws on several occasions in the past, and members of our communities have been involved in the process. Since you have indicated that the district boundaries or arrangements will be reviewed again, my question is this: will the existing village bylaws of Kalabu, which apply to all the settlements located on the land belonging to the two Clans, Matanikorovatu and Waidina, be amended, or will the current bylaws continue to remain in force? It appears that the way things are being handled is discriminatory.]

HON. I. VASU.- *Na lawa koya ratou qarava toka mai me vaka taki Delaidogo kei na vanua va o ya e dodonu me ra qaravi ira vata kece kina na lewenivanua e ra tiko i kea e ra duavata e na veika e gadrevi me ra tiko vinaka kina.*

Au vakaraitaka tiko e na vei koro kei na vei tikina e na noda vei vanua i Viti e tu na kena lawa vakavanua. O ira ya e ra na qai duavata e na nodra duavata me rokovi na vei lawa vakavanua o ya. E na sega sara ni ratou tautauvata kece na lawa. E na tautauvata toka ga e na vaka ni da tou raica mai Sabeto ratou cicivaka na nodratou. O ratou mai Vuda e ratou cicivaka na nodratou. Me vakatalega kina na nodatou yavu o Matanikovatu koya ratou qarava tiko qo. Ia, me kua ga ni lako

sivita na dodonu ni tamata yadua vata kei na lawa levu ni matanitu. Au kila ni ratou cakacaka vata tiko kina vakabibi vata kei ratou na ovisa. Ia, sa ko sivita ga na vei lawa sa dodonu me ratou cakacaka kina na ovisa e sa na vakadewataki vei ratou na ovisa me ratou rawa ni mai qarava na nodratou i tavi.

[The laws that they are currently administering, such as those in Delaidogo and similar areas, should apply equally to all residents living there. Everyone should work together and reach agreement on the matters necessary to ensure that all residents can live together peacefully and harmoniously.]

I am pointing out that in every village and district throughout Fiji; there are customary laws and traditions. The people in those areas agree among themselves to respect and uphold those customary laws. The laws will not necessarily be the same everywhere. For example, as we have seen in Sabeto, they administer their own customary laws. The people of Vuda administer theirs, and likewise, our own customary foundation, Matanikorovatu, administers the customary laws that are currently in place. However, these customary laws must not override the rights of individuals or the laws of the State.]

HON. F.S. KOYA.- Honourable Minister, whilst this governance framework is being done, are you also looking at making sure that the villages that are covered with this governance framework, councils, et cetera. I am specifically talking about Nadi, where I know first-hand that there are issues about the provision of services provided by the councils, making sure that the villages are taken care of.

I remember very clearly one of the biggest complaints that I used to get from the villages was that the Council was not providing the services that it does to all the other ratepayers because it was a village, case in point is garbage collection. When you are looking at this governance framework, will that ensure that all those services that are needed and must be provided and should be provided as citizens of Fiji are being connected to the framework.

HON. I. VASU.- Honourable Member, for now, we have already worked with the Ministry of Local Government in regard to those villages that are within the city and town boundaries. This is in regard to the concerns that you are raising now.

MR. SPEAKER.- I think it is quite a pertinent issue that was faced by honourable Koroilavesau as a former teacher of Customary Law, and I think honourable Tabuya will agree, it is one of the most difficult issues is trying to harmonise individual freedoms and rights under the protection of our Constitution and the customary laws that pertain to the rule of law in villages, and that is a task, I think, is confronting the Taskforce which the Minister is referring to. I appreciate that very much.

Measures to Avoid Delays – Land Registration and Development
(Question No. 243/2026)

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

Can the honourable Minister for Lands and Mineral Resources inform Parliament on measures that the Ministry has undertaken to avoid delays in land registration and development?

HON. F.W.R. VOSAROGO. - I am happy to provide the answer to the question that has been put before the House. Before I do that Mr. Speaker, Sir, I join you in congratulating the Year One

and Year Two students from the University of the South Pacific Law Programme for joining us here today.

At the break, I had a small chit-chat with them, reminding them about the time when I joined the Bar and there was only a handful perhaps that were practising at the time. My law number is 256. I am sure, Sir, when you joined the Bar, it would have been in the hundreds. They are joining now a profession that is sitting at around a thousand five. By the time they come to the Bar, it will be around a thousand seven. It is a reminder that for them to start persevering now because perhaps the pie is not going to get any larger. For them to get a piece of that, they would have to work very hard, and it is inspiring to see young citizens of this country, particularly those who are engaged in the study of law, come to the House where laws are being made, and I thank them for taking the time to come and visit their Parliament.

The question is about the delays in land or title registration and the delays that exist in development applications. Now, I will seek to put an answer to the House this afternoon, and I will be very honest about the scale of the challenges fall.

Mr. Speaker, Sir, I will start with the reality of land registration. The land registration in Fiji is not a single step and is not handled by one agency alone. It is an inter-ministerial and inter-organisational cycle. For example, in title registration, it begins with a sale and purchase agreement between two parties at arm's length, and then the lawyers get involved.

Following that, the Fiji Revenue Customs Service (FRCS), obviously, also gets involved with the calculation of the Capital Gains Tax, then lodgement of titles. There is a bit of waiting time before the title is released. The development application, perhaps, with the Ministry of Lands or the iTaukei Land Trust Board (iTTLTB) and for freehold land, it starts elsewhere. Then it would go to the Town Councils or to the Department of Town and Country Planning. For developments that contain large-scale developmental aspects, it will be referred to the Ministry of Environment. Sometimes it goes to the Ministry of Fisheries and Forestry and other Departments.

Mr. Speaker, Sir, allow me to be blunt. Sometimes, in the middle of all of these, things get messed up. The result is a bureaucratic process that frustrates investors, delays development, kills employment and creates uncertainty for those who are thinking that they are going to be, ultimately, beneficiaries - the landowners of Fiji. The evidence is quite clear. A report on Fiji's law and justice sector found that delays in land title processing often exceed 90 days, exacerbated by the analogue workflow and the absence of clear adjudication protocols. The Surveyor-General, who sits in my Ministry himself, said that a survey plan approval can sometimes take up to two years before anyone can get a registered title.

Mr. Speaker, Sir, that is not a system that serves people. That is a system that serves itself and no one else, so what we are doing is addressing this on multiple fronts. Let me set them up in my Ministry and I will propose how this inter-ministerial cycle can be made better for all of us.

The State Lands (Amendment) Bill 2026 has currently passed through Cabinet and is currently before the Cabinet Sub-Committee on Legislation. This Bill modernises the State Lands Act 1945 - a legislation that is now over 80 years old, strengthens enforcement powers, introduces tougher penalties for illegal occupation, and streamlines the administrative framework of how State lands are administered, its compliance and adjudication.

The Land Use (Amendment) Bill is also being discussed. I had said this earlier in the morning, but it is now being discussed between my Ministry and the iTaukei Land Trust Board. The

review of the Land Use Act 2010 has reached its final stage, with the Fiji Law Reform Commission having submitted its report following nationwide consultations.

I mentioned yesterday or the day before with relation to the Valuation Registration Act 1986, Cabinet has approved its review on 22nd September, 2026. The Valuers Registration Act Registration is more than four decades old and no longer reflects Fiji's property market or its financial sector. The new framework will strengthen the professional standards required of valuers and valuers as a whole as an industry, adopt international best practices and valuation standards, and improve accessibility to reliable data repository.

Why does this matter? Because we cannot fix broken processes with broken rules. These reforms provide the legal foundation for efficiency and upgrade. It is two times before on this forum and this floor of Parliament, calcified laws, Mr. Speaker, Sir, do not serve an advancing, seeking nation.

Mr. Speaker, Sir, the fundamental problem is paper. The Registry of Titles has been identified as a high-risk area, requiring urgent reform precisely because of analogue workflow. The honourable Attorney-General, at one time, made a ministerial statement in relation to this. Documents at the Registry of Titles have been lost in the past, continues to be lost and can be lost in the future. There is no digital tracking, and applicants have had to wait in limbo.

The Ministry has been working with its inter-ministerial counterparts to improve the workflow that reaches the Titles Office through digitisation. In collaboration with the Asian Development Bank, the Surveyor-General has confirmed plans to move from a manual system to one that is digital. A shift is expected to be piloted and would take approximately three years into the future for that to be qualified, but one that will cut approval times dramatically.

The Fiji Institute of Surveyors has strongly advocated for this shift, noting that digital systems will reduce errors, improve accountability and make the process very fast. Digital systems provide transparency, tracking and accountability, and they remove the human bottleneck that usually is the cause of delay.

Third, Mr. Speaker, Sir, we must learn from best practices. Fiji, I guess, does not need to reinvent the wheel - other jurisdictions have solved this problem. We should learn from them. In the Philippines, there is a body or an organisation called Anti-Red Tape Authority (ARTA) that sits under the Office of the President.

The ARTA of the Philippines has achieved remarkable results, Mr. Speaker, Sir, by imposing strict timelines on Government approvals throughout all Government Ministries. Under their National Effort for the Harmonisation of Efficient Measures of Inter-Related Agencies (NEHEMIA) Programme, permits processing time in key sectors have been cut by over 90 percent. Telecommunication infrastructure processing time fell from 241 days to 16 days, fibre ports and facilities from 866 days to 74 working days, in mining exploration, reforms are projected to cut processing times from 1,096 days to just 55 days - a reduction of approximately 95 percent.

This is what they do, Mr. Speaker, Sir. For Government transactions, filing or asking for a permit or a hawker's licence, simple transactions, you are required to complete that in three days. Complex transaction, seven days. Highly technical transactions, 20 days. That is the challenge. Strict statutory timelines for each stage of approval and a centralised online platform that monitors all of these things into the future.

My time is running up, Mr. Speaker, Sir, I will just speak about the Princeton experience. The Office of the Coordinator General sits under the facility of Investment Queensland. What they do is, they coordinate across all departments, where no single agency has clear responsibility. They have cut investment timelines by over 90 percent in most of their critical industries, including their minerals and critical minerals industry, as well as their Invest Queensland surge because in 2032 they will be hosting the Olympics right here, close to home. So that is what they are doing to drive the economy and drive economic outcomes.

My proposition, Mr. Speaker, Sir, this afternoon is yes, we can. These things are within our reach, and they are also doable.

HON. F.S. KOYA.- Mr. Speaker, Sir, honourable Minister, one of the issues I think that comes out of your answer also is the fact that there are fairly antiquated procedures that still exist within the SOPs that exist in the Ministry. My question to you is, has there been a business process review done on the current SOPs which will actually remove a considerable amount of time from the limits that are placed on particular applications, et cetera.

The second part of that question is, it is an example really, that an approval for a consent for a mortgage on a piece of property, if it is above a particular amount in the West, has to be sent across to the thing, so that creates days and it's physically coming across. So, when you look at the SOP, has there been a BPR actually done on the SOP so that those times can be cut?

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, the first part, there is a Steering Committee that has been chaired by the Deputy Prime, honourable Minister Kamikamica. We are looking at all the business processes of Government. I think it is not a new thing. It is a continuation of ease of doing business programme that the previous government had started, refining the tool system and the skill set on how we can advance and make that better.

The second part, honourable Koya transfer of files. In the new proposed State Lands Act, the ceiling has been moved up so that the Western Manager of Lands Department would be able to deal with an amount that is higher than what he is dealing with now. Also in the meantime, we are looking at our digitalisation programme where the mortgage consent system can be done online and has been trialled. We are trialling that with a few law firms, and law firms are able to log in and do all of that for their clients. It does not really matter whether the requirement for consent sits with the Regional Land Manager in the West or with the Assistant Director of Lands here in Suva. Because it is online, everyone's flipping the same page with the same button.

HON. V. NATH.- Mr. Speaker, Sir, the honourable Minister on Land Development, Fiji has acres and acres of land, productive land unutilized. What plan, or does the Ministry have any plans to subdivide those lands and probably give it to the youths?

Mr. Speaker, I recently had the pleasure of meeting the Chief Executive Officer of TLTB – Mr. Nata. He mentioned that the youth of today, they cannot get loans from banks. We had a good discussion, and I mentioned that why do you not pilot a project that we subdivide maybe five acres of productive land and give it to youth and use that land as a collateral and they can generate income.

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, I like his idea, as I liked the idea of the honourable Koya yesterday. With the honourable Leader of the Opposition saying that we need to build trust across the aisle, I think you should have the opportunity now to take honourable Usamate and honourable Kumar at the back and bring the other two gentlemen in front. I am just kidding.

(Laughter)

I like the idea, and I think it is a way in which we can empower young people and the youth of our country. Certainly, the honourable Member and I will have a discussion about this, because his proposition is, if we have, let us say, 50 acres of good arable land that can be farmed, then we should not lease it out in one parcel. We can divide it into 10 parcels of five acres each and give it to 10 youth farmers, and we can look at a way of them repaying within the lease period, not necessarily superimposing the premium and the lease in the first year. That is doable, and that is why I said, I like those two gentlemen at the back, and I think they should be promoted at the front.

HON. I.B. SERUIRATU.- Honourable Minister, this is experience from the Ministry of Agriculture. I will just lump the issues together into the question. We want development, but three key issues are: One, disputes within the family when the principal lessee is no longer; two, absentee farmers or owners. You go to Nausori, there is a piece of land, and the owner or the lessee, is in Australia, and then the policy about underutilised land. In such cases, honourable Minister, all that the caretaker has to do is spray the piece of land when it is not used. When the inspection comes around, you have done something. That is how they play around with this. How can we address this?

MR. SPEAKER.- Honourable Minister, you have multiple questions to answer.

HON. F.W.R. VOSAROGO.- It is a three-pronged question. I am going to try or attempt to answer each of them. With disputes in families, the position of the Ministry is, if the lease is alive, we will wait for the courts to determine probates, not matters of administration. We will just follow through with what the courts tell us as to who should administer and who should be the beneficiaries of it. At the end of the lease, it is up to the Director of Lands what he wants to do with it. It is a constant issue that continues to happen at the Ministry of Lands and iTaukei Land Trust Board.

With absentee farmers and underutilisation of land, these are two issues, because out of the experiences of the Ministry of Lands in the past decades, they are now covered under the new Bill. For absentee landlords, you are given a certain time frame. If you are not going to be able to redeem your lease or utilise your lease, then the Director of Lands has the power to cancel that lease and allocate it to someone who has the capability to develop that land to its fullest use.

The unused land is the problem. We issue them with a breach notice, and then in seven days or 30 days' time when they come, they have just cleared a portion of that land, so that has rectified the breach. Then we come back after 30 days, it is all grown again, and we issue another breach notice. They do the same thing, and the play continues over years. That is not going to be in existence anymore once we get the Bill through to Parliament.

Utilisation Rate for First Home Ownership Grant
(Question No. 244/2026)

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

Can the honourable Minister for Housing and Local Government inform Parliament on the utilisation rate of the First Home Ownership Grant for the 2024-2025 financial year?

HON. M.K. NALUMISA. - Mr. Speaker, Sir, for the 2024-2025 financial year, the Ministry of Housing utilised a total of \$4.1 million of the final \$4.22 million allocation for Category 1 and Category 2 of the First Home Ownership Grant. This represents an overall utilisation rate of 97.4 percent.

Mr. Speaker, Sir, Category 1 which is for households earning an annual combined income of \$50,000 and below, utilised \$3.175 million of its \$3.22 million allocation, achieving a utilisation rate of 98.6 percent. The unutilised balance was around \$45,000.

For Category 2 which is for assistance to households with a combined annual income of up to \$100,000, a total of \$935,000 was utilised of its \$1 million allocation, achieving a utilisation rate of 93.5 percent with an unutilised balance of \$65,000.

Mr. Speaker, Sir, the programme assisted a total of 182 families during this financial year. Under Category 1, 119 families were assisted. It comprised 69 First Home purchase beneficiaries who received a total of \$1.375 million and 50 First Home construction beneficiaries who received \$1.8 million of assistance.

Under Category 2, Mr. Speaker, Sir, a total of 63 families were assisted. These comprised 27 First Home purchase beneficiaries who received a total of \$215,000 and 36 home construction beneficiaries who received \$720,000. In total 96 first home purchase and 86 first home construction beneficiaries who assisted with combined grand disbursement of \$4.11 million in the 2024-2025 financial year.

MR. SPEAKER.- Are there any supplementary questions?

HON. P.K. BALA.- Mr. Speaker, Sir, the only reason why I brought this issue up is that I really want to know the utilisation of funds that was allocated for the 2024-2025 financial year, and I am happy that the honourable Minister has responded by saying 97 percent utilisation. But the issue that I have got here is that some of the applicants have been complaining that they are not receiving the grant that they have applied for at the banks. Is it true that the monies are given to banks so that the applicants can receive those types of grants?

HON. M.K. NALUMISA.- Mr. Speaker Sir. I believe the honourable Member is aware that there is a set of criteria for those who wish to apply for this type of assistance. When they meet the criteria, they will be given the assistance, but if they do not meet one of the criteria, they will not qualify for the assistance.

HON. R.R. SHARMA.- Mr. Speaker, Sir, I think it is still a great initiative, and it goes with the idea once I said in Parliament about the state-owned strata apartments. Honourable Minister, have you been able to identify some of the barriers that prevent people from applying, looking at some of the construction costs? So, are you going to revisit some of the eligibility criteria and grant structure going forward so that you can target more middle and low income earners?

HON. M.K. NALUMISA.- Mr. Speaker, Sir, if we revisit the current financial budget, the Coalition Government has reviewed the allocation criteria to try and target those that are earning below \$50,000. What we have noticed is that there are some that are earning below \$30,000, if you do not give them adequate assistance, then they would not be able to acquire a land or even qualify for a land and house package product. This is something that we have done for this financial year.

We have increased the allocation to those that are earning below \$30,000 to try and assist and target them. One of the good examples is a Nepani Subdivision that was currently being done by housing authority.

The first expression of interest that was tendered, close to 70 percent of the applications were those that were earning \$30,000 and below. So, this is a good example of the type of reviews that we are doing to try and target our people who are earning \$30,000 and below.

MR SPEAKER.- We will now move on to the next Oral Question, ninth oral question. The Secretariat has been notified or informed that it has been withdrawn. We will then move on to the written questions.

Written Questions

2025-2026 Major Development Projects
(Question No. 246/2026)

HON. J.R. VOCEA asked the Government, upon notice:

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

- (a) the number and estimated value of major development projects facilitated during the 2025-2026 financial year;
- (b) explain the measures introduced to improve turnaround times and co-ordination between the Department, municipal councils and relevant infrastructure agencies when considering major development proposals; and
- (c) measures undertaken to ensure that planning approval processes support investment while maintaining proper planning, infrastructure and development standards?

HON. M.K. NALUMISA. - Mr. Speaker, Sir, I wish to table my response to the written question.

Statistics on Official Overseas Travel
(Question No. 247/2026)

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

Can the honourable Prime Minister, Minister for Civil Service, and Strategic Planning, National Development and Statistics, and Public Enterprises inform Parliament on all official overseas travel undertaken by the Prime Minister, Deputy Prime Ministers, Ministers and Assistant Ministers from 1st May, 2025 to 31st August, 2026, and provide:

- (a) the total number of official overseas trips undertaken by each Deputy Prime Minister, Minister and Assistant Minister, including the destination and purpose of each trip;
- (b) the total cost incurred by the Fiji Government for each trip, including airfares, accommodation, subsistence and other travel-related expenses; and
- (c) where any part of a trip was funded by an external Government, organisation or other third party, the name of the funding organisation and the amount or component of the travel costs met by that organization?

MR. SPEAKER.- Before I ask the honourable Prime Minister to respond to the question that is now posed by the Leader of the Opposition, I wish to clarify what appears to be a misunderstanding that arose out of that question.

The question is directed at the Office of the Prime Minister for details of overseas travel expenses of the Deputy Prime Minister and Ministers and Assistant Ministers. This, I assume, is

covered by each of the Minister's ministerial travel budget votes. What is being queried by the Office of the honourable Prime Minister is what about the travels of the Opposition Members of Parliament. I am assuming that they are referring to the Opposition travels overseas under the auspices of Parliament, and that is on Parliament's expenses, on Parliament's money.

The Secretary-General will be quite happy to release the details of these travels, but the question should be and be posed through the Business Committee, as is the normal process. So, the Secretariat of the Parliament, as I said, is happy to release the details of the overseas travels of all MPs of the Opposition, if the question is posed any time in the future through the normal process. So, the honourable Prime Minister may wish to address the question posed by the Leader of the Opposition in the context of my explanation

HON. HON. S.L. RABUKA. - Thank you, Mr. Speaker, Sir. By the very nature of the question and the number of agencies that are going to be requested to provide the data, I am requesting that I table the response of the later sitting date as permitted under Section 45(3).

MR SPEAKER.- Thank you. The answer will be given at a later sitting date as permitted under Standing Order 45(3), honourable Leader of the Opposition.

Honourable Members, that concludes the question time for today. Now, given the hour and also the various other meetings which are to be attended by honourable Members, we will have our lunch break now. First of all, we kindly request the members of the Special Committee on the Sugar Industry of their meeting in the Small Committee Room as soon as the House suspends its meeting for lunch. We also have the IPU delegation briefing in the Speaker's Boardroom also at the same period.

We will resume Parliament proceedings at 2.30 p.m. this afternoon. The House is suspended.

The Parliament adjourned 12.21p.m.

The Parliament resumed at 2.53 p.m.

MR. SPEAKER.- Honourable Members, if you can, please, join me in welcoming the Land Management students from the University of the South Pacific who are here with us this afternoon. Welcome to your Parliament! I hope you will enjoy the proceedings this afternoon and have an understanding of the workings of your Parliament.

Honourable Members, we will proceed to the next item on our Order Paper. Please, take note that there will be nine Bills for considerations today. One Bill will be for second reading, and the remaining eight Bills will be for Third Reading.

YAQONA (KAVA) BILL 2026

HON. T.N. TUNABUNA.- Mr. Speaker, Sir, pursuant to Standing Order 85(1), I move:

That the Yaqona (Kava) Bill 2026 (Bill No. 28/2026), be now read a second time.

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

MR. SPEAKER.- Before I invite the mover of the motion to speak, I remind honourable Members that in accordance with Standing Order 85(1), the debate will focus on the principles and merits of the Bill only. I now call upon the honourable Minister for Agriculture, Waterways and Sugar Industry to speak on his motion.

HON. T.N. TUNABUNA.- Mr. Speaker, Sir, I rise to speak on the motion of this Second Reading of the Yaqona (Kava) Bill 2026. This is not the first occasion on which legislation to regulate Fiji's yaqona industry had been produced for consideration. The Yaqona Bill was introduced in 2016 and, again, in 2018, and the procedures for enactment was not completed. I wish to thank the honourable Leader of the Opposition for his initial involvement as the former Minister for Agriculture.

The Bill now before the House builds upon that earlier work. It has been reviewed and strengthened through intensive public consultations undertaken by the Ministry of Agriculture under the leadership of the late honourable Inosi Kuridrani, with technical support from the Ministry and the consultant who was engaged for this particular Bill and the Yaqona Policy.

I wish to place on record our sincere appreciation to the late honourable Kuridrani for his leadership and the contribution to this important national undertaking. The Bill was subsequently refined under the legal guidance of the Office of the Solicitor-General, to provide a practical and legal sound framework for the governance and sustainable development of the industry.

Yaqona is deeply rooted in Fiji's culture, tradition and the way of life, and for generations, it has held a central place in customary ceremonies and community gatherings. Today, it is also widely consumed across our communities and has become one of Fiji's most valuable agricultural commodities.

The industry provides income and employment for thousands of farmers and rural households, including those with limited land. Its strong demand and high market value continue to generate economic activity and investment throughout the *yaqona* value chain. The question before us is whether we give that industry an institution capable of protecting growers, strengthening quality, and defending the value of Fiji's name in a growing market.

Mr. Speaker, Sir, this Bill establishes a Fiji Yaqona Council and a framework for the industry. Its merit rests on what it can do for smallholder farmers, consumers, and honest businesses, while respecting ordinary personal and cultural practices.

This is a Bill about the future of a Fijian crop with a deep past. It recognises that the value created on the farm in Kadavu, Cakaudrove, Naitasiri, or other producing Provinces must be protected as the crop passes through buyers, processors, and exporters. The farmer should have a voice in the rules governing that journey and a fair chance to benefit from the markets these rules serve.

Families and the Economic Case: Mr. Speaker, Sir, the Ministry's 2024 National Yaqona Farming Household Census records 14,532 households directly engaged in *yaqona* farming and 17,200 farmers are involved. About 93 percent of these households are relying on farming *yaqona* for their main source of income. These figures represent families whose livelihoods will be affected by the decision of this House. The same census found that 56.2 percent of households travelled 1 kilometre to 3 kilometres to reach their *yaqona* farms. The conditions on these farms and the journey from them to market must shape the way we implement this Bill.

Mr. Speaker, Sir, trade figures show how much is at stake. The Ministry's analysis of the Fiji Bureau of Statistics merchandise trade data puts Fiji's domestic *yaqona* exports at about 137 tonnes and FJD6.6 million in 2013. By 2025, exports have reached about 1,016 tonnes and FJD79.1 million.

The 2025 GDP data with Fiji's Bureau of Statistics recorded an estimate of FJD521.5 million of real value added from *yaqona*. Each identity of *yaqona* have the largest contributor amongst agricultural commodities, at approximately one-third of agricultural real GDP. This is a substantial contribution to our farm and the communities, and a reminder that production, disease management, planting material, and post-harvest quality requires sustainable attention.

Mr. Speaker, Sir, the Government and the industry already have systems in place. The Ministry registers farmers of more than 50 commodities under the new farmers database known as VitiAgriDataHub and provides extension services. Importers and exporters already deal with permits, inspections and biosecurity requirements.

This Bill builds a statutory framework around the wider value chain. It gives the proposed Council responsibility for operator registration, standards, coordination, and import and export licensing under the new Act. It does not remove the need to comply with other applicable laws. The Bill expressly preserves the requirements of biosecurity, food safety, customs and quarantine law for import and export.

Mr. Speaker, Sir, the case for quality is practical. Farmers and traders lose when *yaqona* is contaminated, poorly dried, incorrectly identified, or falsely labelled. A problem in one consignment can diminish confidence in other Fijian suppliers. The Bill enables a more coherent approach to standards and records, from cultivation and aggregation through processing and sale. Better traceability should help identify and correct problems, while giving buyers confidence in the Fijian product.

Mr. Speaker, Sir, standards should be useful to a person who must meet them. A grower needs sound planting material and advice about the disease and harvest. A village buyer needs an understanding of grading and recording. A cooperative needs facilities for clean washing, drying and storage. A processor needs reliable identification of the product and its origin. Connecting those stages will improve consistency and give small producers a realistic route into higher-value markets. The Council can help coordinate that work with existing services, and it must not become an obstacle

between a farmer and a buyer.

Mr. Speaker, Sir, the Cabinet-approved National Yaqona Policy for 2027-2031 sets a broader direction for production, research, quality, market development and inclusive governance for Fiji's Yaqona Industry. The Regional Kava Development Strategy 2024-2028, likewise, calls for cooperation among Pacific producing countries and stronger quality systems.

Mr. Speaker, Sir, this Bill gives Fiji an accountable national body to help carry that work forward. It also creates a clearer place for growers and operators to engage with the Government on priorities across the value chain. The Bill proposes a representative Council that brings together farmers, processors, exporters and relevant Government agencies to guide and support the development of the Yaqona Industry in Fiji. The Council will provide industry advice, promote research and standards, and support greater efficiency throughout the *yaqona* value chain, from cultivation and production to processing, transportation and marketing. It will also strengthen transparency, accountability, and coordinated decision-making across the industry.

Mr. Speaker, Sir, the Working Group will provide a clearer statutory mechanism through which the voices and interests of *yaqona* operators in every Province will be represented. To strengthen governance, accountability and grassroots participation within the industry, the establishment of the Working Group is, therefore, mandatory under the Bill. For that voice to be real, registration and elections must be reachable for smallholders, women, young children and maritime communities.

The Council will hear the farmers who travel hours to the farm, produce and sell modest quantities, as well as the established processors and exporters. It will help cooperatives aggregate sound products, obtain market information and invest in facilities. A farmer representative must be able to bring a concern from the Province to the Council and carry an answer back.

The Council's public and private partnership gives it a chance to resolve issues that neither a single department nor a single group of traders can resolve alone. Research priorities should respond to disease and productivity problems reported by growers. Market standards should reflect the requirements that buyers actually apply. Representation and accountability are, therefore, essential to the case for this institution, not decorative additions to it.

Mr Speaker, Sir, public discussion after the First Reading raised a reasonable concern about registration and penalties, particularly, for small growers and people who sell *yaqona* from home. The Bill's definition of an operator includes a person in the business of offering *yaqona* for sale. It would be wrong to promise a blanket exemption for all household selling when the Bill does not provide one. It would be equally wrong to treat ordinary families as an afterthought. The criteria and conditions for registration will be considered within the regulatory framework and must be practical, accessible and proportionate to the activity involved.

The Standing Committee's scrutiny and the views of affected communities will be valuable. Our objective is a system that protects the genuine producer and consumer without placing an avoidable burden on a small farmer or an ordinary Fijian household. I have heard the concern that a farmer may be distant from an office, or that a small seller may have little time or money to navigate the new process. These circumstances are relevant to the criteria, cost and delivery of registration.

We will use the Ministry's existing farmers' contact and knowledge to provide network, as we work through the regulations and service arrangements. The details must be lawful and developed in consultation, but the direction is clear - people should be able to understand the requirements and comply with it.

This reform must be matched by help on the ground. The Ministry's support from 2023 to 2024 through 2025 to 2026 records distribution of close to 1 million *yaqona* cuttings and the provision of 78 physical assets, including facilities and equipment for production and post-harvest handling. It also records training to *yaqona* farmers across the value chain. These are practical steps to improve planting, drying, washing and processing closer to farming communities.

Mr. Speaker, Sir, better quality cannot be achieved by legislation alone. Growers need knowledge, infrastructure and access to markets. The budgetary allocation for Yaqona Farming Programme rose from \$0.5 million in 2024-2025 to \$1.95 million in 2025-2026. The latter year also provided \$784,000 for *yaqona* research and development. This demonstrates a commitment to combine industry rules with investment in production and research.

The Ministry will also review how the proposed Act interacts with the Biosecurity Act 2008, and the existing procedures, and the Council's functions should complement the agencies already responsible for border control, food safety, and customs. The detailed service arrangements will require consultation, legal review, and legislation. The principle is straightforward: growers and exporters should encounter clear responsibility and an efficient path to lawful trade.

Mr. Speaker, Sir, the Bill brings together three needs – a voice for the growers, confidence in the quality and origin, and public accountability for the institution that will coordinate the industry. Its provisions should be considered carefully by honourable Members and tested through the Committee process. The Ministry will listen to the farmers, traders, consumers and communities for whom *yaqona* has cultural meaning, as well commercial value. I ask the House to support the Bill in the Second Reading on its principles and merits.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion. I have a list of speakers with me. At the end of the debate, I will call on the mover of the motion to exercise his right of reply.

HON. R.R. SHARMA.- Mr. Speaker, Sir, I rise to contribute to the debate on the Yaqona (Kava) Bill 2026. *Yaqona*, as stated by the honourable Minister, is simply not another agricultural commodity in Fiji - it is rather deeply connected to our culture and traditions, but equally important today is the livelihood it provides to our farming families throughout the country, particularly, those in our rural and maritime communities.

For that, Mr. Speaker, we realise that there is a need for a framework to manage and develop this industry. However, the objectives of this Bill are understandable. Our responsibility as a Parliament is to look beyond these objectives and examine how the legislation will operate on the ground.

Mr. Speaker, Sir, when you look at Clause 5, as stated by the honourable Minister as well, the Fiji Yaqona Council is being given significant responsibilities over the industry. It will be involved in the registration, licensing, standards and research, marketing, quality certification, and other aspects of the development of the sector. In fact, we are establishing a central regulatory body with considerable influence over the future direction of the *yaqona* industry.

Mr. Speaker, however, the success cannot simply be measured by having an office, appointment of a CEO and the number of meetings it conducts - it is measured by the number of actions we take at a farm level. If this Council is established, then in the years ahead, we should be able to demonstrate that the growers have benefited through the market access, improved quality, stronger protection of the Fiji *yaqona* and better opportunities, to obtain a fair return from the crop.

Mr. Speaker, the composition of the Council is, therefore, important. Clause 7 provides for a 16-member Council, consisting of eight *ex-officio* Government representatives and eight representatives from the private sector, four from the private sector representatives who will be nominated by the Yaqona Working Group, while another four will be the *yaqona* operators. The Permanent Secretary responsible for agriculture will Chair the Council.

Mr. Speaker, another important aspect is Clause 15 where attempts to address this is through the establishment of the Yaqona Working Group. There will be one representative from each Council elected by the registered *yaqona* operators, and the four representatives from that Working Group will sit on the Council. This is a useful mechanism for bringing the provincial perspective into the decision-making process.

Mr. Speaker, I would like to move on to Clause 25, which requires the Council to register *yaqona* operators according to the criteria as described by the honourable Minister, yet the definition of a *yaqona* operator is very broad. It covers persons engaged in cultivating, manufacturing, processing, packing and offering for sale, importing, exporting *yaqona* or *yaqona* products.

Mr. Speaker, we must be careful in our effort to formalise and improve the *yaqona* industry. We do not make any participation unnecessarily difficult for the small farmer - that is something we need to realise. Regulation should support the farmer and improve the industry. It should not become another cost or administrative obstacle to earning a livelihood, and this becomes particularly important when we look at the fees, charges and levies, and the Council will be able to recommend the fees and charges, while Clause 38 allows regulations to prescribe fees, charges and levies. Yet, the Bill itself does not tell Parliament what this will be.

Mr. Speaker, Sir, speaking of Clause 27, this allows the Council for good use to remove the *yaqona* operator from the register. One of the grounds is where an operator fails to obtain and maintain reasonable standards, quality and efficiency, as determined by the Council, and I acknowledge that the Bill contains procedural safeguards. An operator must be given written notice, reasons for the proposed removal, and an operator to make representations before a final decision is taken.

Nevertheless, Mr. Speaker, Sir, being removed from the register is a serious matter because it can directly affect a person's livelihood. The standards being applied, therefore, must be clear, transparent and consistent. Farmers must know beforehand what is expected of them, rather than discovering only of these requirements when enforcement action is taken.

Mr. Speaker, Sir, I support the principle behind protecting the origin of Fijian *yaqona*. The Bill makes it an offence to falsely present *yaqona* or *yaqona* product as originating from Fiji. Our national reputation has commercial value and if overseas consumers purchase something represented as Fiji and *yaqona*, then there must be confidence that it has genuinely originated from Fiji and it meets the standard associated with our product. However, at the same time, we must ensure that licensing frameworks does not unnecessarily duplicate existing requirements. Exporters already have to comply with biosecurity, food safety, customs and other requirements.

Mr. Speaker, Sir, I wish to acknowledge the accountability provisions in the Bill. The Council will be required to maintain proper accounts, in accordance with the Financial Management Act. Its Annual Report and audited financial statements must be submitted to the Minister by the end of June each year. The Minister is required to table these documents before Parliament within 14 days. These are important provisions. Parliament must ensure that these are actually observed.

Mr. Speaker, Sir, the important question here is, will this framework work for the smaller

farmers rather than requiring them to be paying more, if the fees and levies come in? These are matters that Government must address as this Bill proceeds to Parliament. We need clarity on the registration, fees and levies, farmer representation, enforcement and powers, and appeals and regulations that will, ultimately, determine much of the practical operation of this legislation. The interest of the growers who plant, maintain and harvest this crop must remain at the centre of whatever framework Parliament establishes for the future of Fiji's *yaqona* industry.

HON. P.D. KUMAR.- Mr. Speaker, Sir, I rise to speak on the Second Reading of the Kava Bill which is before us. At this stage, Parliament is being asked to consider the purpose and principles of the Bill, whether the objective is sound and whether the framework proposed is fair, practical and capable of achieving that objective.

Let me begin by saying that we support the objective of developing and protecting the Fiji's kava industry. Kava is much more than a crop, and I should know better because as you know, my family was involved and is still involved in the Kava Industry. It has an important place in our culture and traditions, but it is also an important source of income for thousands of farming families. The Bill, therefore, addresses an industry that matters both, culturally and economically.

We support a regulatory framework that improves quality, protects Fiji's reputation, strengthens export confidence, and ensures that farmers can benefit from growing markets. However, good intentions are not enough. The important question is whether the machinery created by this Bill will achieve those objectives without placing unnecessary burden on the very farmers the industry depends on.

Mr. Speaker, Sir, I see several merits in the Bill:

- (1) It establishes a permanent statutory regulator rather than relying on temporary taskforces that we have seen existing in the Ministry of Agriculture for many, many years, or other administrative arrangements. A permanent body can provide continuity, accountability and clear guidance on the growth and management of the Kava Industry.
- (2) The Bill gives importance to quality and standards. This is essential, if Fiji is to build a credible international market for kava.
- (3) Linking export licensing with biosecurity, food safety, customs and quarantine requirements that can strengthen the integrity of our supply chain, and we all know what happened in 2024. In 2024, there was disruption to kava exports, following the discovery of illicit drugs concealed in kava consignments. That demonstrates why the integrity of the export chain matters. The consequences of such incidents can extend far beyond the people responsible. They can affect legitimate exporters and farmers who had nothing to do with that offence.
- (4) The Bill contains some important transparency measures, including a public register, annual reporting, and audited accounts. There are also elements of procedural fairness, including notice, reasons, and an opportunity to be heard in relation to removal from the register.

Those are all positive features that I see in the Bill.

However, Mr. Speaker, Sir, the principles of good regulation must apply throughout the Bill, not only in some parts of it. In this regard, I wish to raise the first issue, that is, certainty of law. Too many important matters are left to regulations or decisions to be made later. Registration requirements, fees,

licensing conditions, personal use quantities, and other important matters are left to the Minister or the Council. It simply means that Parliament will have no say on that. We are not informed about it.

Now, for a farmer, the practical question is, what exactly must I do to comply with the law? The answer should be clear from the beginning. Farmers should not have to wait for regulations to discover their obligations. This is particularly important because the Bill potentially applies very broadly, as has been highlighted by honourable Rinesh Sharma.

The definition of *yaqona* operator covers cultivation, processing, packaging, sale, import and export. It has a very wide implication. We must, therefore, be careful not to create a regulatory system designed for large commercial exporters that becomes a burden for small farmers and market vendors. Our Kava Industry is built from the ground, and we all know by smallholders.

Mr. Speaker, Sir, a farmer who sells a small quantity of *yaqona* to meet household expenses should not face the same regulatory burden as a large commercial exporter handling international consignments, and that is the matter of proportionality. If registration is required, there should be a simple, affordable and accessible system. There should also be appropriate transitional arrangements and where necessary, different requirements for smallholders and larger commercial operators.

The penalties must also be proportionate. The Bill provides serious penalties for operating without registration or breaching regulations. However, there appears to be no clear system of warnings, infringement notices, or graduated penalties for minor or first-time breaches. A good regulatory system should distinguish between deliberate misconduct and an honest mistake by a farmer who is trying to comply. Mr. Speaker, Sir, we should regulate risk, not simply regulate everyone in the same way.

My second concern is natural justice. The Bill gets this right in some areas but does not apply the same standard consistently. Where a person can lose a registration or licence, there should be clear notice, reasons, and a genuine opportunity to respond. A suspension of a licence can have serious financial consequences, particularly, for an exporter with produce ready for shipment. Therefore, procedural fairness should apply before a licence is suspended or cancelled, except where immediate action is genuinely necessary to protect public health, biosecurity, or the integrity of the industry, as we discussed, or as I mentioned about illicit drugs being concealed in kava. Even in those circumstances, there should be a prompt opportunity for the affected person to challenge the decision because we know, if the consignment is waiting, there is a major loss for both the parties.

My third concern is conflict of interest. The proposed Council includes people with direct interest in the industry. Industry participation is valuable. Farmers, processors and exporters should have a voice in regulation. However, those who help make the rules should not be placed in a position where they can influence decisions affecting their own commercial interests, or those of their competitors.

Disclosure of an interest is important and I acknowledge that; it is there in the Bill. However, disclosure alone may not be sufficient. There should be clear requirements for recusal, a register of interest, and consequences where conflicts are not properly disclosed. That is not about distrusting the industry representatives - it is about protecting them and protecting the credibility of the Council.

Mr. Speaker, Sir, there is also the question of standards. If Fiji is seeking international recognition for the quality and safety of its kava, our standards must be clear, accessible and consistent with recognised international standards, not that several standards are floating around and there is utter confusion within the industry. There is a guidance, that is, through the Codex Regional Standards which is already there for kava products. It provides an important reference point, but as you know, when our kava goes to different markets, the requirements keep changing so international

standard is the best way to go and I am sure the honourable Minister knows very well. At one time we worked together in the Codex developing these standards, anyway. Our regulatory framework should clearly identify the standards that apply, and those standards should be properly published so that farmers, processors and exporters know what is expected of them. It should be very clear.

Mr. Speaker, Sir, the Opposition supports regulations of the kava industry. However, as I have said, regulations should have a clear purpose. It should protect consumers without unnecessarily burdening the producers. It should protect Fiji's export reputation without making it harder for legitimate farmers to participate, and to a great extent, we have a reputation in the Kava Industry. When we talk about Fiji kava, people know it is of very high quality - it is a good kava. So, it should prevent criminal activity without treating ordinary farmers as potential offenders and that is what we need to look at, and it should create accountability without concentrating excessive discretion in one regulatory body.

The people who have built this industry are our farmers. They plant the crop, wait years for the harvest, carry it to the market, and take the risk associated with production. As we know, there is a lot of stealing of kava going on because it is such an expensive commodity. In this day and age, people say it is cheaper to buy whiskey and liquor than to buy kava and, that is, to a great extent, true. So, Mr. Speaker, Sir, our objective should be to create a regulatory system that gives them confidence, protects their livelihoods and opens opportunity for greater value and better standard.

Mr. Speaker, Sir, a strong industry always requires more than a regulator, and I want to repeat this - it requires clear rules, fair enforcement, proportionate penalties, proper consultation, protection for smallholders and confidence that regulatory decisions will be made fairly.

This Bill has important merits, and it can be strengthened further. I, therefore, urge the honourable Minister to listen to the concerns raised by farmers and the industry participants and other stakeholders during consultation, and some of these issues were reported in the media as well. Some of these issues are very genuine issues because we already know, we want to regulate an industry, we want to regulate the imports coming into the country, but we must also understand that we are not producing enough. We are dependent on other countries like Vanuatu and Papua New Guinea for their grog to come into the country so that we can meet the market requirements. In that case, we need to be very careful with how we treat the imports coming into the country.

With those words, Mr. Speaker, Sir, I thank you for the time that you have given me.

HON. F.S. KOYA.- Mr. Speaker, Sir, right at the outset, I think we need to paint a good picture of how valuable our kava is. I am sitting here and I just realised that during COVID or post COVID, I remember there was a case of a particular kava dealer who did extremely well in and around that time with his exports, specifically out to the United States. The amount that I think he is earning out of that was roughly about \$10 million. So, you can see how much of a good commodity it is and how much it can be worth to our farmers and those who are involved in the industry.

Having said that, Mr. Speaker, Sir, we also now have a company that originated from Fiji, is listed on the stock exchange in Australia, their kava is also now sold in the supermarkets, like Woolworths, et cetera. So, it is a commodity that can earn Fiji a lot of money. However, for many years, the actual industry probably sat around exactly like how we drink it - just a normal day, and it was not given too much attention in terms of putting a regulatory framework around it.

As you can see now, it has become a very expensive commodity, even locally, looking about \$120 for the top level kava that you can actually buy. I frequented the Laqere Market and I found it was about \$120 for really good kava, so there is so much value in it. We talk about diversification,

et cetera, that needs to be done, and this is one commodity that can actually take us to another level from an agricultural perspective and from an export perspective.

Having said that, there is a very big need for the regulatory environment to be put into place with respect to kava. Any legislation that is there, we must get the balance right. We need the regulation also to protect the quality that strengthens our export potential and supports our farmers. We must also be sure, Sir, that the regulation does not become an unnecessary burden on the very people who actually built the industry.

On a similar note, we have amongst us a particular farmer who had some phenomenal kava that he was growing out in Taveuni and he is no longer a kava farmer because of theft. I do not want to name him, but he knows who I am talking about. He no longer grows kava, and it is sad to see the particular way it is actually happening. So, when we say that we are actually going to put up some regulations around it, that is actually a good thing. We must put all of these things inside the basket when we do it.

The Bill before us proposes the establishment of the Yaqona Council and a comprehensive regulatory framework where it covers cultivation, processing, marketing, packaging, transportation, imports and exports. In other words, we are looking at a dedicated body for the kava industry. This is a good thing, Sir, as it has huge benefits. At present, the different aspects of kava are spread out through different Government agencies. However, we are now looking at a dedicated statutory body that could bring greater coordination for everything to happen under one roof - from the farmer in the village right through to the processor, the wholesaler and exporter, and it makes sense because it offers protection and has to be properly managed.

Mr. Speaker, Sir, the real test is whether there is actually tangible benefits that will go to the farmers. Farmers must also receive better technical assistance and be able to access the markets properly. Then the Council will actually improve the productivity and quality, so all these things matter. These are questions that actually matter and one of the other things also is the quality. We must not forget that we are actually competing with some of our Pacific Island neighbours also, so we must maintain the quality that we have or even make it even better. That should be a huge focus with respect to that particular part of it because our reputation in overseas market has commercial value. If we want to expand our *yaqona* exports, we must also need confidence in the quality, safety, traceability and consistency of our product, and for far too long, I think it has not been regulated, not been set up properly, so it is something that is very important to us. It is a useful protection for our legitimate farmers and processors and exporters and we must not let our kava be falsely represented in the growing international market.

I also note that there is a Yaqona Working Group with representation from each province. This is important too, because production is not actually concentrated in one particular area. Farmers in different provinces face different challenges, et cetera. Transport, access to markets, so whether there is planting material, disease, climate conditions, financing, all of these voices must therefore be heard. The industry should not also be regulated without meaningful participation of the people who actually operate within it. You cannot leave it to the boffins, sometimes it needs to be, everyone's voice must be heard, and the farmers must influence the decisions, and these are serious concerns that need to be addressed.

Whilst there are all of these positive aspects, the definitions and things that are in there currently, we will probably look at it at a later stage. Today we are talking about just the merits of it. It is extremely broad with respect to the definition of *yaqona* operator. There are questions that are going to be asked at a later stage, which are many. Clause 25 provides the registration that will be based on a criteria prescribed by Minister and I agree with what was said before me, Mr. Speaker,

about over-regulating, and the fact that the Minister has a lot of power with respect to the regulations that are put in, and that may go unchecked and unvetted. I think that is something that needs to be seriously looked at as to how we do it.

Mr. Speaker, also there is some uncertainty with respect to the costs. As I say, a lot of things are being left to regulations. When I say costs, I am talking about the regulations that will deal with the fees and charges and levies. This is an industry that is being probably regulated for the first time properly and it needs to be looked at. Too much is being left to regulations. That is probably one of the strongest concerns that we have. It is something that needs to be looked at.

Important elements of the regulatory regime are being left to regulations. I am talking about fees, certification, grading, quality, labelling, marketing, registration conditions and import-export procedures. They probably need to be put into the Act rather than left to the regulations because they are not minor administrative details.

One other serious issue, Mr. Speaker, is Clause 38 which allows the regulations to prescribe penalties of up to \$10,000 or imprisonment for two years for contravention of the regulations. We need to probably pause and reconsider that because that may be kind of harsh. We could pass this framework and while the detailed requirements are subsequently established through regulations, they may carry some serious penalties. I think that is an area that we need to just be a little take your foot off the gas kind of attitude and have a look at it and see what is necessary, what is not, because sometimes that may end up being a potential disaster, and potentially someone may face criminal consequences and the law in this area must be exceptionally clear when we deal with it.

People must know what is exactly required of them. We should not look at criminalising ignorance sometimes of a regulatory system again in such a harsh tone, and that is something that is probably not being properly communicated to ordinary farmers. We do not want them falling foul and suddenly realising that they have done something wrong and they have got a jail sentence hanging over their head or a massive fine.

The other thing also with respect to appeals, I think the appeals are going to the Minister himself or herself. There are some legitimate questions that have been raised by the farmers also regarding the independence. An independent review of all of this would not weaken the Council, it actually strengthens the public confidence in the system.

Mr. Speaker, Sir, the Bill also provides for enforcement officers that will have significant powers, and I know the industry operates in a sort of vacuum at the moment, but for commercial operators and exporters, appropriate enforcement is understandable. It also covers the cultivation aspect with respect to enforcement, and we need clear safeguards and how the inspections are going to be done, how the officers interact, et cetera. We do not want to be too heavy-handed in an industry that is really just growing also.

Mr. Speaker, Sir, the costs of the Council, et cetera, also needs to be looked at. What really need to be asked and in closing is: what will this Bill ultimately achieve? At the end of the day, this legislation should be judged by a couple of simple questions:

- Will it make life better for the yaqona farmer?
- Will farmers get better access to markets?
- Will they get better prices?
- Will the quality improve?
- Will the exports increase?
- Why Fiji's yaqona brand needs to be better protected?

I also wanted to flag something with the honourable Minister, because we are also in this avenue of, where it is grown without any pesticides, et cetera, naturally and organically. Our organic kava could fetch a huge amount of money. That is an area that needs to be looked at, and that also deserves a lot of protection when it comes to farming because our product is really good. The next stage, in terms of establishing it and putting it at another level, is organic. That is something that probably also needs to be added to, or looked at, in terms of protection. Our rural communities are the ones that will benefit out of this, and that is the other question: are they actually going to benefit?

Mr. Speaker, Sir, I think the whole Opposition recognises the importance of developing and protecting the industry, and we support the stronger quality standards, we support protecting the industry, and we support proper export controls, accountability, and meaningful industry and provincial representation. So just some clarity that is needed all in all with respect to the Bill so that we can build a regulatory framework that protects the reputation of Fiji kava without placing unnecessary burdens on people who grow it.

MR. SPEAKER.- Interestingly, there has been issues raised on the regulations vis-a-vis the legislations. It is important, I think, for our law students who are here to understand. If you compare regulations to the human body, the capillaries are the regulations and the veins, or the aorta are the legislations. So, the transmission of blood from the veins through the capillaries, and the capillaries represent the subsidiary legislation, which are the regulations. They are the ones that make the heart beat and make the body work. That is the importance of regulations. Keep that in mind.

HON. A.M. RADRODRO.- Mr. Speaker, Sir, I will just make a brief contribution in expressing my support for the Kava Bill 2026 and the debate regarding the merits and the principles. We all know that yaqona is an important part of our national life. It is deeply connected to our culture, traditions, community relationship, and increasingly to the livelihoods of thousands of Fijians.

Supporting the principles of the Bill does not mean that we should disregard the cultural importance of yaqona, rather, it means that we should put in place a framework that protects the industry, consumers, farmers, and, most importantly, protects our children. I wish to emphasise the issue of children and school students. There must be a clear distinction between the traditional and cultural use of *yaqona* by adults and the consumption or use of *yaqona* by children and school-age children.

Our schools remain in an environment where children are protected from substances and practises that can interfere with their wellbeing, learning, behaviour, attendance and development. Where the law prohibits the sale or supply of *yaqona* to children, that principle should be strongly supported and effectively enforced. We should not normalise the consumption of *yaqona* among school children simply because *yaqona* is culturally accepted among adults.

The Government has already recognised the need for stronger-based prevention and intervention in relation to harmful substance use amongst students. In February 2026, the Government announced strengthened school-based advocacy, involving the ministries responsible for policing and education, including great awareness, counselling, and monitoring mechanisms. This reinforces the importance of having clear boundaries around what is acceptable for our school children.

Mr. Speaker, Sir, our children spend a significant part of their lives in the school environment, and the responsibility of schools is not only to teach curriculum subjects like mathematics, agriculture, science, technical skills, they have a huge responsibility also to develop responsible, healthy, and disciplined young citizens. We, therefore, need to be consistent in the national message that children should not be encouraged, supplied or permitted to consume *yaqona* in circumstances

where the law prohibits it. This is particularly important because Fiji is already dealing with broader concerns regarding substance abuse among our young people.

The Bill also has merits because the regulation can help protect the integrity and reputation of Fiji's *yaqona* industry. We need proper standards, traceability, quality assurance, and accountability if Fiji wants to strengthen the position of *yaqona*, both domestically and internationally. This requires confidence that what is sold as *yaqona* is genuine, safe, and of appropriate quality, unlike some of the *yaqona* that are currently being sold now – there are allegations of mixed proportions in it. A regulated industry can provide also greater confidence to farmers, consumers, business and international market.

Mr. Speaker, Sir, regulation must not become an unnecessary burden on the ordinary farmer. Many rural and maritime families depend on *yaqona* as an important source of income. The implementation of this legislation provides appropriate education, guidance, and reasonable pathways for farmers and small-scale operators to comply with the law. We should distinguish between genuine efforts by ordinary farmers to earn a livelihood and deliberate commercial conduct that undermines the integrity of the industry.

We should not allow the debate on *yaqona* to become a debate between culture and regulation, as the two can coexist. By preserving our culture also means ensuring that our children understand the difference between participating in cultural traditions under appropriate adult supervision and engaging in consumption that is prohibited or inappropriate for their age.

A responsibility to parents, teachers, guardians, and communities – this responsibility cannot rest with the government alone. Parents, teachers, guardians, school leaders, traditional leaders, faith-based organisations and communities all have a role. The parents and guardians must guide their children; teachers must reinforce responsible behaviours; and school heads must maintain safe and disciplined school environments. Communities must ensure that children are not drawn into adult practises that are inappropriate for their age, and the Government must provide a clear legal framework and enforce it fairly.

Mr. Speaker, Sir, in conclusion, I support the merits and principles of the *Yaqona (Kava) Bill 2026* because Fiji needs a modern framework for an industry that is culturally significant, economically important, and deeply connected to our communities. Our support for *yaqona* as a cultural and economic asset must never be interpreted as support for its inappropriate use by our children. Our children, our future and their wellbeing must come first. Let us, therefore, have a law that protects the farmers, protects the consumers, protects the reputation of the Fiji's *yaqona* industry, and importantly, establishes clear protection for children and school students, but above all, Mr. Speaker, Sir, let us protect our children and ensure that our schools remain safe, they remain healthy, and productive environment for learning.

HON. J. USAMATE.- Mr. Speaker, Sir, a lot has been said this afternoon, I think everyone is in support of the Bill, so I will not repeat anything that has already been said but just a few issues that I wanted to highlight. I think one of the great things about this particular Bill, it gives us an opportunity to get the optimal benefits out of kava which we have not been able to get as a country over the years.

If you look at the way that kava/*yaqona* is exploding around the world, we in Fiji have not been able to get the optimal benefits out of it. There is a lot of support, for instance, by Government, not just by this government but the previous governments for sugar and that is an industry that has begun declining. I think that all of us appreciate that kava, if it is given the support, if it is given the framework, it will be able to provide a lot of benefits for our people. The challenge for us is to make

sure that we can get the optimal benefits out of it. I think a lot of the things that are in this Bill help to set that out in terms of the structures that are there.

We have the Yaqona Council, the working group, et cetera. The challenge also that I see, one of the problems that we always have in the production of primary crops like kava, we tend to see that the ultimate benefits, the major benefits out of that crop is not received by the farmers themselves, because they are not involved in the other value addition supply chain process where most of the value comes. So, I think as I am looking at the functions of the Council that we have under Clause 11, there are a lot of good things there, but I think one of the additional functions that needs to go in and hopefully we can strengthen this, to see how we can give as much value as possible to the farmers who plant. The farmer can sell it at \$100 and the guy who sells it after him can sell it at \$200. So, how do we get the optimal value for the people that come afterwards? I think that is a big challenge and I hope that in the function of this, they will be able to do that.

Mr. Speaker, Sir, in the world, Fiji Water is known. Water then has now become de-commoditised. It is a value on its own. I know a few years ago in Kadavu, they tried to set up Kadavu Kava because everyone knows in Fiji that *yaqona* from Kadavu is not de-commoditised, it has a reputation. And because of the fact that it has a reputation, it is de-commoditised, it gets a premium price. I think this is one of the things that we have to do. In order for us to get the optimal benefits, we must get the farmers, perhaps through cooperatives, like the honourable Deputy Prime Minister has been talking about, get them involved in the supply chain, so they can get the ultimate benefits.

Mr. Speaker, Sir, I was once in Yaqaga and Galoa ni Bua, they were talking about how they get their fish. They sell the fish for \$10 a kilogramme here and it is sold in Suva for \$15, \$16. So, they lose out on a portion of the value that is crucial. I think when you are talking about kava, you also need, through this process, make sure that those that are serving as farmers get the ultimate benefit out of it. De-commoditisation, like Ceylon Tea, Fiji Water, Fiji Kava - in that way we will be able to get the ultimate benefits out of it.

Second point, Mr. Speaker Sir, the Yaqona Working Group is exciting, it is a great development. When I was looking at it, it says "elect one member per province." Some provinces can only do one tonne, and then you have another province that does 500 tonnes or 500 tonnes and both have only one representative. So, maybe there is no proportionality between what is produced in this province. Some provinces can only do one tonne and then you have another province that does 500 tonnes or 5,000 tonnes and both only have one representative. So, I think maybe there is no proportionality between what is produced in this province and the number of representatives that they have. That is a thought that occurred to me. Saqani and these other places, Oh yes, Saqani Kava! That is one of the things that I was thinking about.

Looking at the financial provisions, it said that they will require Government budgetary assistance. I believe that in the initial phases, if we are able to give that budget support, we might get to a stage where we can talk about a Fiji kava that is de-commoditised, if we do all the quality assurance and all of those things. If we are being able to do that, we can get to that level, as we have assisted sugar in all of these things to that particular level. We can get to that level and then we can start to take away the support.

The last thing that I have, Clause 27, is talking about who gives licence. The problem with Clause 27 is that some of the people who are involved in the giving of licence are the players in the field. There are things like, Sir, as you are aware, in the industrial revolution, before they had machines, they had guilds of apprentices of tradesmen who would determine who can enter their guild or not so they would guard their guilds. You know what I mean? I am a former Minister for ealth and even in health, that used to be the problem. They tried to stop others from coming into

the field, so this is one of the issues.

I think it is a serious issue. People can be guarding their guilds, or some other terms that I had, where they have tried to gatekeep, you have the same place inside, and they might be saying, “this guy will come in here and he might take all my profit.” So, somehow, we need to reconsider that so that none of that happens in the council. Mr. Speaker, those are just the major things I thought I would add to all the other points.

HON. PROF. B.C. PRASAD.- Mr. Speaker, I will try and be very brief. I know I have a lot of family members who are involved in the kava business or kava trade. I get stories every now and then. I get some of my supplies from Vanua Levu sometimes and the people from Wainunu and other places tell me that theirs is better than the Kadavu kava. I get other stories about people saying this is Kadavu kava but actually it is not. When this Bill was brought to Parliament in 2016, and of course, we were sitting in the Opposition at that time, we did raise a number of issues at that time, and obviously that Bill, after the Report from the Standing Committee was brought in, never got to see as a law.

I suppose we are not debating the contents of the Bill; we are looking at merits and demerits of the Bill itself. My message really to the Committee would be to carefully look at the merits of some of the provisions. I think the institutional framework that the Bill provides, Mr. Speaker, Sir, for regulation and compliance is very important. But as you gave a good analogy about the regulations, over-regulation can be just like an over-reactive immune system. A weak regulation could be like a weak immune system in the body. It is always when we make laws, when we make regulations, it is a balance between the two and how we are able to get that through.

I think a lot of points have been made about how over-regulation can increase compliance costs, can disadvantage the producers that we are trying to protect, especially those in the Maritime Islands - Kadavu, Vanua Levu, away from the main centres and where the regulators would be. It is very important. I think this is an important Bill. I think we need to see it through, but I would urge the Committee to spend a lot of time with the producers, exporters and the importers. I know honourable Premila Kumar made an important point because really, when you look at the volume of kava traded, a good percentage, I do not have the exact figures right now. A lot of the exports are actually re-exports because we do not have enough supply.

At some point previously, we did talk about how we can increase kava production, and what are some of the areas where we can support? I think this is important but I would ask the Committee to spend a good amount of time with our exporters, importers, producers in different areas and see how we can balance the compliance, regulations so that it does not kill those that we are trying to help in the end, in terms of protecting our quality, brand, export potential. All that could come to naught, if the regulations, compliance is not balanced and it does not provide the incentives for those who are involved in the business and those who are responsible for implementing those regulations compliance mechanisms.

Mr. Speaker, Sir, I support the Bill, but as I have said, the Committee ought to spend a lot of time and make sure that we get the regulations and laws in a way that promotes, not puts extra burden in terms of compliance and over-regulation. With those points, I support the Bill.

MR. SPEAKER.- Honourable Members, there are three more speakers on my list; all from the Government side. In that respect, I wish to apologise to the Opposition because I had, on the lopsided way, selected the speakers. You all came in at once because I had not got the second list from the Government.

Given the time that we are in, honourable Members, I would now ask for the suspension motion to be in place before we ask the speakers to continue. So, for the purpose of complying with the Standing Orders with respect to sitting times, I now call on the Leader of the Government in Parliament to move his suspension motion.

SUSPENSION OF STANDING ORDERS

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, 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 4.30 p.m. today to complete the remaining items listed in today's Order Paper.

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, we have the nine Bills. We are proceeding to the first one, we have another eight more. Of those eight Bills, three will be 20 minutes contribution and five will be for five minutes.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion, if any. I do not see any.

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

Question put.

Motion agreed to.

RESUMPTION OF DEBATE ON YAQONA (KAVA) BILL 2026

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, Sir, I rise to lend my support to the Second Reading of the Yaqona (Kava) Bill 2026. Before I do that, I thought I would pay tribute, firstly, for those of you who recall in my eulogy to the honourable Rayalu, I had mentioned that I had asked the honourable Prime Minister to call this Bill the Rayalu Bill. Subsequent to that, we have had the passing of honourable Kuridrani and as mentioned by the honourable Minister for Agriculture, we were very acutely aware of him with passion going around Fiji to advocate for this Bill. I had regular updates from him on how the Bill was proceeding and so, in my mind, the Yaqona (Kava) Bill 2026, for me, will always be known as the Rayalu and Kuridrani Bill.

Mr. Speaker, the discussion today and the merits, I can sum it up with two words, this is a “no-brainer”. The Kava Industry, I do not joke when I say this is going to be a billion dollar industry for this country, and I will explain very quickly why. As of 2025, the export was \$79 million, imports was about \$48 million. However, domestic consumption based on the experts on the ground, conservatively, estimated domestic consumption to be \$230 million. So, we have an industry, if you like, is almost getting up to half a billion dollars. That is just between what we export and what we consume locally. Hence, that decision by this side of the House to pick up what was started by the previous government and actually turned it into a proper Bill for consideration in Parliament is a no-brainer because the potential of *yaqona* in this country is significant.

Mr. Speaker, Sir, I would also like to add, there has been a lot of talk about travel. The honourable Prime Minister was asked to give a written answer on the travel of the Ministers. Just to

give some light to the public, the first discussion of the Kava Bill on this side of the House happened when we did our first Trade Mission to the United States of America in 2023. I met the Kava Coalition who spoke at length about the potential of kava. I invited the honourable Assistant Minister at the time to go across with his team to talk to the Kava Coalition, as they call themselves, we came back all convinced that this was something that was necessary for this country. Honourable Rinesh yesterday talked about, we should talk more about things that can grow the economy. I can say to honourable Rinesh, “in this Bill, we have something that will genuinely grow this economy.”

Mr. Speaker, Sir, in terms of the Bill itself and its merits, we all know that kava has been more than a crop for our country. It is increasingly becoming more of a source of livelihood, a major economic commodity, and supports very importantly the rural economy of Fiji. So, in that context, the Kava Bill has significant merit because it will begin to take kava or *yaqona* down the road on what we see in the sugar industry. The sugar industry is as it is because it had its own separate legislation. We ask ourselves, after 55 years, why are we still not having a separate legislation for some of our commodities to be able to, as honourable Usamate put it, “to optimise or get the full value from this commodity.”

Why are we still not having separate legislation for some of our commodities to be able to, as honourable Usamate put it, “optimise or get the full value from this commodity.” So, very simply, Mr. Speaker, the introduction of this Bill has great merit because it will, for the first time, allow us to put some serious focus on an industry that we all know has great potential. We have not even started exporting to the European Union, that is an untouched market. In Australia, we are still doing commercial trials. So, the benefit is substantial.

Mr. Speaker, my fellow colleagues have talked at length about the Yaqona Council and its oversight benefit. We also talked about the ability of this Bill to bring about better transparency in terms of traceability and also food safety. I hope, as part of the framework, we can start focusing more on issues around cultivation, processing, import and export because this will become important as we build up what is going to be a significant industry, if it is not already for Fiji.

As mentioned also by my colleagues, we need to ensure that as we build out this export, that *yaqona* is sold in Fiji and offshore in a safe way, suitable for consumption and protected from any harmful contaminants, adulteration or misrepresentation. Food safety, Mr. Speaker, as we all know, is an economic issue. So, in order to grow, or if Fiji wants to grow its Kava Industry, our exporters must be able to work within the confines of a very structured process to ensure that food safety or the quality of kava remains important going forward, and hence this Bill does a lot of that.

Mr. Speaker, our colleagues have spoken quite correctly in terms of the fact that the bulk of the rules will appear in terms of regulation. My answer to that is, whilst we do all note that, I think it is fair that instead of trying to strangle an industry, we allow the Minister, his team and the industry to build out what is appropriate in terms of controls and oversight for the industry. And we all know, Mr. Speaker, that the best oversight of an industry is done by those who are participating in that industry. The representation of some of the exporters in the Council will, I am sure, notwithstanding the comments made by the members on the other side, that we get the best that we can out of kava.

Mr. Speaker, the Bill talks about regulation and penalties. I am sure, I am not speaking out of turn when I say that the penalties are not there to punish the farmers. *E sega ni buli tiko na lawa 'qo me ra vakalolomataki kina na dau tei yaqona. E buli tiko na lawa me taqomaka saka na yaqona kei nai lavo levu e rawa ni rawa me maroroi vakavinaka na yaqona.* (This law is not being made to disadvantage or oppress *yaqona* growers. It is being made to protect *yaqona* and the significant amount of money that can be generated from it, so that *yaqona* can be properly safeguarded.)

Mr. Speaker, I am sure the honourable Minister will ensure that the fees are reasonable, compliance requirements are reasonable and as I have said, we can grow and develop the legislation, rather than, at the outset, develop legislation that might well strangle the industry if we are too prescriptive, particularly in terms of the legislation.

Mr. Speaker, as mentioned also by some honourable Members, with legislation comes budgetary support or direct targeted budgetary support. We spend \$100 million a year on sugar. Just imagine if we spent \$20 million on yaqona.

Mr. Speaker, the Bill as it stands, stands well on its merits. It will, in time to come, ensure that what we believe is a billion-dollar industry for our country is realized. It will protect our farmers, put more money in their pockets and, at the same time, ensuring that branded *yaqona* from Fiji continues to maintain its reputation in terms of safety, sustainability, and high-quality standards.

With those few words, it is an honour to speak on this Bill today and again I pay tribute to the two warriors on this side of the House who have really pushed this Bill forward. Like I said, Mr. Speaker, Sir, in my mind, this will remain the Rayalu and Kuridrani Bill. I support the motion, Mr. Speaker, Sir.

HON. S.R. DITOKA.- Mr. Speaker, Sir, just before I begin, I would like to join the family and friends, and many others across Fiji, in mourning the passing of the late honourable Inosi Kuridrani, the former Assistant Minister for Agriculture.

Today, I remember the late honourable Inosi Kuridrani not only as a former colleague in public service, I remember him as a fellow old boy of our beloved Lelean Memorial School. He was one of the members of the memorable “sink the Bismarck” team” of 1979. Those who knew the late honourable Inosi Kuridrani in his younger days will also remember what a fine sportsman he was. He played a mean game at Centre Three-Quarter on the rugby field, strong and determined, and he was also an excellent 400-meter runner.

He carried that competitive spirit and determination with him beyond the sporting field and into the different responsibilities he would later undertake in life. In time, the late honourable Inosi Kuridrani answered another call, first across the benches as Opposition Member and then later as Assistant Minister for Agriculture. He served our country and contributed particularly to a sector that remains at the heart of the livelihoods of many of our rural communities.

For those of us who share the Lelean bond, however, there is a particular sadness when one of our old boys is called home. My thoughts and prayers are especially with the late honourable Inosi Kuridrani’s family and loved ones. We give thanks to almighty God for his life, for the gifts he gave, for the friendships made along the journey and for the service the late honourable Inosi Kuridrani rendered to his community and to Fiji. The final whistle has sounded, an old Lelean sportsman and servant of our nation. *Moce mada Inosi*, rest well old boy.

Mr. Speaker, Sir, I rise to contribute to the debate on the Yaqona (Kava) Bill 2026. As all the previous speakers have spoken about, it deals with something very deeply Fijian, whose importance now reaches far beyond our shores. I acknowledge the work behind this Bill, national consultations from February to May this year, from Naitasiri to Taveuni, to Gau, with women, young people and persons with disabilities among those consulted.

Mr. Speaker, Sir, when a farmer's *yaqona* reaches a consumer in one of those overseas places that we have talked about, the farmer becomes part of Fiji’s international trading economy. International trade does not begin at the airport or the wharf, for *yaqona*, it begins at the farm with a

person who selects the planting material, tends a crop over several years, and harvests it, and from there, it moves through processing, transport, packaging, certification, and export to the overseas consumer. As we all know, every part of that chain matters, and if this industry is to keep growing internationally, every part of that chain must work.

Mr. Speaker, Sir, the Bill establishes the Fiji Yaqona Council, bringing government and the private sector together with provincial representation through the Yaqona Working Group, and that has been discussed thoroughly also by the previous speakers. Something that we must ensure is, the farmer must remain at the centre of this whole process. The previous speakers have also talked about regulation and the danger that the regulatory system becomes more complicated than the activity it is meant to support. Part of the answer is to understand what registration can do for that farm. I will return to that shortly.

The test is quite simple. Does the legislation make it easier for a good farmer to produce good *yaqona* and receive a fair return? Does it help farmers reach better markets and protect them from unscrupulous operators, and we have those amongst us as well. If it does those things, the regulation is serving its purpose.

On my recent travel to New York for the United Nations General Assembly, I transited through San Francisco, and whilst waiting for my flight, I paid a brief visit to our Fiji Trade Mission, with the excellent guidance of our Trade Commissioner to North America, Mr. Alikea Cooper, who spoke of the enormous potential that honourable Manoa Kamikamica has spoken about in the United States of America that we are now starting to see.

One of the other negatives that he mentioned as well was, those who sent *yaqona* that was mixed with other items like, flour and mill mix, these are some of the things that we are trying to guard against. Kava bars and lounges are spreading across the United States of America, and they no longer serve only Pacific Islanders. Younger consumers in the United States of America, Australia and New Zealand, in particular, are changing their attitude to alcohol and looking for other ways to socialise, and into that market has come something that we, in the Pacific, have known for generations. There is an irony there, something that has been part of our lives for centuries is being discovered by a new generation, thousands of kilometres away, and we should position the Fijian farmer to benefit from it.

The opportunity is not only in America – Australia shows what is possible. In 2025, Australia imported around 170,000 kilogrammes of *yaqona* commercially, and more than 100,000 kilogrammes of that came from Fiji. Since Australia's commercial pilot opened in December 2021, nearly 200 Fijian exporters have supplied that market. New Zealand has long been an important market for Pacific *yaqona* as well, and it now has its own kava lounges or kava bars. So, the market is evolving, and we must follow it closely.

The job of the Trade Missions is to open the door of opportunity, opening that door is only half the job. An overseas regulator is entitled to ask, where did this *yaqona* come from? How old was the plant? When was it harvested? How was it processed and stored? Can its origin be verified? Can it be traced if there is a problem?" If Fiji wants premium access to premium markets, we must be able to answer those questions with confidence.

That brings me to what I believe could become one of the most valuable parts of this legislation - traceability. To a farmer listening to this debate, traceability may sound just like another government requirement. Let me describe what it could mean for them. Imagine a kava bar in San Francisco, Sydney, Auckland, where the customer does not simply order kava, but asks specifically

for Fijian *yaqona*. Now imagine, that through proper registration, certification and traceability, that customer can see that it came from Kadavu.

Now, imagine that through proper registration, certification and traceability, that customer can see that it came from either Kadavu, Taveuni, Naitutu in Tailevu, Lomaiviti or Ra, and one day, perhaps they can see that the individual farmer who grew it, imagine a farmer in rural Fiji whose *yaqona* earns such a reputation that overseas buyers no longer say give me Fiji kava, but I want the *yaqona* from *Tamai* Elenoa from Naitutu and pay a premium price for it. Why should that not happen? It happens with coffee, it happens with cocoa, it happens with wine, where origin, producer and reputation are part of the value of the product.

Mr. Speaker Sir, this is my answer to those who see registration only as a burden. Registration is what that puts the farmer's name on the map. Traceability is what carries the name on to the buyer, and this is where the requirements stop being compliance costs and become economic assets. So, the farmer is no longer anonymous at the bottom of the supply chain. The farmer becomes the brand. Once a farmer's reputation has value, quality is rewarded. There is an incentive to select good planting material to let the plant reach proper maturity and to clean and dry the product with care because once it leaves that farm, it now carries the farmer's name.

And at the other end, the overseas buyer has confidence because the product can be traced back from the kava bar to the importer, to the exporter, to the processor, to the community, and to the farmer who planted it. That is a very different economic model from selling an anonymous commodity by the kilogramme. That is also why I welcome the offense of falsely representing *yaqona* as originating from Fiji, with penalties of up to \$100,000 for a company.

The words “product of Fiji” have economic value, Mr. Speaker, Sir, and that value will grow. Anyone who puts Fiji's name on an inferior product from somewhere else, is taking value from our farmers. Worse, if that product causes a health or regulatory problem, it is Fiji's reputation that suffers. In some overseas markets, kava is now sold alongside other substances that attract serious regulatory concern. In that environment, verified Fijian origin and clean, traceable supply are not a luxury. They are our protection. And in time, the names Kadavu, Taveuni, Tailevu, Naitasiri, Namosi or Cakaudrove may themselves carry commercial value. That is where, when provenance becomes part of the product, we should begin building the standards to support that future now.

Mr. Speaker, Sir, Fiji will never be the world's largest agricultural producer. We do not have the land or the population, so our advantage must be quality, authenticity, consistency and safety. The question is not only how many tonnes Fiji can export but how much value we obtained from every kilogramme. If quality, branding and traceability earn the farmer a higher price for the same kilogramme, we have raised rural incomes without clearing another acre. That is smart economic development.

We must also move up the value chain. There will always be a market for *waka* and *lewena* but packaged, instant and ready-to-drink products are growing internationally, always subject to the regulatory requirements of each market and where it is commercially viable and properly regulated, more of that processing should happen here. That means jobs in packaging, laboratories, quality assurance, logistics, marketing, and more of the value stay in Fiji.

Mr. Speaker, Sir, the research functions in the Bill are, therefore, important. Research on our varieties, planting material, disease and resilience, and post-harvest handling.

Mr. Speaker, Sir, as we pursue these opportunities, we must never forget where *yaqona* came from. We are regulating a commercial industry. We are not regulating away a Fijian tradition. Indeed,

its authenticity and its connection to Pacific culture are part of what gives it international appeal.

Mr. Speaker, Sir, therefore I take a moment to offer a few suggestions on this Bill. On trade, the Bill already provides for Foreign Affairs on the Council. I would suggest that we make it explicit that the seat includes trade officials so that trade representation remains stable.

Under Clause 26, many of our farmers may now be classified as *yaqona* operators. I would welcome clarification on how these registration requirements will apply to those already registered with the Registrar of Companies.

To ensure that farmer registration is straightforward, convenient and broadly accessible, thorough groundwork must be carried out. Guaranteeing a user-friendly process is critical not only for fulfilling the objectives of Clause 26, but also when considering the mechanisms under Clause 27 regarding name removals and updates to the Register.

Lastly, regarding the import and export licensing provisions under Clause 28, I respectfully propose that we align and simplify export licensing alongside existing health and biosecurity permits, guaranteeing full consistency with current trade regulations.

Mr. Speaker, Sir, I raise this point to highlight the need for a balanced framework, and the Government must make sure that our processes support this sector rather than becoming burdensome, so that they do not hold back an industry that is already thriving. With those few words, Mr. Speaker, Sir, I support the Bill.

HON. S. TUBUNA.- Mr. Speaker, Sir, I rise to contribute to the debate on the Yaqona (Kava) Bill 2026. As everyone will agree with me, *yaqona* occupies a very special place in Fiji. It is part of our culture, traditions and identity. To-date it is also increasingly important, economic commodity supporting farmers, processors, traders, exporters and thousands of families, particularly throughout rural and maritime communities. The significance of this Bill, Mr. Speaker, Sir, is that for the first time, we are putting in place a dedicated legislative and institutional framework for the proper management and development of this important industry.

The Bill establishes the Fiji Yaqona Council, which will now be responsible for developing standards, registration and licensing operators, supporting research, improving production and facilitating markets in ensuring that *yaqona* grown and exported from Fiji meets regional and global standards. However, Mr. Speaker, I would like to just mention something that has been mentioned previously about the regulation. We have to ensure that we do not over-regulate the industry, given that most of our exports are being re-exported.

Most of the kava that is coming to Fiji, we are importing, and we are also exporting. If we are going to over-regulate the local industry, it might result in a decrease in export. I think this had been mentioned previously by honourable Kumar and also by honourable Prasad. We need to exercise some caution in terms of the regulatory environment, because sometimes when we put in a regulation, they become non-tariff barriers by stopping imports without even looking at the standards that are being imposed.

The second issue that I would like to raise relates to the production system. Why we are trying to do this is because we do not have enough *yaqona* supply in the country. The prices have increased in the last few months. If you go to the market to buy *yaqona* from Kadavu, it is more than \$200. We need to be looking at what is the best way of increasing production. A few years ago, when the honourable Leader of the Opposition was the Minister for Agriculture, I told him to visit Tonga and see what was being done in Tonga. Tonga is leading the Pacific in terms of the planting and usage of tractors. We need to cultivate

the flatland to plant kava, and that is the only way that we are going to increase production. And, of course, you will need to plant it with other crops, like *dalo* and *dalo ni tana*.

When I mentioned that to the former Minister, he was perhaps not keen to go there because sometimes, we see Tongans differently. We might not go there, perhaps, because we are superior than them. However, Tonga has got the technology that we need to learn from, in terms of how can we fast-track and increase *yaqona*. A few years ago, I was in Tonga, then I went to this island of Eua and there, we saw this farmer using a tractor and planting coconuts. I was asking him, “how many plants in your farm” because we were working and got a bit tired. He said, “it is not much, it is around 96,000.”

Those are the figures that we need. One farmer needs about 100,000, another farmer has to have 200,000. That is how we are going to meet the market that is being shared by the honourable Minister for Foreign Affairs or the kava bars in the United States of America. How are we going to organise ourselves to meet that market? It needs a large scale and mechanized. The current assistance that we have now is destroying the environment. We go around Vanua Levu, people are cutting down trees. Deforestation is one of the big issues, I am not sure if the Ministry of Environment is looking into that issue; cutting of trees.

The next thing they want is farm road. When I came to the Prime Minister's Office, people were calling asking for farm roads because people are just moving further inland cutting down trees and planting *yaqona*. Perhaps the Council could be looking into that, more alternatives, environmental, sustainable methods of planting kava in Fiji. I do support the motion before the House.

HON. T.N. TUNABUNA.- Mr. Speaker, Sir, I wish to thank the Members for their valuable contributions to the debate on this *Yaqona* Bill. The views expressed today demonstrate the culture, social and economic importance of *yaqona* to Fiji. I also acknowledge with a lot of respect the support expressed to improve the quality, strengthening market access and protecting the reputation of Fijian *yaqona*.

I also note the concerns raised regarding farmers registration, household sellers, penalties, enforcements, farmers’ representation, regulations, national justice, conflict of interest, standards and also compliance and requirements. I wish to confirm to this House that the Ministry of Agriculture is going to work together with the Standing Committee to address the issues that are being raised today.

Again, I wish to thank all the honourable Members for their contributions to the debate this afternoon.

Question put.

Motion agreed to.

[Yaqona (Kava) Bill 2026 (Bill No. 28/2026), read a second time and referred to the Standing Committee on Justice, Law and Human Rights]

MR. SPEAKER.- It is time for us to suspend our proceedings for a break but come back prepared for the long haul. So, Parliament is suspended and we will meet in half-an-hour.

The Parliament adjourned at 4.40 p.m.

The Parliament resumed at 5.26 pm.

HIV/AIDS (AMENDMENT) BILL 2026

HON. DR. RATU A.R. LALABALAVU.- Mr Speaker, Sir, pursuant to the resolution of Parliament on Tuesday, 29th September, 2026, I move:

That the HIV/AIDS (Amendment) Bill 2026 (Bill No. 36/2026) be debated, voted upon and be passed.

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

MR. SPEAKER.- Honourable Members, please, take note that pursuant to the Resolution of Parliament on Tuesday, 29th September 2026, the debate on the Bill will be limited to one hour, and your respective speaking times will be displayed on the wall timer.

I now call on the Minister for Health and Medical Services, the honourable Dr. Ratu Antonio Lalabalavu, to speak on his motion.

HON. DR. RATU A.R. LALABALAVU.- Mr. Speaker, Sir, I rise to speak on the HIV/AIDS (Amendment) Bill 2026, which is now before this august House for consideration.

At the outset, I wish to acknowledge the honourable Members of this House for the consideration already given to this matter and for allowing this important public health legislation to proceed for debate. This is a short Bill containing three Clauses, but while the Bill is short, the public health issue it seeks to address is significant.

Fiji is experiencing a substantial increase in HIV transmission, and the Ministry of Health and Medical Services recorded 2016 newly diagnosed HIV cases in 2025, the highest annual number recorded to date, and a 27 percent increase compared to 2024. These figures require us to strengthen every part of our HIV response, from prevention, testing, treatment, care, community engagement and measures that reduce the risk of further transmission. The Government's responsibility is to ensure that our health systems have the legal authority and the practical tools necessary to respond to this situation.

Mr. Speaker, Sir, the tools and the systems we have prepared have not been developed in isolation. A technical working group was established more than 12 months ago to guide this work. It brings together our technical partners, the communities affected by HIV, people who use drugs, law enforcement, the pharmaceutical society, frontline health workers, and officials from the Ministry.

Every element of what is proposed has been examined by that group and shaped both by the people who will deliver these services and by the people who will use them. Our programmes are evidence-based and grounded in human rights. They are evidence-based because the measures proposed are those demonstrated to reduce transmission. They are grounded in human rights since the protections already contained in the HIV AIDS Act 2011, include access to care, confidentiality and freedom from discrimination, which apply to these programmes as they apply to every other part of our HIV response.

Mr. Speaker, the purpose of this Bill is straightforward, it amends the HIV/AIDS Act 2011, to enable the lawful establishment and delivery of harm reduction programmes for the prevention of HIV and AIDS. The Bill does not create a general authority to undertake such programmes without oversight. Rather, it creates a specific statutory framework under which harm reduction programmes

may be authorised and delivered.

Mr. Speaker, Sir, let me briefly explain what these three Clauses involve. Clause 1 provides the short title and the comments of the amending legislation. The past Act will come into force on a date or dates appointed by the Minister by notice in the Gazette. Clause 2 amends Section 2 of the HIV AIDS Act 2011 by inserting a definition of a harm reduction programme. The definition makes clear that a harm reduction programme is one for which the Minister issues written directions under the new Section 46. Clause 3 is the substantive provision; it inserts a new Section 46 into the Principal Act.

Under the proposed Section 46, the Minister may issue written directions by the Ministry of Health and Medical Services, the HIV/AIDS Board or an authorised person to carry out a harm reduction programme necessary to prevent the spread of HIV and AIDS. In practise, delivery will be to services already best placed to provide it. That will include our sexual and reproductive health HIV clinics, other government clinics, our non-governmental partners, and interested private pharmacies. Central to this work will be the distribution of sterile needles and syringes by peer outreach workers. Those same workers will be responsible for the collection and safe disposal of used needle syringes, so that used equipment is returned and destroyed rather than discarded in our communities.

Mr. Speaker, Sir, the Bill sets out what harm reduction programme may permit. This includes the free distribution of skin penetrative instruments, including needles and syringes, condoms and condom lubricants, pre-exposure and post-exposure prophylaxis, and other means of preventing HIV transmission. It may also provide facilities for the safe return and management of used items, targeted counselling, information and HIV/AIDS awareness and materials, and referrals to the HIV treatment, rehabilitation, mental health, and other health and social support services.

The Bill also allows other measures to be approved by the Minister on the recommendation of the HIV/AIDS board where those measures are necessary for the purpose of the Act. These provisions are therefore not an open-ended authority. They establish a defined public health framework with Ministerial direction and where required by the Bill, the involvement of the HIV/AIDS Board.

I also want to address an important aspect of this amendment, Mr. Speaker. The Government recognises that Parliament and the public may have legitimate questions about the legal implications of distributing items such as sterile needles and syringes within the health programme. That is precisely why legislation is necessary. The proposed Section 46 provides that where a person acting in accordance with an authorised harm reduction programme possesses, supplies, distributes, collects, receives, transports, or disposes of relevant items or other harm reduction materials, that that person is not guilty of an offence under the written law by reason only of that conduct. Importantly, this protection applies only to the extent that the conduct is reasonably necessary for the establishment, operation, or delivery of the harm reduction product.

Mr. Speaker, Sir, the Bill further provides that the person does not incur criminal or civil liability for anything done or needed to be done in good faith in the establishment, operation, or delivery of a harm reduction programme. These are important safeguards. Let me be clear about what the Bill does not do. It does not legalise illicit drugs. It does not authorise drug trafficking, drug supply, manufacture, cultivation, importation, and exportation. It does not create a general exemption from the criminal law for drug-related conduct. The protection protected by this amendment is that specifically, conduct undertaken within an authorised harm reduction programme, and only to the extent. In other words, the Bill establishes a legal framework for a public health intervention. It does not establish a framework for unlawful drug activity.

The Ministry is seeking this legislative amendment because the implementation of harm reduction programmes must have a clear legal foundation. Our health workers, pharmacists, community workers and other authorised persons who may be involved in delivering this service must know the legal basis upon which they are operating. Equally, the Ministry must be able to ensure that programmes are properly authorised, properly managed and implemented according to the requirements of the law.

Mr. Speaker, Sir, this amendment must also be viewed within the broader HIV response of the Ministry of Health and Medical Services, and harm reduction is not replacement for HIV testing. It is not a replacement for treatment. It is not replacement for prevention, education, condom access, Pre-Exposure Prophylaxis (PreP), Post Exposure Prophylaxis (PEP) or community awareness. It is one of the components of a comprehensive HIV response. There may be understandably different views about the approach being proposed. The Government's responsibilities is to ensure that public health programmes are supported by clear law, appropriate safeguards and evidence-based interventions. This Bill is deliberately limited.

Mr. Speaker, Sir, the Ministry has been preparing the operational elements required to the support the implementation of this programme, as mentioned yesterday. The response must continue to evolve in response to the evidence before us, and the HIV/AIDS (Amendment) Bill 2026 provides one such legal mechanism.

Mr Speaker, Sir, I, therefore, table this Bill before the House for its consideration.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion. I have a list of speakers with me. Please, note that each one is entitled only to five minutes.

HON. P.K. RAVUNAWA.- Mr. Speaker, Sir, I rise in support of the HIV/AIDS (Amendment) Bill 2026. I thank the honourable Prime Minister and the Cabinet for endorsing this response. The plan is costed and approved. The Task Force has been undertaking technical works for months now.

The Ministry of Health and Medical Services has the responsibility to prepare services. Parliament has the responsibility to provide the legal authority for those services that require it. This Bill provides lawful authority for the Ministry of Health and Medical Services to safely and legally introduce harm reduction programmes according to Clause 46 of the Bill.

Mr. Speaker, Sir, I am happy to inform the House that the commodities have been procured, providers have been identified and operational standards have also been prepared. The work with retail pharmacies, health facilities and health workers, HIV and sexual reproductive health hubs, and community organisations has brought us to the point of implementation.

Mr. Speaker, Sir, once the legislation commences, and the required direction and authorisations are in place, the Ministry of Health and Medical Services can provide and proceed with delivery. Any further delay will prolong the gaps between the service, we have prepared and the people who need them at this time.

As you know, Mr. Speaker, Sir, the number of HIV is, indeed, alarming. It is also concerning that young people in our country between the ages of 20 to 29 years old account for more than 50 percent of those affected by this virus. Also, by ethnicity, 93.9 percent are *iTaukei*, 5.2 percent of Indian descent, and other ethnic groups account for 0.8 percent of those carrying the virus through the testing that has been provided.

Mr. Speaker, Sir, engagement and collaboration with faith-based organisations began in October last year. Pharmaceutical societies, the police, the Office of the DPP, NGOs, and communities have also been involved. That engagement matters. The programme can have supplies and standards and still fails to reach people if it does not have their trust. Therefore, the *vanua*, faith-based organisation, and the community partners have an essential role in building understanding, addressing concerns, eliminating stigma, and helping people come forward for care. The national leadership must be carried with a mass accountability.

The Cabinet will lead this response across government. We are also committed to working with this honourable House in establishing a parliamentary subcommittee to strengthen oversight and accountability. These are distinct responsibilities the Government must deliver, and Parliament must scrutinise that delivery. Communities must have a voice in how the response works. We want the Government, the *vanua*, faith-based organisations, NGOs, and communities working together in a nationally led whole-of-country response.

Unity must be visible in practise, clear responsibilities, coordinated service, and honest reporting on progress and the barriers that remain. No Ministry can end this epidemic alone and no government can do it alone. Fiji must do it together. This is a focused amendment. It provides a ministerially directed Harm Reduction Programme and is legally protected for delivering and accessing them within the terms of the law.

Let us be direct about what that includes, as alluded to by the honourable Minister, providing sterile needles and syringes to people who inject drugs to reduce the sharing of contaminated equipment. That contact is also an important opportunity to offer HIV testing, connect people to treatment, and refer them to support for drug dependence and rehabilitation.

The purpose of the Bill is to prevent infection and bring people into care. It does not make illicit drugs lawful or remove the responsibility to enforce the law against their supply. We must act against the harm caused by drugs. It is also protecting people from preventable infection, and both responsibilities belong to us. The Ministry has prepared the response to this epidemic, and I ask the honourable Members of this House to support the legal framework that will allow us to deliver. I support the Bill before the House.

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, I rise today to speak in strong and explicit support of the HIV/AIDS (Amendment) Bill 2026 – a vital and urgent legislative step forward as our nation confronts an alarming surge in HIV cases. When public health indicators flash red, Parliament has a moral and civic duty to act decisively. This Bill provides a clear legal foundation and comprehensive tools necessary to protect our communities, support our healthcare workers, and bend the curve of HIV transmission in Fiji.

Mr. Speaker, Sir, for too long, well-mentioned health workers, community organisations, and the Ministry of Health have faced complex legal ambiguities when trying to implement evidence-based harm reduction initiatives. The new section 46 resolves that uncertainty by providing a clear, satisfactory basis of authorised harm reduction programmes. Crucially, the Bill protects health workers and programme operators from conflicting criminal laws when they handle, distribute, or transport necessary materials in good faith. By lifting the shadow of legal risk, we empower frontline workers to reach at-risk populations fearlessly and effectively.

With injection-related transmission acting as a significant vector, the Bill allows the health system to intervene directly by permitting the free distribution of sterile needles and syringes. By providing clean equipment, we break the chain of infection caused by sharing contaminated instruments. Furthermore, the legislation ensures that distribution goes hand-in-hand with safety by

authorising facilities for safe collection, return and safe disposal of used sharps, safeguarding public health, and preventing discarded equipment from creating secondary environmental or community hazard. However, as we implement this structured public health intervention, we must also recognise a critical operational gap in the current framework. The Bill strictly confines its legal protection and authorisation to official harm reduction programme, leaving retail pharmacies unaddressed.

Clause 2 states, Mr. Speaker, Sir, distribution free of charge. Unfortunately, retail pharmacies, they sell syringes because Clause 2 strictly says distribution free of charge, pharmacies selling these particular syringes to a patient, when a pharmacy is out of stock, with the free supply given from government pharmacy, we are not covered.

I would like to actually express my conflict of interest here as a pharmacist. That is why I am telling this. Retail pharmacies that sell needles directly to individuals who are willing to purchase sterile injection equipment for the very same harm reduction purposes, do not enjoy the same explicit statutory protection under the amendment because the amendment is very clear. It is for free.

If it is sold for the same purpose, pharmacies are not covered. Clarifying or expanding protection to encompass responsible retail sales would ensure that individuals assessing equipment through commercial avenue alongside community programme are equally supported in preventing transmission.

However, as we look towards expanding our public health measures, such as potentially adding needles and syringes to National Free Medication and Consumable Lists, we must address remaining regulatory gaps. Even if these items are integrated into official Free Distribution Lists, our distinct gap remains for our community pharmacies, while the pharmacies may be legally protected when dispensing or distributing these items for free under an authorised scheme.

Uncertainty persists if they sell needles commercially, when official supplies run out or when individuals seek alternative retail options. Closing this gap will ensure that pharmacies are fully protected whether they provide supplies through government back free initiative or through responsible retail channels. The strength of this legislative framework is its comprehensive vision.

HIV prevention cannot rely on a single solution. The Bill adopts a multifaceted approach by exploratory permitting a free distribution of condoms and lubricants, access to PrEP and PEP alongside other preventative treatments, professional counselling, education awareness materials, and targeted community intervention. This flexibility allows public health strategies to adapt dynamically to diverse at-risk communities across Fiji. Crucially, the Bill does not view harm reduction merely as a distribution exercise establishes a critical gateway to long-term health and recovery.

Under Section 46(2)(d), these programmes are authorised to facilitate direct referrals into HIV/AIDS treatment, mental health services, rehabilitation, and a broader social support. Every point of contact becomes an opportunity to guide individuals towards recovery, medical care, and holistic wellness.

To conclude, Mr. Speaker, Sir, the alarming rise of HIV in Fiji demands board leadership, legislative clarity, and compassionate action. The HIV/AIDS Bill 2026 strikes the right balance by empowering our health sector, protecting frontline workers, ensuring safe potential operational standard and opening direct pathways into treatment. By also acknowledging avenues such as retail pharmacy access, we can further strengthen our defenses. This initiative gives us a legal instrument we need to save lives, protect public health and turn the tide against HIV. I commend the Bill to this august House.

HON. S. KIRAN.- Mr. Speaker, Sir, I rise today in strong support of the HIV/AIDS (Amendment) Bill 2026. This legislation marks a critical milestone in Fiji's national response to HIV.

Mr. Speaker, Sir, I must explicitly acknowledge the honourable Minister for Health, for his exemplary and decisive leadership. Upon taking the helm of the Ministry, he was confronted with a stark and a painful reality.

HIV figures had been steadily climbing over the past decades. Rather than wasting critical time assigning blame to previous administrations for the inaction or lack of acknowledgement, he chose accountability. He analysed the data, faced the reality of the crisis, and officially declared an outbreak. By securing the necessary resourcing to scale up widespread testing, he uncovered the scale of the epidemic that led him to escalate the situation to a national emergency.

This legislation is a direct and significant outcome of the recently established Cabinet Subcommittee on HIV/AIDS. Its creation reflects our collective recognition that HIV is not solely a medical issue. It is a national crisis that impacts families, communities, education, employment, social welfare systems, policing, justice, and our overall national development. The Cabinet Subcommittee has provided high-level coordination, urgency, and the whole-of-government approach required to respond effectively.

The central mechanism of this Bill is the insertion of a new section 46 into the HIV/AIDS Act 2011, which enables the vital harm reduction programmes. This Bill is not about encouraging drug use. It is about preventing illness and death and creating genuine opportunities for treatment, rehabilitation and recovery. When health workers are empowered to provide sterile injecting equipment as part of a regulated, approved programme, they prevent the sharing of contaminated needles and significantly reduce the spread of HIV. More importantly, these programmes create a critical point of contact between the vulnerable and marginalised individuals in our healthcare system.

For my Ministry, section 46(2)(d) is especially vital. It ensures that harm reduction programmes facilitate direct referrals to HIV treatment, rehabilitation services, mental health services and broader health and social support systems. This reflects the reality that HIV is deeply intertwined with societal vulnerabilities, including poverty, homelessness, substance dependence, mental health challenges, family violence and social exclusion. This provision builds a coordinated pathway of care to lift people out of these cycles and the honourable Minister has explained this in detail, how this will be done.

Mr. Speaker, women and girls face unique vulnerabilities. Those experiencing violence, coercion, exploitation or economic hardship often have limited ability to negotiate safer behaviors or seek timely healthcare. The counselling, information and HIV awareness services mandated under section 46(2)(c) will strengthen our ability to reach these vulnerable women and girls. This directly complements my Ministry's ongoing work to prevent violence against women, promote child protection and secure the safety and wellbeing of the vulnerable.

Section 46(2)(b) allows for development of facilities for the safe return and management of needles and syringes. This is a critical public safety measure; safe disposal systems drastically reduce the risk of accidental needle stick injuries in our neighborhood. They protect health workers, municipal workers, waste management personnel, the general public and, importantly, our police officers who risk exposure during the course of their duties.

This Bill demonstrates our commitment in action. It equips healthcare workers with vital tools, creates clear pathways to rehabilitation and strengthens social service referrals. It recognises that every single life matters by enabling vulnerable populations, including people who inject drugs, to connect with healthcare rather than remain hidden in the shadows, we ensure that every infection prevented protects

the family. Every individual reached is an opportunity to restore hope, dignity and wellbeing.

Compassion and public safety are not competing objectives, through this evidence-based policy, they work hand in hand as a responsible whole-of-government response to a national challenge that affects us all. I fully support the HIV and AIDS Amendment Bill 2026, and I commend this to the honourable House

HON. P.K. BALA. - I rise to speak on the HIV/AIDS (Amendment) Bill 2026. At the outset, the Opposition supports the objective of this Bill. We support removing the legal obstacles to a national Needle and Syringe Programme.

Mr. Speaker, Sir, we support expanded testing, treatment, prevention and rehabilitation because this crisis is about people. It is about the young person who does not know they have HIV. The mother worried about her baby. The families struggling with addiction and children who should be thinking about school and their future not drugs, HIV or contaminated meals. Where actions can save lives, we will definitely support it.

Mr. Speaker, Sir, UNAIDS estimates that around 9,100 people were living with HIV in Fiji in 2025, only 39 percent knew their status and only around 22 percent were accessing the treatment. New infections have increased and more than 42 percent of cases with a known mode of transmission were linked to injecting drug use. These figures are deeply concerning but the critical question is, when did we come to know? The answer is well before today.

Fiji declared an HIV outbreak in January 2025. By July 2025, UNAIDS was already warning that Fiji needed harm reduction measures including needle and syringe programmes. The need was known. The evidence was available. The warning had been given.

Mr. Speaker, Sir, I understand the urgency. If this Bill allows health workers to prevent HIV transmission, we should act, we should get equipment to people who need it. If it saves lives, we should not delay.

A needle programme is necessary but not sufficient, Mr. Speaker, Sir. We must also be honest about what this Bill can achieve. A needle and syringe programme can reduce HIV transmission. It cannot by itself solve Fiji's drug crisis. It cannot treat addiction. It cannot test everyone. It cannot provide treatment. It cannot protect vulnerable children, and it cannot reach every community unless the wider health system is equipped to do so. Our children cannot be an afterthought.

Mr. Speaker, Sir, the most disturbing aspect of this crisis is its impact on young people, health workers and community. Organisations are reporting young people being exposed to injecting drugs use and HIV risk. If children are becoming involved in injecting drugs, then this is bigger than an HIV programme. It is a child protection issue. It is an education issue. How are schools and communities being brought into this response? We cannot wait until a child is infected before deciding that the child needed protection. People living with HIV must not carry the blame.

Mr. Speaker, Sir, as we confront this crisis, we must also be careful not to brand those living with HIV. They are not the enemy. People struggling with addictions are not the enemy. Young people caught in this crisis are not the enemy. Stigma drives people away from testing and treatment. If people are afraid to come forward, the virus spreads silently.

Mr. Speaker, Sir, the government has announced significant funding for this response and that is welcome, but Parliament must be able to see what that investment delivers. How much is going to prevention? How much to testing and treatment? How much to rehab? How much reaches frontline

organisations? What are the targets? What are the timelines and when will Parliament received progress reports because a national emergency cannot be managed through announcements alone. We need measurable outcomes. How many people tested? How many linked to treatment? How many reached with prevention? How many infections prevented? That is how public money and public policy must be accounted for. The Opposition is prepared to work with Government. We will support evidence-based measures and protect lives.

Mr. Speaker, Sir, this Bill deserves support because Fiji needs action. Yes, let us pass this legislation. Let us get the equipment where it is needed. Let us expand testing and treatment. Let us strengthen prevention and rehabilitation and let us protect our children. But let us also make sure that this emergency produces a lasting national response because HIV will not disappear, Mr. Speaker, Sir, at the end of this parliamentary term. The drug crisis will not disappear in the next election. Families affected by this epidemic will still need support. I thank you.

HON. N.T. TUINACEVA.- Mr. Speaker, Sir, I rise to Bill which is for an act to amend the HIV/AIDS Act 2011. This Bill represents an important shift in the way we respond to the human HIV in Fiji. For many years, our message has been clear, avoid risky behaviour, practise safe sex, get tested and seek treatment. Those messages remain important, and we must continue upholding and preaching these social and public health principles and values.

However, this Bill recognises the reality before us. People are injecting drugs, sharing needles, and HIV is being transmitted. When realities become the truth and facts, we can no longer stand and watch. There is a health crisis out there confronting us.

Mr. Speaker, Sir, the Joint United Nations Programme on HIV/AIDS (UNAIDS) reports that among the HIV cases in Fiji, where the mode of transmission was known, more than 42 percent were linked to injecting drugs. We cannot ignore that reality. We have to respond to it. This Bill gives Government another practical tool to prevent HIV transmission.

I understand that some people may ask, are we encouraging drug use by providing clean needles? The answer is no. This Bill does not legalise drugs, and it does not make drug use acceptable. It simply recognises that while we continue to address the drug problem, we must also prevent HIV from spreading. We can fight the drug problem and fight HIV at the same time. The harm reduction programmes highlighted in the Bill can provide prevention measures, counselling and HIV information, as well as safe systems for the return of used needles.

More importantly, they can also connect people to HIV treatment, rehabilitation, mental health services, and other support. So, someone may first come forward for a clean needle, however, that contact can become an opportunity to get tested, receive counselling, access treatment, or enter rehabilitation. This is where I see the real value of this Bill. We are not waiting until someone becomes infected before we respond.

We are trying to prevent another HIV infection from happening and further transmission to others. The Bill also protects health workers and other authorised people who properly carry out these programmes. If Parliament authorises a Public Health Programme, people delivering it should not fear prosecution simply for doing their job.

Mr. Speaker, Sir, passing the law is one thing, however, making it work is another. There must be a proper accountability, including the safe return and disposal of needles. There must be clear public information and a strong link between harm reduction, testing, treatment, and rehabilitation. As a government, we must respond to problems as they exist, not simply as we would like them to be. We want our people to stay away from drugs, and we will continue addressing the

drug problem.

However, HIV prevention cannot wait for every person to stop using drugs. Where the risk already exists, we must take practical steps to prevent HIV from spreading. This is not accepting drug use. It is responding responsibly to the reality before us, and this is the reason why I support the Bill.

HON. DR. RATU A.R. LALABALAVU.- Mr. Speaker, Sir, I thank honourable Members who have spoken in support of the Bill. In doing so, Sir, just to add a few points. What we have done here today is to ensure that the work that has been mentioned by the Assistant Minister is ready to go and the work of our team, Dr. Jason Mitchell, who is sitting there in the gallery, to do the work, it is ready and with the passing of this amendment, it will allow the work to be done.

I want to also acknowledge the point raised by honourable Maharaj in terms of using the private pharmacist, that is something we will consider as well as it is there in the amendments on the written directives that can be also included. As mentioned by my good colleague honourable Bala, that our problem with HIV will be here in the next election. And as such, Mr. Speaker, Sir, I was briefed that a minimum, if we do everything right, we can probably bring down the transmission rate at the minimum, by five years.

Then again, Sir, if we are late in doing things, we can go even to 10 or 15 years doing this work. Therefore, Sir, as also mentioned by honourable Assistant Minister, we plan to ask for Cabinet support in ensuring that we bring to your good self, Sir, to have a Parliament Special Committee on HIV AIDS in the not-too-distant future.

Again, I am thankful for the Cabinet Sub-Committee on HIV/AIDS for the good work that they have done. It goes to show that the Sub-Committee has really assisted in getting this Bill to where it is supposed to be and be passed so, Dr. Jason's team can do their work. With those few words, I thank you, Mr. Speaker, Sir.

MR. SPEAKER.- The Parliament will now vote.

Question put.

Motion agreed to.

[HIV/AIDS (Amendment) Bill 2026 (Bill No. 36/2026), moved under Standing Order 51, passed and enacted by the Parliament of the Republic of Fiji. (Act No. of 2026)]

MARITIME POWERS BILL 2026

HON. P. TIKODUADUA.- Mr. Speaker, Sir, pursuant to the Resolution of Parliament on Tuesday, 29th September, 2026, I move:

That the Maritime Powers Bill 2026 (Bill No. 35/2026), be debated, voted upon and be passed.

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

MR. SPEAKER.- Again, honourable Members, please, note that pursuant to the resolution of Parliament on Tuesday, 29th September, 2026, the debate on the Bill will be limited to one hour. Your respective speaking times will be displayed on the wall timer.

HON. P. TIKODUADUA.- Mr. Speaker, Sir, this is an important Bill that I do not diminish the significance of the powers that Parliament is being asked to provide. The power to stop and board vessels, to search deceased property, to detain a vessel and, where the law permits, to arrest a person must always be treated seriously.

Members are, therefore, entitled to ask where these powers begin, where they end, who may exercise them and what protection remains for the people who may be affected by them. Those are not inconvenient questions for Government. They are necessary questions. In fact, they go directly to the reason this Bill is before the House. We should not ask our officers to exercise serious powers at sea on the basis of uncertainty, scant provisions and assumptions about what the law might permit. Where the State exercises powers over an individual that authority should be capable of being identified, understood and tested against the law.

Mr. Speaker, Sir, I will first address the question of Standing Order 51 because honourable Members raised it when I moved this Bill earlier this week. Honourable Usamate correctly observed that this is a substantial Bill containing 68 Clauses, and he pointed to other legislation that was significantly amended following Committee scrutiny. Honourable Koya similarly accepted the importance of strengthening our maritime security arrangements, but questioned why this Bill could not have been referred to a committee and brought back at a subsequent sitting

I understand the concern. Standing Order 51 should never be treated as a substitute for proper preparation of legislation, and urgency should never become a convenient explanation for inadequate work, but that is not the history of this Bill. The urgency I spoke about on Tuesday does not arise because someone in Government has suddenly decided that this legislation would be useful. It arises because our agencies are already conducting maritime operations while the legal frameworks supporting those operations remain fragmented. Criminal networks are already using maritime routes, agencies are already operating together at sea, and investments in our maritime capability are already becoming operational.

Mr. Speaker, Sir, the work behind this legislation also did not begin this week. The House was advised on Tuesday that efforts to develop maritime powers legislation extend back to 2018. Since then, work has continued on the broader maritime security framework, including the maritime security strategy, consultation between relevant agencies and public consultation on the draft legislation.

When honourable Members ask why now, my answer is that there eventually comes a point when years of identifying a problem, developing policy, consulting agencies and discussing possible solutions must result in legislation. A long-standing problem does not become less urgent simply because we have lived with it for a long time. Sometimes the opposite is true. The longer we live with a recognised gap unresolved, the longer the people whom we send to enforce our laws must work around it.

That concern is not theoretical. Between 1st January and 30th September this year, the Republic of Fiji Navy Fleet Operations recorded 293 sea days, 383 boardings and 54 infringements across our maritime laws. Those numbers represent operations already taking place in Fiji's maritime domain. They mean that our sailors and law enforcement personnel are already encountering situations involving fisheries law, customs law, immigration law, criminal law, bi-security law and other statutory responsibilities.

Mr. Speaker, Sir, the difficulty is that the sea does not organise itself according to the administrative structure of government. A vessel suspected of wrongdoing does not ask whether the police, customs, immigration or fisheries officer with a precise statutory mandate is standing on the

deck of the patrol boat approaching. An incident at sea can involve several laws at once, while the relevant officer or agency possessing the primary legal responsibility may be many hours away, sometimes much further away.

That is a practical problem this Bill seeks to resolve. One agency may have the statutory mandate, another may have the vessel, another may possess relevant intelligence, and another may ultimately have responsibility for investigation and prosecution. Under the present arrangements, uncertainty about overlapping responsibilities can create delay. At sea, delay can have very real consequences. A vessel may change course, evidence may be destroyed, cargo may be transferred, records may disappear, or the vessel may simply move beyond the jurisdiction in which effective actions can be taken.

Some honourable Members may, therefore, ask whether this Bill amounts to the militarisation of civilian law enforcement. I want to address their concern directly because it goes to the architecture of the legislation. This Bill does not turn the Republic of Fiji Navy into the Fiji Police Force. It does not transfer functions of customs, immigration, fisheries or biosecurity to the military, and it does not diminish the statutory responsibilities of those agencies.

The Bill instead provides a framework through which properly trained and authorised enforcement officers from the relevant agencies can operate in the maritime environment. Where immediate action must be taken at sea, the legislation provides the legal machinery for that action to occur, after which responsibility can pass to the competent civil and agency for investigation and prosecution.

That distinction is important. The objective is not to concentrate power in one institution, it is to make the institution we already have, worked together more effectively. Maritime enforcement must be joined because the problems themselves cut across agency boundaries. Drugs do not become an offence simply because they are found at sea. An immigration offence does not change its character because it occurs aboard a vessel. The underlying laws and responsibilities remain where Parliament has placed them. What this Bill supplies is the common maritime framework through which those laws can be enforced when the incident occurs offshore.

Mr. Speaker, Sir, concerns may also be expressed about the breadth of the powers contained in the Bill. Those concerns deserve to be taken seriously. Boarding a vessel is a significant exercise of State authority; searching a person or property is significant; seizing evidence; restricting movement and arresting someone are among the most inclusive powers any Government can exercise. However, that is precisely why Parliament should legislate clearly. The alternative to define statutory power is not an absence of State action.

Our officers are already operating. The alternative is that those officers continue to act through a patch of separate authorities whose implications may become uncertain when an incident occurs far offshore and involves several different laws at once. The Bill, therefore, seeks to make the boundaries clear. Powers are to be exercised by trained and authorised officers and applicable thresholds must be satisfied, and this of course, is required to be reasonable and proportionate. Constitutional protections relating to liberty, due process and unlawful treatment continue to apply.

The ocean is not a place where the Constitution stops applying. Distance from land does not enlarge the authority of the State beyond the law. If anything, the remoteness of the maritime environment makes clarity more important because an individual aboard a vessel may not have immediate access to the institutions and protections that are readily available onshore. We send our sailors and our enforcement officers beyond the reef, sometimes far beyond the side of our islands. We ask them to protect this country; to intercept those who may be bringing drugs into our

communities; and to protect our fisheries, our borders and our maritime resources, we ask them to preserve evidence, respect individual rights, cooperate with other agencies and operate consistently with international law. Parliament places those responsibilities upon them; Parliament should also give them a clear legal framework within which to carry them out. That to me, is the central issue before us in this Bill.

This Bill is not about giving the Navy power for the sake of power - it is about ensuring that capability is accompanied by a lawful authority. It is not about replacing police, customs, immigration, fisheries or biosecurity officers, but about allowing those institutions to function together, and the geography of our country means the relevant incident occurs far from land. It does not place officers above the Constitution or international law. It seeks to tell them more clearly what those laws allow them to do.

Mr. Speaker, Sir, Fiji is an ocean State. Our maritime domain is part of our territory, our economy, our security and our future. The law that protects Fiji cannot be strong on land and uncertain at sea. If we expect our people to carry the responsibility of protecting the vast maritime space, then the least Parliament can do is, ensure that when they reach a vessel in the darkness, hundreds of kilometres from the shore, they know precisely what Fiji law allows them to do, and equally importantly, what it does not.

I thank the honourable Members for the seriousness with which they will consider this Bill, and with those words, I commend the Maritime Powers Bill 2026 to the House.

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

HON. V. NAUPOTO.- Mr. Speaker, Sir, I rise to support the Maritime Powers Bill 2026, which is presently before this House.

Mr. Speaker, Sir, Fiji, as you know, under United Nations Convention on the Law of the Sea (UNCLOS), is an archipelagic State. The sea does not separate our islands. It connects us, feeds us, carries our trade, sustains our community and forms an essential part of our national security.

For many years, Mr. Speaker, Sir, one of the practical challenges we have faced has been that our naval personnel, despite being the men and women who regularly patrol our waters and encounter suspicious activities at sea, did not possess general maritime enforcement powers in their own right. Instead, in order for naval personnel to exercise particular enforcement powers, they had to rely on being appointed and gazetted under the relevant legislation as Fisheries Officers, Immigration Offices, Customs Officers, depending on the law they were required to enforce.

Mr. Speaker, Sir, that arrangement may have enabled us to operate, but it was not the most effective legal framework for a modern maritime security environment. The people who are tasked with protecting our maritime domain should have clear legal authority to perform that responsibility. That, in my view, Mr. Speaker, Sir, is one of the important reasons for this Bill.

Mr Speaker, Sir, the security environment has also changed considerably. Criminal organisations operate across borders, drugs, and illicit goods can travel enormous distances now across the Pacific before reaching our communities. We cannot wait until those threats arrive at our ports or on our streets before the State is empowered to act. The further away from our shores that we can lawfully detect and disrupt illegal activity, the safer our communities will be.

Mr. Speaker, Sir, an important feature of this Bill is that it does not simply give our maritime enforcement personnel powers and leave those powers undefined. It establishes the legal parameters

within which those powers are to be exercised. The Bill, Mr. Speaker, Sir, provides for the power of arrest and, importantly, it addresses the use of force and the general limits that apply to the use of force.

That is important, Mr. Speaker, Sir, because whenever Parliament gives an enforcement officer the authority to use force, we must also be very clear about the boundaries surrounding the exercise of that authority. The power to enforce the law must never become an unlimited power. And the Bill goes further when it comes to firearms. It defines who is authorised to use firearms, rather than leaving that matter uncertain or open-ended. It also provides an important accountability mechanism by requiring a written report where a firearm has been used.

Mr. Speaker, Sir, these provisions are therefore not minor administrative details, they are fundamental safeguards. They demonstrate that there are two sides to this legislation - operational effectiveness on one side and accountability on the other. That is the balance we should expect from a modern maritime enforcement framework.

In conclusion, Mr Speaker, Sir, this Bill does two important things. It gives our maritime enforcement personnel clearer authority to do the job we ask them to do, and at the same time, it sets boundaries around the exercise of that authority. It strengthens both enforcement and accountability. In my view, that is exactly what good legislations should do. For those reasons, Mr Speaker, Sir, I fully support the Maritime Powers Bill 2026.

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, let me, through the Minister, thank those behind the preparation of this important piece of legislature, as he alluded to, that started back in 2018. The Opposition recognises that Fiji needs a modern and effective legal framework for maritime enforcement and as the honourable Minister has stated and reminded us that we are an ocean State and our national security, economy sovereignty are inseparable from our ability to protect our maritime domain.

The policy objective behind this Bill is, therefore, understandable. The Bill seeks to establish a comprehensive framework governing maritime enforcement and to consolidate and modernise the powers relating to the boarding, searching, detention and movement of vessels, persons, and goods. It is also intended to provide a domestic legal framework through which Fiji can meet its international maritime obligations.

Mr. Speaker, Sir, the need for effective maritime enforcement cannot seriously be disputed and Fiji must be able to protect its maritime sovereignty strengthen maritime domain awareness, and as we speak, Sir, there is a workshop attended by officials from the region on maritime domain awareness being conducted at the Holiday Inn.

In the interest of time, I will go straight into some of the key issues that I wanted to raise. One is on the legal status and mandate of the Navy. I just wanted to bring this up honourable Minister because the two were being prepared concurrently. The review of the RFMF Act as well, because under section 3 of the RFMF Act 1949, if I am correct, it establishes the Royal Fiji Military Forces and charges the forces with the defense of Fiji, the maintenance, but what I want to say in here is that the Navy is not part of the RFMF.

If I may go into that, Mr. Speaker, Sir, under this Act, what I am referring to is the forces shall comprise a regular force, a territorial force, a reserve of officers and a reserve. Nothing about the Navy, but I have seen honourable Minister that there is a consequential amendment to the Bill. The RFMF Act, which is on section 68 and perhaps the only issue that I would like to again raise with the Government because the RFMF Act was also reviewed concurrently at that time with assistance of our friends from

the New Zealand Army Legal Service, and I hope that that will be brought into the House as well because it is very, very important. I am thankful that through this Bill, in order to expedite, because of the work already undertaken, Clause 68 addresses that important legal concern, Mr. Speaker, Sir.

The other issue that I wanted to raise as alluded to by the honourable Minister for Immigration is the interaction with the existing laws and the agencies. Mr. Speaker, Sir, the Bill itself recognises that there can be potential gaps, and I just wanted to bring that up because Clause 28 provides that where enforcement officers from different agencies participate in an operation, each officer may exercise only those powers conferred upon that officer by this Bill and Clause 58 onwards talk about those enforcement officers. I know that this is always a challenge because the agencies - Immigration, Fisheries, Customs, including the RFMF, and you have stated it correctly, honourable Minister, that proper training is very, very essential in this, given the different responsibilities and the Act that they work under.

The other issue that I just wanted to raise, honourable Minister, is about the Immunity Clause. I do not see anything in here about the Immunity Clause, but it is in existence in the Maritime Transport Act 2013, whether that is sufficient to provide immunity to the Navy personnel and for those involved for that matter, or maybe something that will need to be included in this draft. Otherwise, Mr. Speaker Sir, this is timely, given the changing scenarios, as the honourable Minister for Immigration has stated, and we need to ensure that we protect our sovereignty and, of course, address issues like transnational crime and so many other non-traditional threats that are affecting us. We, from this side, support this Bill as well.

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, the mover of the Bill, the Leader of Opposition, and I am sure those who will speak after me will speak about the contents of the Bill but allow me to refer the House to some of the philosophies behind it. Why must we monitor our oceans? Why must we assert our maritime authority and why must Parliament act? To be plain, Mr. Speaker, Sir, our ocean is our home and homes are the first thing that we protect as humans.

Fiji is not a small island nation - it is a large ocean State with an exclusive economic zone that spans over 1.3 million square kilometres of ocean. They are not just empty waters. That is our territory; it is our resources, and it is our responsibility.

For generations, Mr. Speaker, Sir, our ancestors have navigated these waters. They understood the ocean as an extension of the *vanua*, source of life, identity and sustenance. The Great Council of Chiefs reminded us that the *i qoliqoli* is not simply an economic resource, but an extension of our identity tied to culture and stewardship. We inherit that legacy, and we have an obligation to protect it. Mr. Speaker, Sir, here is the reality we must confront. Our ocean is no longer just a highway for travel and for trade - it is now becoming a highway for drug trafficking and transnational crimes.

Mr. Speaker, Sir, the United Nations Office on Drugs and Crime (UNODC) has documented what it calls a very dramatic shift. In January of 2024, Fijian authorities seized almost 4.8 tonnes of methamphetamine, one of the largest seizures ever in the Pacific region. The UNODC has stated plainly that these seizures are just the tip of the iceberg.

Criminal networks are exploiting our vast maritime expanse, our island dispersion and our patrol gaps. They use our waters to move narcotics destined for Australia, New Zealand and even beyond. They use our ports as transit hubs. They use our vulnerabilities against us. Mr. Speaker, Sir, this is not a distant problem - this is happening in our waters right now.

Mr. Speaker, Sir, let me address the core question. Why does monitoring matter? It matters because you cannot protect what you cannot see. The honourable Prime Minister has said it clearly a

few months ago that our message to traffickers and illegal fishers who seek to exploit Fiji that we are watching you, and we will come out and get you, but watching requires capability. It requires presence. It requires legal authority.

Fiji Navy is already stepping up, as is already highlighted by the move of the Bill. In *Operation Yadra Matua*, they boarded and inspected many vessels and surveillance aircraft inside 28 maritime contacts. They work with the Police, Customs, Fisheries and international partners. They need a legal framework that matches their operational reality. That is what this Bill provides. It covers their actions under a very specific and dedicated legislation.

Mr. Speaker, Sir, the Maritime Powers Bill 2026 establishes the legal foundation for Fiji to exercise its sovereign right over its waters. It gives our enforcement agencies the power of interdiction, boarding, search and arrest. It enables coordinated maritime operations across agencies of Government. It signals to criminal networks and to the world that Fiji is serious about protecting its domain.

Mr. Speaker, Sir, we are not doing this alone. We are doing it with Australia, New Zealand, the United States of America and our Pacific Island neighbours. The US Coast Guard is patrolling our waters under a bilateral agreement, and New Zealand has also deployed a vessel to strengthen our maritime domain awareness. However, partnerships are not a substitute for sovereignty. We must be able to act on our own authority in our own waters and this, Mr. Speaker, Sir, is what this Bill does.

Mr. Speaker, Sir, let me close with the philosophy that underpins this Bill:

- (1) Sovereignty is and must be practised. A nation that cannot monitor its waters cannot claim to control them.
- (2) Protection requires presence. We cannot deter what we cannot detect. We cannot disrupt what we cannot interdict.
- (3) Our ocean is not a border to be crossed. It is a domain that we will continue to govern under the United Nations Convention on the Law of the Sea (UNCLOS), we have a right, and under this Bill, we have the power to enforce it.

HON. RATU R.S.S. VAKALALABURE.- Mr. Speaker, Sir, this Bill, which is long overdue, establishes a comprehensive and consistent legal framework for the exercise of maritime enforcement powers within Fiji's maritime zones and, where permitted under international law, beyond the zones. It consolidates and clarifies powers that are presently spread across a number of legislative instruments and agencies and ensures that enforcement authorities have a clear legal basis upon which to undertake maritime operations.

Mr. Speaker, Sir, a critical feature of this Bill is the establishment of a modern maritime enforcement regime that enables authorised officers to effectively respond to unlawful activities occurring on, from, or through vessels operating within Fiji's maritime domain. The Bill provides powers to monitor, investigate, board, search, seize and detain vessels suspected of involvement in unlawful activities.

Mr. Speaker, Sir, these powers are intended to strengthen Fiji's capacity to detect and disrupt transnational criminal activity, protect our maritime resources, and maintain the integrity of our borders. Parts 5 and 6 of the Bill provide authority for enforcement action against vessels involving relevant offences, including circumstances involving ships without nationality, vessels reasonably suspected of engaging in criminal conduct, and situations where international law permits intervention beyond Fiji's territorial waters.

Mr. Speaker, Sir, another significant feature of the Bill is the provision of clear powers for authorised maritime officers to undertake maritime enforcement operations. The legislation recognises the important role of the Republic of Fiji Military Forces (RFMF), particularly the Fiji Navy, while also strengthening cooperation among the Fiji Police Force, Fiji Revenue and Customs Service, immigration authorities, fisheries and other Government agencies involved in our maritime border enforcement.

Mr. Speaker, Sir, the Bill establishes a coordinated whole-of-Government approach to maritime security, ensuring that agencies can work together effectively in carrying out their respective responsibilities. Importantly, the legislation also facilitates enhanced cooperation with regional and international partners. As maritime crime increasingly transcends national boundaries, Fiji must have the legislative tools necessary to participate in joint or maritime operations and other forms of international cooperation consistent with international law.

Mr. Speaker, Sir, the Bill further introduces measures to protect critical maritime and undersea infrastructure. In an increasingly connected world, submarine communication cables and other strategic infrastructure are essential to Fiji's economic development. The legislation also strengthens Fiji's ability to respond to emerging maritime threats and evolving criminal methods that may undermine the safety, security and prosperity of our nation.

At the same time, while the Bill provides robust enforcement powers, it incorporates important safeguards to protect the rights of individuals and uphold the rule of law. The exercise of powers under the Bill must be lawful, reasonable and, most importantly, proportionate. The legislation contains accountability measures relating to the detention of persons and vessels, the conduct of searches, the exercise of arrest powers and the use of force during maritime operations. These safeguards are intended to ensure that enforcement actions are undertaken transparently and responsibly and following the rule of law.

Mr. Speaker, Sir, in addition, reporting and oversight mechanisms have been included in the Bill. This is to promote accountability and public confidence in the exercise of maritime powers. The Maritime Powers Bill 2026 is a significant piece of legislation. As I have said before, which is long overdue, that will strengthen Fiji's maritime security framework, enhance our ability to combat transnational crime, protect our marine resources, secure our borders, safeguard critical infrastructure and support Fiji's obligations under international law.

With those contributions, Sir, I fully support the Maritime Powers Bill 2026.

HON. V. NATH.- Mr. Speaker, Sir, I rise to contribute to the debate on the Maritime Powers Bill 2026. Let me begin by making one point very clear - Fiji is a maritime nation; our borders do not end at our shoreline. Our security, economy, fisheries, tourism, communication and the livelihood of many of our people depend on the effective protection of our maritime domain. Therefore, I support the objective of strengthening Fiji's ability to respond to maritime crime and threats.

However, Mr. Speaker, Sir, strong enforcement powers must also be matched by strong safeguards. That is why my concern is with this Bill arises. The Bill attempts to create a comprehensive framework for maritime enforcement, bringing together agencies including the Navy, Police, Customs, Fisheries and Immigration.

The establishment of Maritime Security Operations Centre (MSOC) is a positive step because maritime safety requires coordination rather than agencies working in isolation. The Bill also provides a framework for joint operations, information sharing, hot pursuit, action against stateless vessels, protection of undersea infrastructure and cooperation with international partners. These are

important measures.

Mr. Speaker, Sir, the question before Parliament is not simply whether these powers are necessary. The question is, are these powers specifically defined, limited and accountable? My first concern is an extremely broad definition of relevant offences. The definition appears to extend to an offence committed or reasonably suspected of being committed from or using a ship against a written law. That is very broad. When legislation gives officers powers to board, search, detain, seize or arrest, Parliament must be certified whether those powers are appropriate to the seriousness of the suspected offence. We should not create extraordinary maritime powers for ordinary offences without clearly defining the circumstances in which those powers can be used.

My second concern is warrantless searches. The Bill permits searches under Part 6 without a warrant. I understand the practical difficulties of obtaining a warrant in sea, Mr. Speaker, Sir, but agencies should not become a substitute for judicial oversight. Where circumstances permit, there should be a mechanism to ensure that intensive searches are independently reviewed, particularly where no offences are electronically discovered.

Mr. Speaker, Sir, I am also concerned about the extent to which military personnel may exercise civil law enforcement powers. The Bill allows members of the Navy and the military to become enforcement officers. They may, in certain circumstances, board vessels, search vessels and properties, detain individuals and vessels and exercise arrest powers. However, there are safeguards, including the provision in the civilian agencies, which specifies jurisdictions in which they may exercise their powers where they are present and available. That is welcomed, but Parliament must still ask where military responsibility ends and civilian law enforcement begins. The distinction must remain clear. Our police officers, Customs Officers and other civil enforcement agencies have established statutory disciplinary training and accountability arrangements. The involvement of military personnel in civil enforcement must therefore be exceptional, clearly defined and properly supervised.

Mr. Speaker, Sir, another important issue is the power of arrest without warrant. The Bill allows the non-police enforcement officers, in certain circumstances, to arrest a person without a warrant. This is a significant power. We must ensure that every person exercising such authority understands Constitutional rights, arrest procedures and evidence required when the limit are reasonable forces.

There is also a question surrounding the distinction between detention and arrest. The Bill permits a person to be detained and restrained for certain purposes, while stating that such detention does not itself constitute an arrest.

Mr. Speaker, Sir, the Parliament should receive clear guidance on how long a person may be detained under the provision and when detentions must become an arrest, release or handover to the police. The Bill provides a clear 48-hour safeguard to detained vessels and constitutional protections for arrested persons.

Mr. Speaker, Sir, Fiji has vast maritime areas. We therefore need to know not only the powers this Bill creates, but whether the Government has the resources to exercise those powers effectively, safely and consistently.

Mr. Speaker, Sir, the Opposition recognises the importance of protecting Fiji's maritime borders. We recognise the threats posed by trafficking, smuggling, illegal activity in the sea.

Mr. Speaker, Sir, thank you for giving this opportunity.

HON. S.R. DITOKA.- Mr. Speaker, Sir, I rise to contribute to the Maritime Powers Bill 2026.

Mr. Speaker, Sir, the ocean is our home, our highway and our source of livelihood. It connects our islands, carries our trade, sustains our communities and is an essential part of our identity as a large ocean State. The vastness of our maritime domain also presents serious security challenges. The sea is perhaps the most open of our borders and certainly one of the most difficult to police.

Criminal networks exploit maritime routes for illicit drugs, people smuggling, human trafficking, illegal fishing and other unlawful activities. They affect our communities, our economy and our national security. This Bill is, therefore, necessary and timely, Mr. Speaker, Sir.

Mr. Speaker, Sir, I speak particularly from the foreign affairs perspective. It establishes a modern legal framework enabling our Navy and authorised enforcement officers to board, search, seize and detain vessels suspected of unlawful activity within Fiji's maritime zones and, where international law permits, beyond them.

Importantly, these powers are not unlimited. They are grounded in the United Nations Convention on the Law of the Sea (UNCLOS) and the international rules governing territorial waters. Fiji has consistently championed the rule of law in the oceans. Fiji was not a spectator when the modern law of the sea was written.

One of our own diplomats, the late Ambassador Satya Nandan, led Fiji's delegation throughout the Third United Nations Conference on the Law of the Sea and occupied key negotiating positions in the process that produced UNCLOS. We cannot demand respect for international law from others unless we ourselves exercise our maritime powers consistently with that law. This legislation therefore gives domestic effect to Fiji's international rights and obligations while respecting the sovereignty of other States.

Mr. Speaker, Sir, no Pacific Island country can secure its waters alone. The ocean that separates our islands also connects us. A vessel engaged in illegal activity does not necessarily stop because it crosses an invisible line on a chart, which is why regional cooperation is so important.

The Bill complements our commitments under the Boe Declaration on Regional Security, the 2050 Strategy for the Blue Pacific Continent and the Blue Pacific Ocean of Peace Declaration. Through shiprider arrangements, coordinated surveillance, and information sharing, Fiji works alongside our Pacific neighbours and international partners to strengthen maritime security. The Ocean of Peace cannot simply be a declaration of principle. It must also mean that the Pacific Ocean is safe for our people, secure for legitimate commerce, and increasingly difficult for transnational criminal organisations to exploit.

Mr. Speaker, Sir, another important feature of the Bill is its whole-of-Government approach. Maritime security involves Navy, Police, Customs, Immigration, Fisheries, Biosecurity Authority of Fiji, and other agencies. At present, enforcement powers are spread across different sector-specific laws. This Bill provides a common offence-neutral framework for maritime enforcement, including boarding, searching, detention, arrest, and hot pursuit.

I welcome the attention given to our critical undersea infrastructure, as was mentioned by the honourable Vakalalabure. Our submarine cables carry internet traffic, banking transactions, Government communications, and emergency information. They connect Fiji with the world, and damage to that infrastructure can, therefore, become an economic and national security issue very quickly.

The Bill recognises that reality and provides mechanisms for protecting these vital national assets. However, strong enforcement powers must always be accompanied by safeguards. The powers provided by this legislation must be exercised lawfully, reasonably, and proportionately. Officers must identify themselves and explain their actions, and searchers must respect human dignity, and vessels must be released when no wrongdoing is established.

Mr. Speaker, Sir, Fiji is an ocean State – our security, our economy, and our future prosperity are inseparable from the security of the maritime domain surrounding us. The threats have changed, criminal networks have become more sophisticated, technology has changed, and the strategic importance of the Pacific has increased. Our laws must, therefore, keep pace while remaining firmly anchored in our Constitution, international law, and respect for the sovereignty of other States. This Bill strengthens Fiji's ability to protect its maritime domain, while reinforcing the principles of regional cooperation and the rule of law that we advocate internationally. I thank you and commend the Maritime Powers Bill 2026 to the House.

HON. P. TIKODUADUA.- Mr. Speaker, Sir, I would like to thank all the honourable Members who have contributed to this Bill and the support that has been put to it. We have a responsibility here as legislators, and primarily to that is the interest and the welfare and wellbeing of all of our people. The time has now come to ensure that we sharpen up the teeth end of the enforcement of Fijian laws across our waters. The problem at present is, as we have heard all night from the contributions to this Bill, that the law in isolation is practised by the different entities of our border agencies, and those have already been articulated to the House.

What this Bill does is, it provides a common framework through which those laws can be enforced when the incident occurs offshore. That is the whole idea behind this, so that we have a concerted effort as a nation, particularly when dealing with the transnational organised crime and drugs that are heavily damaging our people and families at this time. The Bill is timely, and I thank the voice of support that are being expressed in the House.

Before I finish, I would like to thank all our law enforcement officers at sea – the police, Customs, immigration, biosecurity, and the Fijian Navy – for the work that they do tirelessly. Fisheries also of course, and health and everyone who is involved looking after our people. I want to include everyone, that we in this House, recognise the work that they do, keeping our people safe. The best thing that we can do is provide them the legal framework to do their work better, and that is what we will pass in this House tonight. I thank you Mr. Speaker, Sir.

MR. SPEAKER.- The Parliament will now vote.

Question put.

Motion agreed to.

[Maritime Powers Bill 2026 (Bill No. 35/2026), moved under Standing Order 51, passed and enacted by the Parliament of the Republic of Fiji. (Act No. of 2026)]

BOSE LEVU VAKATURAGA BILL 2026

HON. I. VASU.- Mr. Speaker, Sir, pursuant to resolutions of Parliament on Tuesday, 29th September 2026, I move:

That the Bose Levu Vakaturaga Bill 2026 (Bill No. 34/2026), be debated, voted upon and be passed.

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

MR. SPEAKER.- Honourable Members, please again note that pursuant to the resolution of the Parliament on 29th of September 2026, a debate on the Bill will be limited to one hour. And your respective speaking times will be displayed on the wall timer.

HON. I. VASU.- Mr. Speaker, Sir, I rise to support the Bose Levu Vakaturaga Bill 2026. This Bill concerns an institution that is older than any statue that had sought to regulate it. The Bose Levu Vakaturaga (BLV) was not created by legislature, and its authority does not arise simply because Parliament names it in an Act.

Its standing comes from the *vanua*, from custom and from the responsibility carried by Fiji's traditional leaders. The task before Parliament is therefore not to manufacture customs through statue. It is to give customary institutions a clear, workable and accountable legal framework for the present day, while respecting the resource of its customary standing.

Mr. Speaker, Sir, Parliament previously restored a statutory basis for the BLV and regulations subsequently support its operations. Experience under that framework show the needs for a comprehensive standalone law. One that states the institution status, objects, composition, leadership, administration, functions and financial responsibility in one place.

The Bill responds to that need. Clause 3 requires the Act to be applied consistently with recognitions of BLV as the principal customary and traditional institution of the *iTaukei* people and with the Constitution.

Clause 5 then continues the Great Council of Chiefs as the Bose Levu Vakaturaga under the new Act. The formulation matters. It acknowledges customary identity, while making clear that the institutions operates within Fiji's constitutional and legal order. Separately, the Constitution (Amendment) Bill 2026, Bill No. 32, 2026, proposes constitutional recognitions of the BLV and protections for specific constitutional arrangements relating to it. That is a distinct measure. The Bill before us provides the statutory governance and operational workforce for the institutions. It should not be confused with the separation questions of constitutional status.

Under Clause 6, the BLV has corporate capacity so that it can perform its statutory functions, hold and manage property, enter lawful arrangements and meet its obligations with continuity and certainty.

Clause 8 sets out objects of direct importance to the *iTaukei* people, recognising traditional leadership, protecting identity, culture, heritage, language and traditional knowledge, promoting social and economic wellbeing, including health and youth development, and proposing laws or amendments affecting the *iTaukei* resources, culture, heritage, arts and identity.

Those are not abstract subjects. They bear on the stewardship of land and resources. The transmission of knowledge between generations, the validity of language and customs, and the ability of traditional institutions to contribute constructively to national development.

Bill's reference to health and youth development also has immediate practical importance. The BLV can use its standing and traditional network to support community awareness and collective actions on HIV, illicit drugs, youth and youth vulnerability. Government cannot meet those challenges alone.

Families, villages, churches, schools, civil society and traditional leaders all have roles in

prevention, dialogue and support. Clauses 26 and 27 enable the BLV to consider questions affecting the iTaukei Governance rights and wellbeing, review relevant laws and policies, make recommendations through the minister responsible and engage on the protection of resources, traditional knowledge and fair benefit sharing.

Clauses 34 and 35 also address institutional coordination and provide channels for recommendations and policy directions so that statutory responsibilities are connected rather than fragmented. Mr. Speaker, Sir, Clause 14 provides a representative structure grounded in traditional leadership across Fiji, including provincial and Rotuman representation. Together with the ex-officio and advisory, participation set out in the Bill. Subclause 14(2) retains the specific requirements to make reasonable efforts to include women among chiefly nominees. The Bill also contains safeguards for political impartiality.

Clauses 18E and 19D exclude persons who hold political office for membership, while Clauses 24C and 24E require the Secretary-General to meet safeguards concerning recent political party office, character, integrity and impartiality. This provision helps preserve the institution's independence and public confidence. The governance structure is clarified across Clauses 10 and 23 to 25.

The Chair provides institutional leadership, the Deputy Chair supports that role. Clauses 23 to 25 assigns the Secretary-General responsibility for day-to-day administration, while Clause 29(2) makes the office the principal accounting officer. It avoids concentrating customary leadership and executive administrations in the same office. It gives the Council a clearer line between its collective authority, the leadership of its meetings and the professional administrations required to carry out its decision. Recognitions must be matched with responsibility.

Clause 28 requires ethical standard and integrity, minutes of all minutes, public summaries of deliberations. Clauses 29 to 32 then establishes a framework for sound financial management and where funds appropriated by Parliament independent audit and tabling of annual reports.

The Secretary-General's role as Principal Accounting Officer establishes a peer point of administrative responsibility. Where public funds are appropriated, independent audit provides external scrutiny while the tabling of audited statements and annual reports connects the use of these resources to democratic accountability. These safeguards do not diminish the customary character of the BLV. They protect it. Institutions of enduring significance are strengthened when their authority is accompanied by transparent administration, proper records and responsible stewardship of resources.

Clause 36 also established a procedure for future Bills affecting despite *iTaukei* rights and interests. Before such a Bill is introduced, it must be referred to the BLV for consideration.

The Chairman must prepare a memorandum of comments and the Minister must attach that memorandum. This does not remove Parliament's authority to legislate. It ensures that the principal customary and traditional institutions as the structural opportunity to consider the measure before it is introduced.

Mr. Speaker, Sir, until commencement the existing position continues. On the commencement, Clause 37 preserved continuity to existing Acts, decisions and resolutions and expressly protects customary authority, customary law and chiefly governance practices.

Mr. Speaker, this Bill is about continuity with clarity, continuity of customary institutions,

clarity about its legal status, clarity about who leads and who administer, clarity about its function and clarity about its accountability. It recognises that tradition and modern administrations are not opposing ideas.

The authority of the *vanua* can be respected while governance is made clearer. Custom can be protected while financial and administrative responsibility are properly defined. Traditional leadership can remain rooted in the own source of legitimacy while contributing confidently within the constitutional order.

The BLV has an important role in protecting identity, strengthening leadership, advising on matters affecting *iTaukei* rights and interests and helping communities meet the challenge of the present without losing the inheritance of the past. For those reasons, I ask honourable Members to support the Bill.

Mr. Speaker, Sir, I commend this Bill to the House.

HON. S.D. TURAGA.- Mr. Speaker, Sir, I rise to contribute to the debate on the Bill before this august House. I do so with gratitude and with deep awareness of the weight of what this House has been asked to restore today.

Mr. Speaker, Sir, I believe every Member of this House on both sides recognises the Bose Levu Vakaturaga (BLV) as the apex of *iTaukei* institutions. It was established as an independent body through which our chiefs could give voice to the hopes and aspirations of the *iTaukei* people, to guide them, provide a platform for *iTaukei* initiatives, and to offer counsel matters of governance, the protection of our traditional knowledge, intellectual property, and the relationship between the *iTaukei* and the Government of the day. Its purpose has never been to stand apart from the nation, but to help hold it together. When Government and our chiefs work side by side, policy reaches our villages with understanding and with trust, and all the people of Fiji are the better for it.

Mr. Speaker, Sir, the Great Council of Chiefs were re-established under previous administration. The Council had offered views that differed from those of the Government at that time. It spoke for the protection of *iTaukei* people, and it spoke of the need for Government to work together with our chiefs in carrying its policies to the people. They were not words of opposition. They were words of counsel.

I do not wish to dwell on the hurt of that period. Though many of our people felt it deeply, particularly when words were spoken against our chiefs, I will only say this. It grieved many of us that at that time, more *iTaukei* voices in this House did not rise in defence of the Council. I say this not to cast blame on any individual, because each of us must reflect on our silence and honesty as on our words. Today gives every one of us on both sides of this house the opportunity to speak with one voice.

Mr. Speaker, Sir, on Tuesday, the honourable Usamate described this as a sacred Bill and asked for time to study it. I welcome that description. It is indeed a sacred Bill, and I trust that having studied it, the honourable Member and his colleagues will stay with us in supporting it. The care of the *iTaukei* people and their citizens does not belong to one side of this house. It is the duty we all share.

Mr. Speaker, Sir, why does this matter now? Experience has shown us that *iTaukei* rights cannot too easily be taken for granted. It can be quietly worn away by government policy. Allow me to recall briefly and respectfully one example. On Friday, 16th July 2021, Bill No. 17 of 2021 came before this House as part of the consequential budget amendment Bills. It amended Section 12 of the

iTaukei Land Trust Act, by removing the requirement for consent. In doing so, it took away the right of iTaukei landowners to be consulted, and with it the right a free, prior, informed consent, a right that is recognised internationally.

There was no consultation and many of our people were left feeling that their views on the land did not matter. The *Gone Marama na Roko Tui Dreketi* rose and conveyed the concerns of the *Vanua o Burebasaga*. The Hansard records on page 2296 that some 30,000 people signed a petition expressing their disagreement with this Bill.

His Excellency, the President, who was the Leader of the Opposition, spoke at length. The Tui Cakau appealed to the Government to reconsider, and he appealed in particular to his fellow iTaukei on Government benches to think of their people. At page 2287 of the Hansard Report, he is recorded saying, quote, honourable Attorney General and honourable Prime Minister, all we ask, please, we need more consultation.

The honourable Minister for Youth also spoke that day. He told the House that he represents 24 Chiefs and 24 *Vanua*. He pleaded for the Bill to be withdrawn. Many other Members cautioned the government about the consequences. Nevertheless, the Bill was passed. The Government aborted consequences, nevertheless, the Bill was passed.

Mr. Speaker, Sir, I recall those events do not reopen old wounds, but so that we remember why consultation matters and why it must never again be treated as an option. In that season the *Vanua* turned to prayer, our people fasted and they held on to the faith where one door had closed, God would open another. In December 2022, the people spoke through the ballot box. A new government was formed for many in the community that was the answer to their prayers.

The honourable Premila Kumar remarked yesterday that this Government came into office by single vote. That is true Mr. Speaker, and I acknowledge it with humility rather than with pride. Great change often began with just one, one voice, one person, one vote. That single vote is a reminder to all of us and to those of us in this august House, most of all, that we hold office in trust, only for long as we honour the people who placed it in our hands.

Under the leadership of the honourable Prime Minister, this Government has committed itself to listening to the people and taking to their views into account. We have restored the consent requirement of the section 12 of the iTaukei Land Trust Act. And today we are re-establishing BLV.

Let me also say to every community in our nation, to our Indo-Fijian brothers and sisters, our Rotuman and Kai Loma families, to all who call Fiji home: the return of BLV takes nothing away from you. A secure and confident iTaukei people is the foundation on which a shared Fiji can stand. Throughout its history, the Council has counselled peace, and I trust it will do so again.

The Psalmist reminds us, “Behold how good and how pleasant it is for brethren to dwell together in unity”. Moving forward, this Government will ensure the iTaukei interests are protected and that what took place in 2021 is not allowed to happen again. I humbly invite every Member of this House to join us in that commitment. Mr. Speaker, Sir, I support this Bill.

HON. S.T. KOROILAVESAU.- Mr. Speaker, Sir, I thank you for the opportunity to rise and speak on Bill No. 34 of 2026.

Mr. Speaker, I support the Bill that has been delivered by the honourable Minister in this Parliament and I encourage all Members of Parliament to support this Bill. The Bill basically establishes the Bose Levu Vakaturaga (BLV) which has historically operated as a customary

institution for the iTaukei people. It was previously regulated under the iTaukei Affairs Regulation 2024 as a subordinate body under the iTaukei Affairs Act 1944.

Mr. Speaker, Sir, I just want to highlight a few points in the interest of time that I would like to stress this evening, and then I would like to then speak in iTaukei just to make sure that all our indigenous community understands why I am asking all Members of Parliament to support the Bill before Parliament. The Bill gives the BLV its own statutory foundation. It gives the institution the significance and the own self-determination administration as contained in the primary legislation.

Mr. Speaker, it recognises the BLV as the principal customary and traditional institution of the iTaukei people. It recognises the *Bose Vanua*, it protects the customary authority of the *Vanua*. It gives the BLV legal personality and institutional independence. The membership is predominantly drawn from traditional chiefly structures, but it includes the people that can be appointed or selected to become members of this august body.

Mr. Speaker, I encourage that there are female representations that have been encouraged to be included in the traditional structures as outlined in the Bill. The Bill does not restrict the BLV for ceremonial or cultural purposes also but has been given other duties that can address the difficulties that are being faced by the iTaukei communities in this present age. Give the BLV the monitoring of development that affects iTaukei people and gives the BLV a formal voice in legislation affecting the iTaukei interests.

Turaga na Sipika, au kerea saka tiko ena loma ni Palimedi ena kena tokoni na vakatutu me baleta na Bill No. 34 ni 2026. Na ka au kerea kina baleta ni vakadeitaka se vakamatanitutaka na BLV ka dau dabe tiko mai e sega tiko ni vakadeitaki.

Na lawa e vakaturi saka tiko na yakavi ni kua ena solia na kaukauwa vua na BLV me vakayacora na cakacaka era gadreva na lewenivanua vakabibi na itaukei me rawa ni ra liutaki kina vakavinaka ena veigauna e tu mai muri.

Au kila, Turaga Na Sipika, ni levu na ka e rawa ni dolava vei keda ena noda gole yani e tu iliu, levu na bolebole vakabibi ena gauna dredre eda curuma saka tiko ena gauna qo. E da saka na BLV, e levu na vakatulewa e rawa ni cakava me yavalata na noda itikotiko vakavanua. Na noda veiyasana, na noda veikorokoro, kei na bose vakavanua e caka wavoki ena noda veiyasana i Viti.

E vinaka me da tokona na vakatutu nei Minisita baleta ni kauta cake mai okoya na Mata Bose Vakaturaga me rawa ni wili ena kena buli na lawa me baleta na noda taqomaki kei na noda raici na kawa itaukei ena noda vanua i Viti ka ra sega ni guilecavi kina na veimata tamata era sa mai vakatoka me ra lewenivanua i Viti. Oya saka na noqu vosa ena yakavi ni kua, au kerei ira saka tiko na lewe ni matabose cecere qo me ra tokona na lawa e sa biu saka mai me baleta na BLV.

[Mr. Speaker, Sir, I rise in this Parliament to support the motion relating to Bill No. 34 of 2026. I do so because it seeks to formally recognise and establish the Great Council of Chiefs, which has not been formally recognised.

The legislation being proposed this afternoon will give the Great Council of Chiefs the authority to carry out the responsibilities that the people, particularly the iTaukei communities, expect of it so that they may be guided and represented effectively in the years ahead.

Mr. Speaker, Sir, I know that many opportunities lie before us as we move forward, together with many challenges, especially during the difficult times that we are currently facing.

Through the Great Council of Chiefs, many decisions can be made to strengthen our traditional communities, our provinces, our villages and the customary institutions that operate throughout the provinces of Fiji.

It is important that we support the honourable Minister's proposal because it elevates the Great Council of Chiefs so that it may have a voice in the making of laws concerning the protection and wellbeing of the iTaukei people in Fiji, while at the same time not forgetting all those who now call themselves citizens of Fiji.

Those are my remarks this afternoon. I therefore respectfully ask you honourable Members of this august House to support the legislation that has been brought forward concerning the Great Council of Chiefs.]

HON. S. KIRAN.- Mr. Speaker, Sir, I rise today in support of the Bose Levu Vakaturaga Bill 2026. This Bill does more than re-establish an institution. It restores a customary authority that has historically served as a unifying pillar of social cohesion and peace for all communities in Fiji.

Mr. Speaker, Sir, our history is built on the profound generosity of our traditional leaders. When our ancestors arrived during the harsh years of indenture, it was the people of the land and the chiefs who extended care, comfort, and support for their survival. Our archives are rich with these testimonies of shared humanity. We see it in the historic bond between Ratu Sir Lala Sukuna's father and the late Badri Nath, which helped establish the Wairuku Indian School, allowing one of the greatest chiefs of this land to begin his education there.

We see it in the heroic 1884 rescue mission of the Syria shipwreck, where Turaga Ratu Sauvoli of Noco led the rescue mission, saved and cared for more than 100 indentured labourers and buried those who lost their lives on chiefly ground. We saw this relationship develop further when the late Turaga Tui Noco formally embraced the descendants of indentured labourers into his *i cavuti* in 2016, drawing us into the sacred fabric of *iTaukei veiwekani*.

Mr. Speaker, Sir, when the indenture system ended, our elders traditionally approached the chiefs to lease land. Even during the times of political upheaval, foundational respect remained. The farmers caught in the past civil unrest shared and it has been well documented that they regarded the landowners as *raja*, or kings, and referred to themselves as *Asaami*, or tenants. As the respected late National Federation Party leader, Mr Jai Ram Reddy, profoundly stated in his historic address to the great Council of Chiefs, our traditional leaders are the chiefs of all people who live in Fiji. During consultations for the re-establishment of the Bose Levu Vakaturaga (BLV), I reiterated the sentiments to the Review Committee when I met with them alongside the *Vanua* of Rewa.

Mr. Speaker, Sir, when the previous Government removed the Great Council of Chiefs, they did not just dissolve an institution, they fractured the very cultural roots that anchor our national unity. Social stability depends on addressing the everyday hardship of our people. By formalising the BLV, this Bill empowers our chiefs to be modern partners in national development. This mandate is explicitly woven into the core provisions of the legislation.

Clause 8 targets the socio-economic wellbeing of *iTaukei* communities, positioning the Council to actively promote education, entrepreneurship, youth development, health and poverty reduction.

Clause 26(d) explicitly charges the Council with identifying modern socio-economic challenges, including informal settlements and climate resilience.

Clauses 8 and 26(f) serve as vital safeguards for language, cultural heritage and identity. We know that children who grow up with a secure sense of cultural identity possess far greater resilience. Today, we see an increasing number of young *iTaukei* on our streets who feel disconnected from their heritage. This Clause is a crucial intervention to help anchor our youth in their roots, to help them develop a sense of belonging they lack. As the Minister responsible for women and children, I am highly encouraged by the specific Clauses within the Bill that demand greater gender representation.

Clause 10(3) requires the Council to make all reasonable attempts to ensure gender balance when appointing its Chairperson and Deputy Chairperson.

Clause 14(2) requires every province to make a reasonable effort to include female chiefly nominees within their Council. I want to put on record my deepest appreciation to the BLV for their submission to the Constitution Review Commission, advocating for a 40 percent gender quota for parliamentary seats. That is unprecedented.

Through that one submission, chiefs from all 14 Provinces have progressively tried to advance SDG5, gender equality and women's leadership in this august House. This is progressive vision and leadership in action. When our traditional institutions are stable, families are stronger and our social protection systems succeed.

The vitality of *iTaukei* institutions is fundamentally inseparable from the peace and wellbeing of this nation. Empowering our chiefs through this Bill strengthens cultural foundation, reinforces our social fabric and fosters national cohesion. I fully support Bose Levu Vakaturaga Bill 2026.

HON. J. USAMATE.- Mr. Speaker, Sir, I stand to support the Bill that is before the House – the restoration of the Bose Levu Vakaturaga (BLV), and in particular, as my colleague has pointed out, for the first time ever, making it a body corporate. A lot of things have been said. I was trying to figure out what are the things that I have here that has not already been said. When we were talking yesterday about *lawa ni koro* (village bylaws) and the nexus between individual rights and communal rights, this is a big issue for us in our country, because on one hand we want to be a Western democracy and at the same time, we have our traditional norms of leadership. Blending these things together is something that is very critical for us to be able to do well.

One of the merits of this particular Bill, apart from restoring the role of our chiefs and what they stand for and the things that the honourable Koroilavesau has talked about is, when I look at the functions of the Bill as set out in the law itself, it very clearly states what BLV will be doing. It has the role of things being referred to it; it has the role also of the opportunity to be able to initiate things that it needs to do; and it also has oversight over things like traditional knowledge and intellectual capital and so forth.

I think the way it is done in the Bill itself, it manages to work that fine line between the need for a liberal democracy that we live in today, where we have the individual rights, and at the same time we have our communal rights and our communal leadership. Sometimes when these things get muddled up, we have had problems in the past, when these things happened together. One of the things I like about the Bill, is that it requires those to be part of that to be apolitical. So, there is a separation from the normal politics that we have because, normal politics is very rough and tumble and it can impact the way that we make decisions.

That is one of the merits of this particular Bill. It raises the role of the chiefs that we have from the time that they have been involved in our history and at the same time also preserves our liberal democracy, individual rights that we have. It is not an easy thing to do, and I think the Bill

does it quite well. And it will be the challenge for all of us because it is when we go on one side or the other that we always have problems, but we do not have that blending of the different rights that we have.

Mr. Speaker, Sir, a lot of other good things in the Bill. One of the things that we normally have in our cultures is lack of transparency in what we do things. One of the things that is apparent in this Bill, is it requires transparency. It requires transparency in how all things are. The way that people are nominated, the way that they make decisions. There is that element of transparency that is brought in.

In our culture, *ena so na gauna eda dau toka lo ga - eda waraka me qai yaco ga mai. Ia koya ogo e vaka e duidui vakalailai, e laveti ena rarama meda raica vakavinaka saraga na veika e vakayacori tiko.* (Sometimes, we would just keep quiet - we would wait for things to happen on their own. However, this time, it seems a little different; it has been brought into light so that we can clearly see what is really going on.) So, I think that is something that I really like.

One of the other things that I noticed Mr. Speaker, Sir, which I appreciate from the Bill is that it gives the BLV influence over important iTaukei institutions, it has an influence on that. If we look further, in terms of the draft Constitution that is before us, there are other aspects of the other roles that are given to the BLV. It also has a powerful role for the BLV in terms of monitoring and developing iTaukei rights.

I think in Fiji, the big issue for us as we move forward, is our generation is used to these structures. Our young are not so used to it. We also find that when we go to our villages, when there is a breakdown of that adherence or reverence for traditional authority, other things, everything just goes haywire. It is finding that balance, I think to a large degree, the Bill tries to walk that line between maintaining our liberal democracy and at the same time seeing the importance of our traditional structures, our traditional values as iTaukei.

As has been said by the honourable Sashi Kiran, the chiefs are chiefs of all the people of this country and we will look to them to be able to, I was speaking at an eulogy for one of our chiefs and I think he was the younger brother of the chief of his village and I referred to him as *na i vakaraitaki ni veivakaturagataki*, that was last week. So, I think that we can all learn from this concept of *veivakaturagataki*, *na veirokovi*, *na veidokai*, and we can bring it forth into the mainstream of running our country. So, as I have said, I endorse the Bill.

HON. RATU J.B. NIUDAMU.- *Turaga saka na Sipika, au tucake saka na yakavi nikua me'u tokona saka na mosoni e veivosakitaki tiko ena siga e daidai me baleta na lawa vakatutu No. 34 2026 - ena kena vakatututaki me sa vakalawataki se vakamatanitutaki na Mata Bose Levu Vakaturaga.*

Taumada au cavuta saka noqu vakavinavinaka vei rau na noqui tokani lewe ni Palimedi mai na i To ni Veisaga, honourable Usamate kei honourable Koroilavesau, ena nodratou tokona na kena vakalawataki se vakamatanitutaki saka na Mata Bose Levu Vakaturaga.

Na siga saka nikua e dua na siga bibi ena veidelaniyavu tabu vakaturaga ena noda vanua lomani ogo ko Viti. Keimami vakananuma lesu na i tavi bibi era a qarava na vei turaga bale kei na vei marama bale ena vanua lomani o Viti me vanua sautu ka veilomani me yacova mai e daidai.

Eso era raica walega ena lawa vakatutu qo me baleta e dua na i soqosoqo vakavanua. Ia, e levu cake sara na kena bibi ka titobu sara na kena vakananau ena noda dela ni yavu tabu vakaturaga. Eda sega ni cakitaka rawa na kawa i Taukei, ka vakatalega kina o ira na veimata tamata era sa mai tu saka e Viti, na bibi ni tavi esa qarava oti na Mata Bose Vakaturaga mai na gauna ni

Koloni, na gauna a tekivutaki kina, me yacova saka mai na siga e mai bokoci kina ena dua na lawa kaukauwa se na Decree enai ka 14 ni Maji, 2012.

Turaga saka na Sipika, na kena mai bokoci na BLV kei na vosa e tau me baleta na neimami Mata Bose Levu Vakaturaga, e kauta tani sara ga na i tovo e vakaturaga, veidokai kei na veivakaliuci.

Turaga saka na Sipika, esa tekivu pasitaki eso na lawa mai na Matanitu sa oti ka sega ni bau rogoci na domodra na i Taukei. Esa tekivu me vakaraitaki e Viti na i tovo e veikalawaci, sega na veirogorogoci, cakacaka duadua, kana cuvacuva, vakaweleweletaki na kena teivaki na qele, nira sa bulataka na draki ni bula duadua ka ra sa sega ni via vakarogoca na i tuvatuva ni Vanua, ka dua na vuna levu ni nodra sa doudou mera beca na lewa ni Vanua.

Turaga saka na Sipika, e daidai e dua na siga marautaki vei keimami na i Taukei ena kena sa na vakalawataki na Matabose Levu Vakaturaga. Esa na vakalesui tale mai na i tovo e vakaturaga vei keda na kawa i Taukei – na i tovo ni veivakaliuci, veidokai kei na veivakarokorokotaki. Esa na vakalesui mai na i rairai dina eda dau kilai tani kina na kawa i Taukei e vuravura taucoko. Nira sa na vakaturagataki na noda vei dela ni yavu tabu vakaturaga, sa na qai vakaturaga na noda i tovo na i Taukei ni vanua o Viti.

Na lawa, saka, oqo e vakabibitaka e vica na ka ka’u kila ni sa vosa rawa saka tiko kina na turaga wekaqu, o honourable Koroilavesau, ni sa dua na ka bibi ena kena sa vakamatanitutaki - me bau kilai tale tu ga na Matabose Vanua ni Veiyasana, ni dua na matabose era dau lewena tu o ira na vei turaga bale kei na marama bale ena loma ni veiyasana, ka dua na matabose e sega soti tu ni dau vakabibitaki baleta ni sega tu ni vakamatanitutaki. Ia, au vakavinavinaka ni sa rawa ni nanumi na lawa vakatutu oqo me sa vakamatanitu na Matabose Vanua ni Yasana, esa na solia, saka, e dua na kaukauwa levu vei ira turaga bale kei ira na marama bale ena kena sagai me na wali e levu sara na veika esa yacovi Viti tu e daidai.

Au via cavuta, saka, talega na noqu vakavinavinaka vua na Turaga na i Liuliu ni Matanitu - na Turaga na Paraiminisita, na Turaga Minisita ni Veika vakaiTaukei, Matanitu Cokovata, ena kena kau lesu tale mai ena nodra nanumi tu na turaga bale kei na marama bale ni noda vanua lomani saka o Viti.

Au vakarau, saka, ni mai tinia na noqu vosa, au gadreva me’u na veivakararamataki ena dua na tikina mai na i Vola Tabu ena Roma 15: 1, e tukuna tiko vaka oqo; “Mera talairawarawa vei ira na Turaga ko ira na tamata kecega, ni sa sega na turaga sa tubu wale – sa mai vua ga na Kalou. O ira era sa turaga tu, sa lesi ira na Kalou. Vinaka saka vakalevu, na Turaga na Sipika.

[Mr. Speaker, Sir, I rise this afternoon to support the motion being debated today concerning Bill No. 34 of 2026, which proposes to give the Great Council of Chiefs legal recognition by establishing it in law.

First, I would like to express my sincere appreciation to my two fellow Members of Parliament from the Opposition, honourable Usamate and honourable Koroilavesau, for supporting the proposal to give the Great Council of Chiefs legal recognition.

Today is an important day for the traditional social and chiefly structures of our beloved Fiji. We look back and remember the important roles played by the high chiefs and chiefly women in making our beloved Fiji a peaceful and harmonious nation, as it remains to this day.

Some may view this proposed law merely as concerning a customary organisation. However,

its significance is far greater, and its meaning runs much deeper within the sacred foundations of our chiefly system. Neither the iTaukei people nor the various other communities who have made Fiji their home can deny the important role that the Great Council of Chiefs played from the colonial era, when it was first established, until the day it was abolished by a powerful decree on 14th March 2012.

Mr. Speaker, the abolition of the Great Council of Chiefs, together with the remarks made about our Great Council of Chiefs, has taken away the very essence of chiefly values, respect and the recognition of proper precedence.

Mr. Speaker, some laws were passed by the previous government without the iTaukei people being heard or consulted. Practices such as division, a lack of consultation, individualism, selfishness, and the neglect of land cultivation began to emerge in Fiji. People began living individualistic lifestyles and no longer wished to listen to the traditional protocols and decisions of the *Vanua*. This became one of the major reasons why they grew bold enough to disregard the authority of the *Vanua*.

Mr. Speaker, today is a day of celebration for us, the iTaukei, as the Great Council of Chiefs is to be given legal recognition. The chiefly values that define us as iTaukei - the values of giving precedence, respect and showing reverence - will be restored to us. The true identity by which the iTaukei are recognised throughout the world will be restored. When the sacred foundations of our chiefly system are once again accorded their rightful chiefly status, the customs and conduct of the iTaukei, the indigenous people of Fiji, will once again reflect their chiefly heritage.

Mr. Speaker, this Bill highlights several important matters which, I understand, my fellow Member, honourable Koroilavesau, has already spoken about. One important aspect of giving legal recognition to the institution is that the Provincial Councils should also be recognised. These councils are made up of high chiefs and chiefly women within the respective provinces, yet they have not received much attention because they have not been formally established in law. However, I am grateful that this proposed legislation also considers giving formal legal status to the Provincial Councils. This will grant considerable authority to the high chiefs and chiefly women as they work towards addressing the many challenges currently facing Fiji.

I would also like to express my gratitude, Mr. Speaker, to the Head of Government, the honourable Prime Minister, and the honourable Minister for iTaukei Affairs, for bringing back this recognition and for remembering the high chiefs and chiefly women of our beloved Fiji.

As I prepare to conclude my speech, Mr. Speaker, I would like to offer some words of reflection from the Bible, from Romans 13:1, which says: "Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been appointed by God." Thank you very much, Mr. Speaker.]

HON. RO F.Q. TUISAWAU.- Mr. Speaker, Sir, today is a very significant day in the history of our nation, in terms of our constitutional and legal history. If we look back in the last 16 years, there was an overriding framework, ideological legal framework, which was related to Mr. Sayed-Khaiyum, who had authored a university thesis - Constitution-Making in a Divided Society: Fiji as a Case Study, where the Sunset Clause was imposed on this country, which led to the removal of the Great Council of Chiefs and the imposition of the 2013 Constitution.

Mr. Speaker, Sir, may I speak in the vernacular. *E dua na siga bibi e dai, ni sa mai kau laivi*

kece na viritawala koya mai biu tu oya, me butuki sobu tiko kina na noda toso na kawa i Taukei. E dai, esa tekivu me sereki oya ena kena duri tale 'qo na Bose Levu VakaTuraga, ka'u sa vakavinavinaka vua na Turaga na Minisita, ka vaka talega kina na i To ni Veisaga ni sa da duavata tikoga, ia esa da veilomanitaka tiko mai ena kena yaco tiko na veirogorogoci ni Matanitu kei na Vanua. Ogo sara ga na kena gaunisala meda vakadeitaka kina na noda veivakaduavatataki tiko.

E dau tukuni tale tikoga ni sa vakapolotikitaki na Bose Levu Vakaturaga, ia, nida raica na Lawa Vakaturi esa tiko ogo, eratou vakaraitaka mai ni se volai tiko na nodratou vakatutu na raica na Yavu ni Vakavulewa, ni vakadeitaki tiko ni dina ni levu na kena vakamacala ni vakapolitikitaki, ena bibi me tiko na Peresitedi, na Turaga na Prime Minister kei na Minister, ni na raica na tikina e 14 ni Lawa Vakaturi me ratou tiko me baleta me rogoci tiko na vakatutu ni Matanitu.

E vica talega na vosa au dau rogoca, ni Bose Levu Vakaturaga is undemocratic. Ia, ni da raica na kena vakatutu kei na veitikina eso sa tiko qori, e sega, e rogoci kece tiko kina na domo ni Vanua, vakatalega kina na domo ni Matanitu, ena kena veivakaduavatataki tiko na Vanua kei na Matanitu ena kena veirogorogoci.

E tiko talega na lawa ogo ena Tikina 19 na kena vakamatatataki se o cei e rawa ni lewe ni Bose Levu Vakaturaga se o cei e sega ni rawa ni lewena. Ena Tikina 19, e tiko talega kina ni o koya e dua na nona i tutu vakapolitiki, ena sega ni rawa ni lewe ni Bose Levu Vakaturaga.

Au vakabibitaka talega na siga e dai na Tikina 26. E vakamatatataki tiko e kea na vei tavi eso me qarava na Bose Levu Vakaturaga ena kena laurai me na liutaki vinaka na kawa i Taukei, na nodra dodonu se na lawa e tarai ira. Ia, ogo e sema tale tikoga ni da na raica na Yavu ni Vakavulewa vakaturi me na veivosakitaki ena siga ni mataka, na veika eso koya vakaturi tiko kina o koya sega ni tiko e na lawa vakaturi ogo.

Ena Tikina 50, oya na lawa eso koya me taqomaki tiko kina na kawa i Taukei me ratou vaka i tavi tiko kina na lewe ni Bose Levu Vakaturaga. Na Seneti esa vakadeitaki tale tikoga e na lawa vakaturi eda na qarava ni mataka me baleta na Yavu ni Vakavulewa. E veisemati kece tiko oya. E da sa vakavinavinaka tiko kina ni sa mai vakaturi rawa e dai na lawa ni Bose Levu Vakaturaga. Ni mataka, na vei ka eso me baleta na lawa vakaturi ni Yavu ni Vakavulewa, esa na veicurumaki tiko e kea na veivakaturi kei na sema ni vei tavi eso me na qarava tiko yani na Bose Levu Vakaturaga, vaka talega kina na kena mata e na Seneti me dau qarava na lawa eso koya tara na kawa i Taukei me ratou dau vakarogoci kina me ratou dikeva ni se bera ni vakadeitaki vakalawa. Na veika kece ogo mo ni kila tiko na turaga kei na marama, e a tiko e na Yavu ni Vakavulewa ni 1997, o koya a mai sosomitaka tu na Yavu ni Vakavulewa ni 2013.

E dua talega na ka bibi me vakadeitaki tiko ni tiko ena veilawa eso (International Conventions and International Declarations) na ILO Convention No.169. E tiko kina ni vakadeitaki tiko ni Matanitu me dau rogoca na nodra vakatutu na kawa i Taukei ena dua na vanua se na i taukei ni dua na vanua - mera raica ka matata vinaka na vei lawa eso ni matanitu, ka me ra veirogorogoci ena vei lawa eso o koya e tarai ira (ILO Convention 169).

[Today is an important day, as all those barriers that had been placed in the way of the progress of the iTaukei people are now being removed. Today, the process of removing those barriers has begun with the re-establishment of the Great Council of Chiefs. I express my gratitude to the honourable Minister and also to the Opposition, as we continue to stand united and work together through ongoing dialogue between the Government and the Vanua. This is precisely the path through which we can strengthen and secure our unity.]

It is also often said that the Great Council of Chiefs has become politicised. However, when we examine the proposed legislation currently before us, it indicates that the proposal to review the Constitution is still being considered. Despite the many arguments about politicisation, it is important that the President, the honourable Prime Minister and the Minister be included, as section 14 of the proposed legislation provides for their participation in order to hear the Government's proposals.

I have also heard people say that the Great Council of Chiefs (BLV) is undemocratic. However, when we examine the proposed legislation and its various provisions, we can see that the voices of the *Vanua* are being heard, as are the voices of the Government. This promotes unity between the *Vanua* and the Government through dialogue and mutual consultation.

This proposed legislation also contains provisions in Section 19 that clearly specify who is eligible to be a member of the Great Council of Chiefs and who is not eligible. Section 19 further states that anyone who holds a political position is not eligible to be a member of the Great Council of Chiefs.

I would also like to emphasise Section 26 today. It clearly sets out the various responsibilities of the Great Council of Chiefs in ensuring that the iTaukei people are properly guided and that their rights and the laws affecting them are upheld. However, this is also connected to the proposed Constitution, which is to be debated tomorrow, particularly the matters proposed in that Constitution that are not included in this Bill.

Section 50 concerns the laws intended to protect the iTaukei people, with members of the Great Council of Chiefs playing a role in this responsibility. The Senate is also addressed in the proposed legislation concerning the Constitution, which we will consider tomorrow. All these matters are interconnected. We are therefore grateful that the Bill relating to the Great Council of Chiefs has now been proposed. Tomorrow, when we consider the proposed constitutional legislation, it will incorporate provisions linking the responsibilities of the Great Council of Chiefs with the role of its representatives in the Senate. These representatives would consider laws affecting the iTaukei people and ensure that their views are heard and those laws are examined before they are formally enacted. You should be aware that all these provisions were contained in the 1997 Constitution, which was later replaced by the 2013 Constitution.

Another important point to emphasise is that ILO Convention No. 169 is among the international conventions and declarations. It affirms the principle that governments should consult Indigenous peoples regarding matters affecting their communities and territories. Indigenous peoples should be able to understand the relevant government laws clearly and participate in consultations on laws and decisions that affect them (ILO Convention No. 169).

E tiko talega na lawa ni dodonu ni taukei ni vanua (There is also the declaration on the rights of indigenous people), the UN Declaration on the Rights of Indigenous Peoples. Participation and decision-making in Article 18 states that indigenous people have the right to participate in decision-making matters which could affect their rights. Article 19, the duty of States to consult and cooperate in good faith.

E vakadeitaki tiko e kea me dau veirogorogoci na Matanitu vata kei na Vanua ena vei lawa eso e tarai ira, vaka talega kina na kena caka na vakatulewa me baleta na veika eso baleti ira. O koya oya esa qaravi kece tiko kina na lawa vakaturi oqo, vakatalega kina na veika eso esa na veitalanotaki tiko ena siga ni mataka ena lawa vakaturi ni Yavu ni Vakavulewa.

E mai dua saka tikoga na noqu cau e dai, sa vinaka saka vakalevu. Au vakavinavinaka vakalevu e na veitokoni ni To ni Veisaga, vakatalega kina na Turaga na Minisita, ena cakacaka bibi esa mai vakayacori tiko e dai meda mai yacova tiko kina na tikina ogo me baleta na lawa vakaturi ogo, vakatalega kina na Yavu ni Vakavulewa me na qaravi ena siga ni mataka.

[It affirms the importance of ongoing consultation between the Government and the *Vanua* on laws that affect them, as well as on decisions concerning matters that relate to them. These principles are reflected in this proposed legislation, as well as in the various matters that will be discussed tomorrow in relation to the proposed Constitution.

That concludes my contribution for today. Thank you very much. I sincerely appreciate the support of the Opposition, as well as that of the honourable Minister, for the important work that has been carried out to bring us to this stage in relation to this proposed legislation and the Constitution, which will be considered tomorrow.]

HON. I. VASU.- Mr. Speaker, Sir, I thank the honourable Members for their contribution to the debate. I acknowledge the principal points raised in support of the Bill. The central purpose of the Bill is clear. It recognises the BLV as a customary institution within Fiji's constitutional order and gives it a coherent legal governance and accountability framework.

The Bill preserves continuity while improving administrations. It separates institutional leadership from day to day management, strengthens financial responsibility, independent scrutiny and provides a structure to voice matters affecting iTaukei rights and interests.

Turaga na Sipika, au vakavinavinaka vakalevu ena loma ni Vale ni Bose Lawa ena yakavi ni siga vinaka nikua ena kena mai tekivu na vei qaravi matanitu duavata dua a tutu a kau taucoko mai. Era na vakadaberi tale na noda Turaga e na vanua e dodonu mera dabe saka kina. Me rawa meda liutaki vaka vinaka ena vei ka vakavanua. E na vukea tale ga na kena qaravi kei na vukei na matanitu e na kena vei qaravi e na veisiga.

Ena siga e daidai, au sa vakavinavinaka vakalevu. Tou mai taura tale dua na kalawa na matanitu kei na Palimedi kei na noda sa rokova na nodra gagadre noda lewe ni vanua vaka tale ga kina noda lewe ni BLV ni sa rawa ni tu vakataki koya me qarava na ke nei tavi. E sotava yani na gauna bolebole e da donumaka vakabibi vei ena waigaga ni veivakamatenitaki, HIV/AIDS, na draki veiveisau, nodra maroroi na marama kei na gone, na vei liutaki. Vei vakadonui eda sa mai vakaraitaka ena siga edaidai ka na maroroi kina na noda Turaga, noda kawa ena vei siga ni mataka, maroroi saka tale ga kina na lewe ni vanua eda sa mai vakatokasa tu e na noda vanua o Viti na noda vanua o ira mai vatikotiko saka kina. Au sa masulaka vei na noda kalou vinaka me na veimaroroi, veitaqomaki ena gauna bolebole keda sa lako sara tiko kina. Na levu ni vosa ya a taura tale au vakavinavinaka vakalevu na veitokoni sa caka tu e na loma ni Palimedi e na yakavi vinaka e daidai. Vinaka vakalevu Turaga na Speaker."

[Mr. Speaker, Sir, I wish to express my sincere gratitude in this House of Parliament this afternoon on this significant day as we begin the work of a united government, one that has been fully entrusted with this responsibility. Our chiefs will once again be reinstated to the position where they rightfully belong. This will enable us to be guided properly in matters relating to our traditions and customs. It will also assist and support the government in carrying out its daily duties and responsibilities.

Today, I am deeply thankful that the Government and Parliament who have taken another important step in respecting the wishes of our people, as well as those of the members of the Great Council of Chiefs, by allowing it to exist independently and carry out its

responsibilities.

We are facing many challenges, particularly those related to drug abuse, HIV and AIDS, climate change, the protection of women and children, and leadership issues. The decision that we have made today will help safeguard our chiefs and our future generations. It will also protect all the people who now call Fiji their home and who reside within our country. I pray to our gracious God that He will continue to protect and watch over us during these challenging times through which we are passing. With those few words, I once again express my sincere appreciation for the support that has been shown within Parliament this afternoon. Thank you very much, Mr. Speaker.]

MR. SPEAKER.- The Parliament will now vote.

Question put.

Motion agreed to.

[Bose Levu Vakaturaga Bill 2026 (Bill No. 34/2026), moved under Standing Order 51, passed and enacted by the Parliament of the Republic of Fiji. (Act No. of 2026)]

MR. SPEAKER.- Honourable Members, we will take a break for dinner and I will reduce from an hour to 45 minutes. Before we do, allow me share my thoughts to this Bill that has just been enacted.

As a lawyer, I had followed the proceedings of the Great Council of Chiefs (GCC) for a long time. As a Solicitor-General, I sat as an advisor to the GCC for a period of about four years and I can assure every Member of this House, that the wisdom that transpired in those four walls, I never realised that it was from those members of the GCC who did not receive a university education. However, they shared their views on the people of Fiji, I still have not got over it to this day. I can assure all of you that now, with the creation of this body on its own. It was always a footnote in the Fijian Affairs Act. You may remember that the GCC was created under the Fijian Affairs Act or the iTaukei Act as of now.

However, it has its own structure like a corporate body, as the honourable Usamate said, and all I can say that I am happy. This is, indeed, a momentous occasion for the people of Fiji and the GCC will leave no one behind, I can assure you of that, in my experience with this great body. So with those thoughts, honourable Members, we will take a dinner break for 45 minutes and reassemble accordingly. We have a long way to go!

The Parliament adjourned at 7.51 p.m.

The Parliament resumed at 8.47 p.m.

COUNTER NARCOTICS BILL 2026

HON. I. NAIVALURUA.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Tuesday, 29th September, 2026 I move:

That the Counter Narcotics Bill 2026 (Bill No. 33/2026), be debated, voted upon, and passed.

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

MR. SPEAKER.- Honourable Members, again, the resolution of Parliament on Tuesday, 29th September, 2026 that the debate on the Bill will be limited to one hour and your respective speaking times will appear on the wall timer.

HON. I. NAIVALURUA.- Mr. Speaker, Sir, the drug threat confronting Fiji is real, present, and evolving. That threat now includes narcoterrorism, the use of illicit drug activity, directly or indirectly, to support, finance, promote, or carry out a terrorist act or the activities of a terrorist organisation. Clause 99 of this Bill meets the reality of the 20-fast century by creating a specific offence of narco-terrorism, punishable by life imprisonment with forfeiture of connected proceeds and instrumentalist.

The limitation of the current Illicit Drugs Control Act 2004 is that, it is a more offence-based approach and now transitions from a predominantly to a modern, coordinated, and whole-of-nation counter-narcotics framework. It has new features that distinguish users from drug traffickers. This Bill equips our law enforcement agencies with powers to disrupt trafficking networks, seize the proceeds of crime, hold offenders accountable and support rehabilitation. These are significant powers, Mr. Speaker, Sir, but they are not unchecked powers. They are prescribed by law, balanced by safeguards, and subject to oversight and accountability. The stronger the power exercised by the State, the stronger the safeguards surrounding its exercise must be.

Establishing the Counter-Narcotics Bureau, Mr. Speaker, Sir, Clause 11 of the Bill establishes the Counter-Narcotics Bureau as Fiji's specialised national counternarcotics institution or organisation. Its functions under Clause 13, extend beyond enforcement to prevention, transnational organised crime, treatment and rehabilitation, protection of children, and inter-agency and international cooperation.

Mr. Speaker, Sir, modern narcotics networks operate across borders, maritime routes, digital communications and financial systems. Investigators must therefore be capable of following the criminal network, not simply seizing drugs at the end of it. Importantly, Clause 13 of the Bill requires the Bureau to act in accordance with the Constitution, Fiji's international human rights obligations, and the principles of legality, necessity, proportionality, reasonableness and non-arbitrariness. They are statutory obligations, not policy aspirations.

The Bill balances independence with accountability. Under Clause 16, the Director-General must act independently and impartially, while Clause 18 places the organisation, administration and operational control of the Bureau with Director-General.

Under Clause 22, the Minister may issue general policy directions, but cannot direct a specific investigation, prosecution or operational decision. The distinction is clear. Government is accountable for policy. The Director-General is responsible for operations, but independence does

not mean immunity from accountability.

Clause 17 provides for removal for cause, including a tribunal process for alleged misbehaviour.

Clause 23 subjects the Director-General to the Constitutional Code of Conduct and the Accountability and Transparency Commission. Bureau staff are subject to discipline under Part 6, and Clause 24 ensures alleged criminal conduct by staff remains subject to criminal investigation.

Operational independence, yes. Political interference in individual cases, no. Accountability for unlawful conduct, absolutely, Mr. Speaker, Sir. A critical safeguard is Clause 21. The Human Rights and Anti-Discrimination Commission may monitor and report on the Bureau's exercise of powers against this Bill, the Constitution and applicable human rights standards. It may require information and records, inspect Bureau premises, systems and detention facilities with or without notice, monitor the treatment of suspects and detainees, and must prepare quarterly reports. So, when the question is asked, Mr. Speaker, Sir, "who watches the Bureau?", the answer is written into the Bill itself.

Mr. Speaker, Sir, let me address the intrusive powers directly. Search and seizure, Clauses 113 to 115 establish the general warrant framework. Clauses 116 to 120 permit urgent searches in defined circumstances but provide for post-search judicial approval and appeal. Urgency does not eliminate judicial accountability.

Covert operations is covered under Clauses 122 to 126 which require statutory authorisation and impose defined limits. Importantly, Clause 125 prevents an operation from inducing a person to commit an offence, that person would not otherwise have intended to commit. The Bill authorises the investigation of criminality. It does not authorise the manufacture of criminality.

Mr. Speaker, Sir, on covert surveillance and interception, Clauses 127 to 131 speaks of this. This provides the warrant framework. Under Clause 129, the issuing authority must consider privacy, the gravity of the suspected offending, alternative methods, and the likely investigative value. Warrants have defined scope and duration and may be cancelled or revoked.

On tracking and covert entry, this is in Clauses 132 to 137. They regulate tracking devices and provide a warrant process where covert or forcible entry is required. The objective is targeted investigation, not indiscriminate surveillance.

Controlled deliveries, this is shown in Clause 104. It establishes its own statutory authorisation regime, allowing investigators in appropriate circumstances to follow an illicit consignment to identify the wider criminal network. The important principle is this, different intrusive powers have safeguards appropriate to the particular power being exercised.

Digital devices in Clauses 157 to 162 addresses access to digital evidence. Under Clause 160, significant compelled access requires an order from a High Court Judge or Magistrate who must be satisfied that the statutory threshold has been met.

On forensic procedures, Clauses 163 to 188 provide safeguards covering qualified persons, informed consent, children and persons with impaired capacity, forensic procedure orders, recording and storage of forensic samples.

On the use of force, arrest and movement, Clause 106 speaks into this – requires force to be reasonable, necessary and proportionate.

MR. SPEAKER.- One moment, can I just disturb your intervention, honourable Minister? I understood that you were borrowing from your right of reply time, is that correct?

HON. I. NAIVALURUA.- If I may.

MR. SPEAKER.- I will allow you that and then we will subtract that time when you intervene at a later stage.

HON. I. NAIVALURUA.- Thank you, Mr. Speaker, Sir.

MR. SPEAKER.- I know you have some more to go.

HON. I. NAIVALURUA.- Under Clause 112, arrest without warrant requires reasonable grounds and necessity for a purpose specified by Parliament.

Clauses 138 and 139 provide that stop-departure orders operate within defined statutory requirements, must be in writing and are time-limited.

This is also not simply an enforcement Bill. Part 8 provides for prevention, Part 11 for diversion and the beginning of this Bill is on Part 12, it establishes rehabilitation, including rehabilitation centres, self-reporting and pathways within and the outside of the criminal justice system.

As I close, the strength of this legislation should not be measured only by the powers it gives the State, but also by the discipline with which those powers are controlled. I commend the Bill to the floor.

HON. N.T. TUINACEVA.- Mr. Speaker, Sir, I rise to support the Counter Narcotics Bill 2026. The drug problem facing Fiji today is not the same problem we were dealing with 20 years ago. Drugs have changed, trafficking methods have changed, criminal networks have become more sophisticated and the consequences are now being felt in our homes and the communities particularly among our young people, so our response must also change.

That, Mr. Speaker, Sir, is the significance of this Bill. Our existing drug laws have served us for many years, but they were not designed for the drug problem we face today. Synthetic drugs organised criminal networks, new technology and increasingly sophisticated ways of moving and hiding drugs are our new enemies. Reality is serious.

More than 2,400 drug related cases were recorded in Fiji in 2025, with most offenders between the ages of 18 years and 35 years. This is our problem, and we must respond accordingly. The Bill establishes a specialised Counter Narcotics Bureau to lead the prevention, detection, investigation and disruption of illicit drugs activity. The scale and the sophistication of the problem now require a specialised agency whose main job is to deal with narcotics. But what I particularly welcome is that this Bill recognises something equally important.

Arrest alone will not solve this problem. There are people making money from the drug trade. There are traffickers and organised criminal networks, and they must face the law, but there are also people whose lives are being destroyed by drugs. Young people, people struggling with dependency, and vulnerable people who may be exploited or drawn into drug activity. We should not treat those who profit from the drug trade in the same way as those who are vulnerable to drug dependency and exploitation. That is why I welcome the fact that this Bill is not only about enforcement, it also provides for prevention, treatment, rehabilitation, diversion, and support for vulnerable and at risk

people. It must be tough for those who profit from this problem. It must also create a way back for those whose lives has been caught in it.

Mr. Speaker, Sir, fighting drug trafficking is also not the responsibility of one ministry or agency. It involves our borders, ports, financial systems and our communities, and increasingly the international criminal networks. Our agencies must work together, share information and cooperate with other international partners. That coordinated approach is built into this Bill.

The new Bureau will need skilled people and proper resources. Our rehabilitation system will need actual facilities, trained professionals and programmes for the people we refer for help. And because this Bill gives significant powers to the new Bureau, those powers must come with a strong accountability. The integrity of this Bureau will be just as important as its powers. I, therefore welcome the provisions allowing the Human Rights and the Anti-Discrimination Commission to monitor the Bureau, inspect its facilities and records and monitor the treatment of people under its authority. With great powers must come greater responsibility.

Mr. Speaker, Sir, this Bill will not only by itself end Fiji's drug problem, and no law can promise that, but it gives Fiji a more modern framework to confront a problem that has changed significantly. It strengthens our ability to go after those who supply and profit from drugs, it strengthens coordination, and importantly, it recognises that prevention, treatment and rehabilitation must also be part of the solution. The reality today is that drugs are hurting our people, families and communities. We must be firm against those who profit from the harm, but we must also help those who want a way out of it. That is the balance I see in this Bill. That is why I support the Counter Narcotics Bill 2026.

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, I thank the honourable Minister and those responsible for the preparation of the Counter Narcotics Bill 2026 that is on the floor of Parliament today.

As we had stated when it was initially brought to the floor on Tuesday, it would be good if we had more time to look at this, but we also understand the urgency behind it. The Opposition does agree that the Counter Narcotics Bill before Parliament is one of the most comprehensive pieces of legislation dealing with illicit drugs that this House has considered.

It established the new Narcotics Bureau, creates an extensive enforcement regime, provides significant investigative powers, establishes new offences and penalties, creates mechanisms for inter-agency and international cooperation, and also deals with prevention, treatment, rehabilitation and diversion.

There are only a few things that I would want to again raise and reinforce perhaps what was shared by the honourable Minister. One is the independence of the Bureau. Clause 16(3) states that the Director-General must independently and impartially perform his or her duties and exercise his or her powers. We support that principle, and I hope that the Government and the Ministry will provide all the necessary support to the Director-General so that the work of the Bureau is conducted independently and without influence.

As we know, the Bureau may investigate extremely powerful people, it may investigate organised criminal networks with considerable financial resources and influence. Its investigations may potentially involve public officials or persons with political, commercial, or institutional connections. Those that have served in Lebanon would remember an old Lebanese saying, "money can make a donkey dance." It is exactly what is happening in this country today.

The recent cases, the money is too good and therefore the independence of this institution

becomes very, very important because of the influence that this can bring and put pressure on the Bureau as well. We support that and hope that independence will always be there. I thank the honourable Minister for assuring the House and he has stated Clause 21 that independence must always be accompanied by accountability; definitely. That is very, very important.

Despite it operating independently in terms of how it conducts its daily operations, but the Bureau must also understand that they are accountable, not only to the authorities, but of course to the people of this country. I am thankful that Clause 21 allows the Human Rights and Anti-Discrimination Commission to have oversight over the Bureau.

I am really appreciative of the fact that it includes the rehabilitation component. This is something that we definitely need in Fiji. Unfortunately, the Ministry of Health does not have the proper facility and there is a lot of pressure as well on the Corrections Service and other agencies. I am thankful that we will have drug rehabilitation centres, state centres and even licensed centres as allowed for in the Bill itself.

Mr. Speaker Sir, the protection of our children. I am very thankful as well that the children are well protected in the Bill. As I alluded to the other day that this was one of the contentious issues or the very sensitive issues when we were doing this whole exercise way back. I am thankful that Clause 72 talks about the preventive measures and the protection of children as well in Clause 80. This is something, because the children are our future. Yesterday we heard from the honourable Minister for Education about the number of students in primary schools for 2025, about 1,508 (if I am correct) and 1,605 in secondary schools who are involved in drug offenses. So, they need to be protected.

Lastly. Mr. Speaker, Sir, on the issue of accountability. I raised this the other day as well honourable Minister, just about the Code of Conduct and the Accountability and Transparency Commission. It is already appearing here, and we hope that Government will put together all these mechanisms, processes and systems in place so that we ensure that the system works. We support the Bill.

HON. S. KIRAN.- Mr. Speaker, I rise in strong support of Narcotics Bill 2026. For our Ministry, this legislation is not simply a set of punitive legal mechanisms. It is fundamentally a child protection, violence prevention and family strengthening measure and a vital shield for social protection. Every single day, our Ministry encounters cases where substance abuse intersects directly with domestic violence, child neglect, sexual exploitation and systematic family breakdown. For too long, drug policies have treated narcotics solely as a criminal issue, ignoring the social wreckage left in the wake. This Bill changes that entirely. It looks at the human reality behind the crisis and provides us with the legislative tools needed to protect the most vulnerable citizens of Fiji.

Mr. Speaker, a truly transformative feature of this framework is Clause 5, which formally defines a vulnerable and at-risk person. For the very first time in our legal history, a narcotics framework explicitly recognizes that children, persons experiencing extreme poverty, the homeless, and those battling mental health challenges require targeted protection rather than a blanket criminalisation.

Crucially, the law now acknowledges that victims of domestic violence, sexual violence, and exploitation are prime targets for drug syndicates. By identifying these dynamics, Clause 5 ensures that our state interventions targets vulnerability as both the root cause and a severe consequence of substance abuse. From a child protection standpoint, Clause 80 creates severe, non-negotiable criminal offenses for any adult who sells, supplies or administers drugs to a child or procures a child for illicit drug activities.

Clause 81 goes a step further, placing a strict legal obligation on adults to protect children in their care from exposure to illicit substance. Mr. Speaker, let this send an unmistakeable ringing signal across Fiji. Adults entrusted with the care of children will be fully accountable if they expose them to harm or exploit them for criminal gain.

Mr. Speaker, Clauses 163 and 170 preserve the dignity of our youth by mandating that child welfare officers and parents must be present during any forensic procedures involving children Under 14.

Mr. Speaker, Sir, we cannot talk about narcotics without addressing gender-based violence. Drug networks routinely exploit vulnerable women through coercion, trafficking and economic dependence. Therefore, I strongly welcome Clause 45(3)(b) which mandates comprehensive training for all Bureau staff in gender sensitisation and the protection of women from sexual exploitation.

Coupled with Clause 72(2)(k), which demands the development of specialised, gender-responsive programmes, this Bill aligns directly with our National Action Plan to prevent violence against women and girls. It guarantees that our law enforcement systems are survivor-centered, trauma-informed and safe for women to approach. Perhaps the most progressive element of this legislation is the shift from pure punishment to comprehensive restoration, as detailed in Clause 72. This Clause mandates the Bureau to look beyond incarceration and invest heavily in prevention. school-based awareness, youth mentoring, family reunification, and educational reintegration programmes.

Under Clause 72(2)(j), specific protection mechanisms, including legal assistance and witness support are guaranteed for individuals trapped in abusive, drug-linked environments, giving them a safe pathway out of organised crime.

To ensure long-term recovery, Clauses 195 to 199 establish a robust legal diversion framework. The objective here is clear; to address dependency, eliminate the social stigma of addiction, and support reintegration into families while preventing long-term disadvantage. This is structurally reinforced by Clauses 219 to 224, which requires establishment of physical, tiered rehabilitation centres.

Finally, Mr. Speaker, Sir, this Bill understands that law enforcement cannot do this alone. Through Clause 39 and Clause 225, the law formally integrates welfare officers, social workers, teachers, psychologists, and counsellors into the system as official referral authorities. This creates a multi-disciplinary coalition across society.

Every child kept safe from drugs, every woman protected from exploitation, and every family restored brings us closer to the safer, stronger, and more resilient nation we all seek to build. For these reasons, Mr. Speaker, Sir, I wholeheartedly support this Bill.

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, I rise today in support of the Counter Narcotics Bill 2026 (Bill No. 33 of 2026), a critical piece of legislation that addresses a profound crisis gripping our nation. The Bill represents a turning point in our fight against illicit drugs, offering a comprehensive framework to not only dismantle the networks of supply but also to protect and rehabilitate those who have fallen victim of substance abuse.

Let us first address the painful history that brings us to this moment. In 2023, an unacceptable gap in our law enforcement capabilities was created when the anti-drug unit was abolished. For two years, this void allowed drug peddlers to aggressively build and entrench their networks across Fiji while enforcement lagged. When specialised counter narcotics efforts were finally reconstituted, the

nation was dismayed as senior police officers, the very individuals entrusted with leading this charge were brought before the courts, charged with abuse of office, including with the records they were sworn to destroy. We saw the crazy consequence of unchecked power and compromised integrity. This legislation ensures those days are permanently behind us. We must be brutally honest about how the landscape has shifted.

Mr. Speaker, Sir, under the previous administration, yes, we acknowledge that drugs were an issue and if any government said during their time that drug was not an issue, they are lying. But back then, the conversation was almost exclusively about “green”. We would hear reports of special consignments of marijuana coming in from certain well-known maritime areas. We rarely, if ever heard about the “white”. Today the reality is far more sinister. We are no longer dealing solely with the localised marijuana cultivation, we are battling syndicates using Fiji as a hub for hard drugs.

We are no longer measuring these seizures in milligrammes or grammes, we are now seizing white drugs like methamphetamine in tonnes or pellets. The sheer scale of this crisis has mutated from a domestic enforcement issue into a multi-billion-dollar transnational threat that demands an unprecedented response. The Bill directly responds to an institutional failure of the past by establishing the Counter Narcotics Bureau with ironclad governance and oversight mechanisms. The Director-General will be appointed based on a minimum of 10 years of law enforcement experience and a proven record of integrity.

The Bill subjects the Bureau to strict external oversight. The Human Rights and Anti-Discrimination Commission is explicitly empowered to monitor, review and report on the Bureau's activities and the treatment of detainees, ensuring accountability at every level. Not just the organisation, we need to ensure that staff are well-resourced in terms of remuneration and monitored by the Fiji Intelligence Unit, because money involved in drugs can lure any individual to collude with drug peddlers. Furthermore, to prevent rogue elements from operating in silos, the Bill mandates robust inter-agency coordination. The Bureau will synchronise efforts across the Republic of Fiji Military Forces, Fiji Police Force, Fiji Revenue and Customs Service and other authorised agencies to create a unified, impenetrable front against transnational organised crimes and local distribution.

To effectively dismantle the sophisticated drug syndicates, law enforcement must be equipped with modern tools. This Bill introduces powerful investigative mechanisms, including the ability to conduct covert operations, secure covert surveillance warrants and authorise the placement of tracking devices. Senior officers can now legally seek warrants to secretly monitor and intercept communication to track the movement of illicit drugs. However, these powers are balanced by strict procedural safeguards and requirements for authorisation from issuing authorities, ensuring that the rights of our citizens are not trampled in pursuit of justice. Mandatory drug testing for Bureau staff using biometric data also guarantees that the root of corruption and drug-use does not creep back into the enforcement agencies. Perhaps the most positive and transformative aspect of the Bill is its recognition that we cannot arrest our way out of a drug pandemic.

The Bill mandates a compassionate, health-centred approach to addiction. The legislation compels the Director-General to develop and implement harm reduction services and intervention programmes, and specialised support for vulnerable and at-risk individuals, including children and those suffering from mental health conditions or poverty.

Mr. Speaker, to conclude, instead of automatically criminalising users, the Bill establishes a diverse framework. Eligible individuals can be diverted from a normal criminal justice system and referred to licensed drug rehabilitation centres, both state-run and private, providing them with the medical and psychological support necessary to rebuild their lives. This includes support for the establishment of a drug court programme to divert eligible drug-dependent offenders into treatment

rather than overcrowded prisons.

Mr. Speaker, finally, the Counter Narcotics Bill 2026 is a definitive answer to the syndicates that exploited our past vulnerabilities. It restores integrity in our law enforcement, provides them with precise legal instruments needed to eradicate drug trafficking and offers a lifeline to our vulnerable citizens. I commend this Bill to the august House.

HON. S. TUBUNA.- Mr. Speaker, Sir, I rise to contribute to the debate on the Counter Narcotics Bill 2026. I believe that there is one point that should unite every Member of this House – the drug problem confronting Fiji is bigger than Government, bigger than Opposition and bigger than politics. It affects our children, families, villages and settlements, economy and, ultimately, the future of our nation. The legislation before us today takes that principle much further by establishing a permanent statutory institution, the Fiji Counter Narcotics Bureau.

Under Clause 13 of the Bill, the Bureau will not simply investigate the drug offences, its responsibilities include preventing and controlling the supply and demand of illicit drugs, investigating related and transnational organised crime, developing preventative strategies, supporting treatment and rehabilitation, cooperating with other agencies and international partners, and maintaining a national database on drug trafficking, abuse, money laundering, and related information. That is important, Mr. Speaker, Sir, because drugs cannot be found by the Police alone. The Bill recognises Immigration, Fiji Revenue and Customs Service, Biosecurity, maritime and aviation authorities, Financial Intelligence Unit, and other relevant agencies as part of the wider institutional framework. This is a coordinated approach that Parliament has been trying to coordinate for years.

Mr. Speaker, Sir, perhaps, one of the most important aspects of the Bill is that it does not treat every person affected by drugs simply as a criminal. There must be a clear distinction between those who profit from trafficking and exploiting our people and those who have become trapped by addiction. However, it provides for early intervention, public education, school awareness, community outreach, treatment, rehabilitation, counselling, aftercare, and reintegration. It also provides for diversion programmes, specialised services for children and young people, and programmes specifically addressing rural and maritime communities. Importantly, it requires collaboration with governments, agencies, NGOs, civil society, faith-based organisations, tradition and community leaders, and community policing committees.

This is how Fiji must confront this problem; not only at the border, not only in a courtroom, not only in the police station, but in our schools, our homes, our churches, our villages, and our communities. The Bill also provides for drug rehabilitation centres and pathways for rehabilitation and diversion. Therefore, I see this Bill not simply as another piece of legislation. It is an opportunity to turn years of parliamentary discussion into an institutional response.

The challenge after passing this Bill will be implementation. The Bureau must be properly resourced. It must recruit people of integrity. It must cooperate effectively with existing agencies. It must earn the confidence of our communities, any success should ultimately be measured not simply by the quantity of drugs seized or the number of arrests made, but whether fewer drugs reach our streets, fewer children are drawn into the drug trade, more people recover from addiction, and our communities become safer.

Mr. Speaker, Sir, the drug problem does not recognise the political colours. It does not ask whether families support the Government or Opposition before entering our homes. Therefore, our response cannot be weakened by political division. Today we have an opportunity to give our response to this permanent legislation and institutional foundation that will address another problem

that we have at hand. Mr. Speaker, Sir, I do support the Counter Narcotics Bill 2026.

HON. J. SAUKURU.- Mr. Speaker, Sir, thank you for the opportunity to contribute to the debate on this important Bill. I acknowledge and thank all those who have contributed to its formulation. The Bill seeks to establish the Fiji Counter Narcotics Bureau and strengthen coordination, enforcement, prosecution, prevention, rehabilitation, and integration into our national response to illicit drugs.

Mr. Speaker, Sir, I want to speak plainly about a reality we cannot afford to ignore, the invisible chains. Our history teaches us that bondage can take many forms. Previous generations fought for dignity, opportunity, education, and freedom so that their children could have choices they themselves did not have. Today our young people enjoy freedom earlier generations could only dream about. But freedom on paper does not always mean freedom in reality. A young person can be legally free while being psychologically, socially, or economically trapped.

The chains confronting our young people today may be invisible. They can be found in substance abuse, unemployment, poverty, gambling, crime, violence, school dropout, exploitation, hopelessness, and mental distress, and increasingly they can be found in the misuse of alcohol and illicit drugs. That is why this Bill matters. The fight against illicit drugs is not simply a fight against substances, it is a fight to protect human potential, it is a fight to protect our children, our families, our communities, and the future of Fiji.

Prevention and rehabilitation, illicit drug use does not exist in isolation. It affects health, education, employment, and family relationships and can increase exposure to crime and violence. Our response must therefore be firm but also compassionate. We must prevent drug use. We must enforce our laws, but we must also rehabilitate. When a young person falls into addiction, we should not only ask what offence has been committed, we must also ask what happened to this young person and how do we help them rebuild their life? Prevention and intervention, treatment, rehabilitation, and reintegration must, therefore, be part of our national process. A young person who has made a mistake should not be written off. We must provide a pathway back to family, education, employment, sport and society.

Health and human dignity, we cannot discuss narcotics without recognising the wider health challenges facing our young people. Too many young people carry pain that no one sees. They struggle with anxiety, depression, loneliness, trauma, and family problems. We must create a Fiji where asking for help is not seen as weakness. Seeking help is an act of courage. We must also ensure that young people have accurate information about HIV and other health risks associated with unsafe drug use and sexual behaviour. Stigma and shame must never prevent people from seeking testing, treatment, and support. Protecting one's health is a responsibility to oneself, one's family, and one's community.

Violence against women and children, Mr. Speaker, Sir, we must also confront violence against women and children where substance misuse contributes to violence. We must address both problems. A society cannot claim to be free while women and children live in fear. Violence is not culture, violence is not discipline and violence is not love. Our young people must grow understanding respect, consent, responsibility and the dignity of every human being. Every child must know that they have the right to be safe.

A whole-of-society responsibility, no single ministry, agency, or organisation can solve these challenges alone. Our faith communities must give young people purpose, hope and belonging. Our traditional leaders must keep young people connected to culture, values and community. Health professionals must make prevention, treatment, mental health, and HIV services accessible and free

from stigma. The private sector must create opportunities for employment, internships and entrepreneurship. Sport must be used to build people, not simply players. Civil society must reach those who are hardest to reach, including young people affected by homelessness, violence, addiction and exclusion.

To the Government, I say, we must be more coordinated, we must invest where the need is greatest, we must measure outcomes, not simply programmes delivered, and most importantly, we must listen to young people before designing programmes for them. Nothing about youth should be done without youth.

Fiji stands at an important crossroad. We can continue responding to problems after they become crises, or we can invest in prevention, opportunity, health and hope. We can allow invisible chains to become stronger, or we can break them. The Bill before us is not simply about how we respond to illicit drugs, it is about what kind of Fiji we want to build for the next generation – a Fiji where young people are not defined by their mistakes, but supported to overcome them; a Fiji where prevention stands alongside enforcement; a Fiji where rehabilitation is an essential part of our response; and a Fiji where every young person has the opportunity to live a healthy, productive and a dignified life.

MR. SPEAKER.- I will now call upon the Minister for Policing and Communications for his right of reply, politely reminding him that he had borrowed 3 minutes from his time.

HON. I. NAIVALURUA.- Mr. Speaker, Sir, this Bill prepares Fiji for the future. This Bill does not stand alone. Together, with the forthcoming Police Bill, which we hope to see in November, on the floor, the HIV legislation passed tonight and the Maritime Powers legislation may form part of a coordinated whole of government response to the drug threat. This is a deliberate plan, commitment by Government to ensure that our future is safe and secure, not only for us today, but for the future generations.

I take this time to thank the honourable Leader of the Opposition, honourable colleagues, and my colleague on this side of the House to thank you for your contribution and support that you have rendered to this Bill. This is history in making.

Question put.

Motion agreed to.

[Counter Narcotics Bill 2026 (Bill No. 33/2026), moved under Standing Order 51, passed and enacted by the Parliament of the Republic of Fiji. (Act No. of 2026)]

NATIONAL REFERENDUM BILL 2025

HON. S.D. TURAGA.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Thursday, 4th December, 2025, I move:

That the National Referendum Bill 2025 (Bill No. 46/2026) be debated, voted upon and be passed.

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

HON. S.D. TURAGA.- Mr. Speaker, Sir, the honourable Prime Minister, honourable Leader of the Opposition, honourable Members of this House and all our people listening in from their

homes, villages, and settlements across Fiji. *Ni sa bula vinaka, namaste* and a very warm greeting to you all.

I rise with humility to move that the National Referendum Bill 2025 be now read a second time. I am conscious that we gather to speak on something that touches the heart of every family in this nation. A Constitution is not only a legal document, it is the mat upon which we all sit together. It tells us who we are to one another, how we will care for the weakest among us, and how we will settle our differences in peace.

Since Independence in 1970, our nation has lived under four Constitutions. Each was born in its own season, and each was shaped by the people, who I believe, sought what they thought was best for Fiji. Yet no one of them was ever placed before the people themselves for their blessings. Some of those seasons brought hurt and division, that many families still carry quietly today.

Sir, this Bill offers a gentle path. It does not ask anyone to take sides on the draft Constitution. It asks only that, when the time comes, the final word be given humbly back to the people. Every registered voter, from Rotuma to Rewa, Labasa to Lau, and of course Lomaiviti, young and old, every faith and every community, will be able to say freely and equally, whether this is the House they wish to live in together.

A referendum, Sir, is only as trustworthy as the rules that guide it. This Bill provides those rules; a fair umpire, clear question, and safeguards that protect every voice. Without it, the people's right to decide remains a promise we cannot yet keep.

How we arrive here? Mr. Speaker, Sir, with your indulgence, I would like to recall gently the journey that has brought us to this day. As originally written, Section 160 of the 2013 Constitution required any amendment to receive the support of three-quarters of all Members of Parliament, and then the approval of three-quarters of all registered voters in a referendum. That is, Sir, three-quarters of everyone on the roll, not only of those who come to vote.

In March 2025, this House sought in good faith to open that door. The Constitution (Amendment) Bill 2025 received 40 votes at second reading. I wish to acknowledge with respect those Members who voted differently that day. They acted on a sincere conviction, and their concerns deserve to be heard. Rather than press ahead, Cabinet chose the path of patience and sought the guidance of the Supreme Court under Section 91.

On 29th August, 2025, the Court gave its opinion. It recognised the 2013 Constitution as the law of our land. It also affirmed that the people of Fiji have the right to shape their own constitution, and there must be a realistic and workable way for them to do so. The court therefore read Sections 159 and 160 in a new light. An amendment now requires two-thirds of all Members of Parliament at the second and third readings. It must then be then approved by a majority of registered voters who vote in a referendum. The court was clear that the people's approval is essential: without it, no amendment can take effect.

Mr. Speaker, Sir, this is where our Bill takes up the task. Section 160 provides that once an amending Bill pass this House, the Speaker informs His Excellency the President. The President refers the Bill to the Electoral Commission, and the Commission conducts a referendum in such manner as prescribed by written law. That written law has never existed, because Fiji has never held a referendum. This Bill humbly seeks to provide it.

In the meantime, the Constitution Review Commission, established in March 2026 has travelled across our islands, sat in village halls, and community centers and listened to many voices. It presented

its Report and Draft Constitution to His Excellency the President on 31st August, 2026. I thank the Commissioners and every citizen who shared their hopes with them. Honourable Members will hold different views on the draft, that is right and proper. However, one thing I pray, we can all agree, the final word should rest with the people.

What the Bill does? Mr. Speaker, Sir, allow me now to explain, as simply as I can, what the Bill provides. First, it entrusts the referendum to an independent umpire. The Electoral Commission, with the Supervisor of Elections and the Fijian Elections Office will conduct the referendum. These are the same institutions our people already know and trust from our general elections. We are not building something new and unfamiliar; we are asking trusted hands to carry out a new and important duty.

Second, it welcomes every voter equally. Every person on the National Register of Voters may take part, on the same footing as at a general election. No one is set apart, no one's voice counts far more than another.

Third, it asks one clear question. The ballot will ask a single question on whether the voter approves the Bill for a new Constitution to be answered yes or no. The wording is fixed by law in advance, so that every citizen can have confidence it has been framed fairly.

Fourth, it follows familiar voting arrangements. Polling, pre-poll, postal voting, counting, the role of scrutineers and observers, and the declaration of results follow the tested procedures of the Electoral Act, adapted from one national question. The outcome will be decided by a simple majority of valid votes as the Supreme Court has guided.

Fifth, it helps our people understand what they are deciding. Mr. Speaker, Sir, the full text of the proposed Constitution, with plain-language explanations, is to be published in English, *iTaukei* and Fiji Hindi before polling day. Our grandmothers in the village and our young people in the towns alike deserves to read and understand what they have been asked to approve.

Sixth, it protects the fairness of the campaign. It guards against bribery, intimidation, false information about voting process, and the misuse of public resources, with penalties for those who corrupt the votes.

Seventh, it offers a fair hearing to anyone with a concern. Any registered voter or participant who believes the referendum was not properly conducted may bring a petition to the court within a set time, so that disagreements are resolved calmly, quickly and independently.

Finally, it respects the people's answer. Once the result is certified, the Electoral Commission reports to His Excellency the President. If the people say yes, the new Constitution will take effect as the law provides. If they say no, that decision will be honoured. Whatever the answer, Members of Parliament, it will be theirs and we will accept it with grace.

Listening to the concerns, Mr. Speaker, Sir, this Bill has been before the Standing Committee on Justice, Law and Human Rights since December 2025. The Committee listened to political parties, churches and faith communities, civil society legal profession, and of course, the ordinary citizens of our beloved country. I thank the Chairman and every Member of the Committee for their care and diligence. I also thank each person who came forward, their criticisms were offered out of love for this country and they made this a better Bill.

With your leave, Sir, I would like to respond to the main concerns with the respect they deserve. On freedom of speech and campaign, some have feared that the Bill would limit people's freedom to speak and campaign. I want to say to them plainly: your concerns was heard. Freedom of

expression under Section 17 of the Constitution is not set aside when a referendum is called. Every citizen, church, union, party and community group must be free to speak for, yes or no, to gather, write and to persuade. The limits in this Bill are meant only to protect the vote itself from harm: bribery, threats, deliberate falsehood about how, when on where to vote and the use of public money to campaign. A referendum without open conversation would not be worthy of our people.

On the timetable, I acknowledge with respect the concerns raised in this House and outside this House and others that the process must not be rushed. It is a fair concern and one I share. May I gently offer this reassurance. This Bill does not set a polling day. It prepares the way. The timing of the referendum will be for the Electoral Commission to determine within this framework, having regard to what is needed for a proper and well-informed vote. Passing this Bill does not shorten the conversation, it makes sure the conversation can lead somewhere.

On whether a yes or no is enough, some have asked whether a simple ballot allows people to shape the document itself. Mr. Speaker, Sir, the shaping has taken place through the Commission's consultations across our islands, and it continues in the deliberations in this House. The referendum is the final and most sacred safeguard; the people's own consent. No government in our history has placed itself under the test. We do so willingly and with humility.

On cost and division, others have worried that a referendum is costly and may divide us. These are sincere worries. Yet I would ask us to weigh them against the quiet cost of the Constitution that many of our people feel was never truly theirs. Where is disagreement among family, our way is not to avoid the *talanoa*, but to sit together, speak honestly, listen patiently and then walk forward as one. Let the referendum be that kind of *talanoa* for our nation.

In closing, Mr. Speaker, Sir, as I draw close, may I offer three simple reflections. First, this Bill belongs to all of us, whatever side of this House we sit on. It favours no outcome. A Member who hopes the people will say yes and a Member who hopes they will say no, can both support it in good conscience because it is the path by which the people's answer will be heard. I respectfully invite every honourable Member to look upon it in that spirit.

Second, this Bill responds faithfully to the guidance of our Supreme Court. The Court has reminded us that the people of Fiji have the right to shape their own Constitution, and that the law must make a way for them to do so. This House now has the opportunity to answer that call together.

Third and above all, this Bill is an act of trust in our people. For more than 50 years, the Constitution has been prepared for the people of Fiji. With this Bill, for the first time, a Constitution may be chosen by them. Our elders waited long for such a day, our children should never again have to wonder whether their voice is counted.

Mr. Speaker, Sir, in our islands, we know that the house built by the whole village, each family bringing what it can, stands longest when the storms come. Let this Parliament, together and in good faith, lay the foundation. Let the people of Fiji decide what shall rise upon it. May God bless this House in its deliberations, and may He continue to bless and guide our beloved Fiji.

HON. L.D. TABUYA.- Mr. Speaker, Sir, I acknowledge that it is late into the night, so instead of saying good evening, perhaps good night to our members of the public that are watching in. Nevertheless, I rise to support the National Referendum Bill, but I would like to especially acknowledge the improvements that were recommended by the Standing Committee on Justice, Law and Human Rights. I wish to acknowledge the great work by the Committee who have had this Bill for a number of months. I acknowledge the Chairman as well as the Members – honourable Ratu Rakuita Vakalalabure, honorable Faiyaz Koya, honourable Ratu Josaia Niudamu, honourable Jone

Usamate, honourable Sachida Nand and my neighbor who is not here today, honourable Isikeli Tuiwailevu. I know he is watching, and I pray for his speedy recovery.

Mr. Speaker, Sir, I had a chance to be in the Committee for some months and just looking at this Bill, it is interesting to note, you might see there are more red writings than black. They have obviously spent many months on it for a good reason. In fact, out of the 32 Clauses that were in the original draft, 12 of those provisions were slashed by the Committee, nine were replaced, four were added, and one was amended. So, Mr. Speaker, Sir, they have obviously spent considerable time but it has reduced the sections from 32 to 24. It is not a very big Bill, but they have spent a lot of time on it for a good reason. It is historic, it is the first time ever that Fiji will have its first dedicated national referendum law. Today is the first for many laws that we have passed here in Parliament, and this will be no exception if all Members of the House support it.

Mr. Speaker, Sir, I just wish to make five points in support of this Bill. I do not wish to repeat what the honourable Acting Attorney-General has mentioned, but it is important to note, along with what the Committee improved on, in terms of after they received more public submissions and done their own consultations. They, of course, looked at a practical pathway with this Bill. They have obviously strengthened the process in this Bill. There were serious concerns raised about the original draft, particularly its restrictions on campaigning, public discussion and civic participation.

As mentioned by the honorable Acting Attorney-General, the Committee received submissions from the Fiji Law Society, women's organisations, civil society organisations, political parties, youth representatives and electoral authorities. The Report records significant recommendations to align the referendum procedures with the Electoral Act and provides a framework for matters including voter education, campaigning, campaign finance and dispute resolution which is a very important one - something that I believe should be, actually, all our laws, a need for conflict resolution mechanisms instead of a really strong emphasis on creating offences and applying offences. There is a dispute resolution element to it.

Mr. Speaker, when we assess the Bill alongside the Committee's recommended changes, we see that the Committee has recommended substantial improvements. As the Minister for Information, I emphasise this principle that people must be able to understand, question, and debate the issue on which they are being asked to vote. And a credible referendum needs that space for lawful advocacy and competing views, alongside the protection which is in this Bill against bribery, coercion, and interference.

Mr. Speaker, the voters need information and a clear choice. The Committee recommends that the writ specify the matter being put to voters. The Committee also recommended publication of the proposed constitutional amendment and referendum details, together with a summary of Parliamentary debate and explanatory material. These measures help voters examine the proposal before polling day. The recommended voting period of between 30 to 45 days after the writ also provides more preparation time than was originally proposed, and I thank the Committee for giving more time for our voters, especially being the first time ever. I will be learning this, all of us here will be learning this process.

The ballot itself, as is mentioned, should be straightforward, and the Committee recommended allowing voters to tick, cross, or circle a simple yes or no. This is a practical improvement where the voter clearly expresses a choice, should have that choice recognised. Where several questions appear on one ballot paper, the Committee also recommends protecting valid answers from being lost, because of an error affecting a different question. For ordinary Fijians, this means clearer information, simpler voting, and better protection for the vote they cast. The implementation must make that information understandable and accessible across our communities,

including for people with disabilities.

Mr. Speaker, our eligible Fijians overseas have been included. The Committee recommends expressly recognising that registered voters outside Fiji remain entitled to participate. This is an important improvement. Our people who are travelling for work overseas or for study, family responsibilities, and other commitments, though they are absent from Fiji on polling day, it should not by itself exclude them from decisions about our country's future.

Mr. Speaker, I met recently with members of our Fijian community in California. Their interest in Fiji remains strong. They care about their families here, our national direction, and the opportunities available to future generations. The proposed clarification recognises this connection while retaining the requirement that voters be registered and eligible. A longer preparation period also gives our electoral administrators more time to organise participation, including our overseas voting arrangements. Here at home, retaining a public holiday for polling day helps working people make time to vote. These are practical measures that make participation more achievable.

Lastly, Mr. Speaker, the Bill uses established electoral institutions, as mentioned by the honourable Acting Attorney-General, where we have the current Electoral Commission, the Supervisor of Elections, and the National Voter Register, and established electoral procedures, rather than duplicating that process, the Committee has recommended to draw on the current systems.

Mr. Speaker, the Report also recommends arrangements for holding a referendum alongside an election where appropriate, with distinct ballot papers and separate counting processes. The shared administration could reduce costs, while those safeguards protect the integrity of each vote. The recommended results process assigns clear responsibilities. There is a national tabulation by the Supervisor of Elections, endorsement by the Electoral Commission, and the return of results to the President.

Of course, the Committee further recommends retaining referendum records for six months. With provision for continued retention, where ordered by a court. That supports accountability and allows records to remain available for challenges or investigations. The regulation-making framework must also give practical effect to fair campaigning, transparent financing, voter education, and dispute resolution.

Mr. Speaker, Sir, this is an opportunity to strengthen our democratic participation in Fiji. The Committee's work shows why scrutiny matters. Concerns were raised, electoral expertise was sought, and changes were recommended to make the framework more inclusive, transparent, and workable. Now it is our responsibility to support this process in which eligible voters can understand the question, hear competing arguments, cast their ballots freely, and trust the result.

Mr. Speaker, Sir, whatever position we take on any future constitutional proposal, we should recognise the value of giving the people this credible process through which to express their decision.

I support the National Referendum Bill, Mr. Speaker, Sir, with improvements recommended by the Committee.

HON. P.D. KUMAR.- Mr. Speaker, Sir, I also acknowledge the improvements made to the Bill by the Standing Committee on Justice, Law, and Human Rights.

The Committee removed provisions that would have prohibited campaign badges, symbols, and other campaign materials. It removed the prohibition on canvassing and the associated restrictions. It removed the provisions restricting persons under 18 from taking part in any

referendum activity. It removed the Clauses that allowed only parliamentary parties to open offices near polling stations. These were some very important changes made, but there are other weaknesses in the Bill, in my view.

Firstly, which I have been stating, is that too many of the fundamental rules are still left to regulations, and those rules are not before the Parliament. The Bill gives the Minister power to make regulations dealing with voter education, public meetings, debates, opinion polls, campaigning, campaign finance, and petitions. These are not just administrative matters, but they go to the heart of how such a referendum should be conducted, the rules, et cetera.

Now, these are the rules that will determine how the referendum campaign will operate and how money may be raised and spent. What information voters receive, and how disagreements about the result may be challenged. These matters should be known to us. How can Parliament be asked to approve a framework without knowing the rules under which a referendum will actually be conducted?

Secondly, Mr. Speaker, Sir, the Bill relies extensively on provisions of the Electoral Act. I think during the consultation, the University of Fiji had also made a similar submission. There is nothing inherently wrong with using existing electoral machinery. In fact, consistency can be useful, but a referendum is different from a general election.

A general election is principally a contest between candidates and political parties. A referendum asks the people to decide a specific question. Therefore, where electoral provisions are applied to a referendum with modification, those modifications should be clearly identified and publicly available.

Citizens should not have to work out their referendum rights and offences from a combination of two Acts and subsequent administrative decisions. I mean, even in a Committee, whenever we are given an Amendment Bill and there is a Principal Act, and if the Amendment Bill has been changed drastically, then it becomes cumbersome for us to look at the two pieces of legislation and make an informed decision, but here we are talking about the general public.

Mr. Speaker, Sir, the law governing the first referendum, in my view, should be clear enough for any ordinary voter to understand. I also would like to bring up another issue that I noted in the Referendum Bill, where the information that will be sent out or put out to the public will be through two newspapers. We are living in a digital age where information is increasingly accessed through online platforms, mobile phones, and social media, particularly by our younger voters. Yet we continue to rely heavily on two newspapers circulating in Fiji as the main means of communicating important electoral information.

That approach no longer reflects how many Fijians receive information today. It also risks leaving out people who do not regularly buy or read newspapers, particularly the younger generation, and those in communities where access to printed newspapers is limited. If the purpose is to ensure that every voter receives timely and accurate information, then we should use every effective channel available, including the official election office website, SMS, social media, radio, television, and other digital platforms alongside newspapers. We should not design our information system around the limitations of a declining traditional medium when the majority of our citizens can be reached through faster and more accessible digital channels. Our electoral laws and institutions must move with time.

There is another significant omission. The Bill does not itself state the majority required for the referendum outcome. Clause 20 refers to whether the outcome meets the majority required, but

the legislation should tell the people what that majority is. The rule should be known before the vote, not when the result is declared. I want to emphasise that these are the safeguards that should matter to all of us. After all, this will be the last referendum we will ever have, based on the Constitution that was presented yesterday. I am hearing from the Opposition, we are talking about people's voices must be heard, they should be given an opportunity to give their opinion, and so forth. However, in reality, people will experience a referendum for the last time in their life if the Constitution goes through.

MR. SPEAKER.- Can I ask the honourable Vakalalabure to deliver his contribution and swap place with the honourable Minister for Youth and Sports.

HON. RATU R.S.S. VAKALALABURE.- Mr. Speaker, Sir, I will try to be as brief as possible. The Referendum Bill 2026 establishes a comprehensive legal framework for the conduct of referendum, setting out the procedures, the requirements and administrative process arrangements necessary to support a transparent, orderly and credible process.

As rightfully stated by the honourable Minister for Information, Environment and Climate Change, right from the outset, when the first Bill was presented in this Parliament, after the Committee had received a lot of submissions, as you can see in the Amendment Bill, that is before the House, there has been a lot of red. Those are some of the reflections of what we heard from the ground during our consultations and submissions that we received, and during some of our research when we conducted what were some of the best practices in other jurisdictions.

We looked at Australia, Nauru, the Solomon Islands and New Zealand were countries that have conducted referendums and from that, we tried to modify our very own Referendum to suit the context of Fiji. If you look at the Referendum Bill, Mr. Speaker, Sir, there is a lot of big changes there. We have given some powers to Parliament for the dissemination of the information on the debates for and against.

We had initially asked if that can be done by the Electoral Commission, but they had reservations about that because they told us they were supposed to be apolitical. Hence, that power has now been vested to the Secretary-General of Parliament and Parliament to disseminate to the people the debate on the Constitution for them to know and to be aware of what is in the Constitution and for them to prepare themselves come Referendum Day.

For the people who are listening to this exercise, this is the first of its kind in Fiji. In a very similar way, I can say the most closest nature of this is just like an Election. It is basically just like an Election. If you look at the Bill, how we have modelled it, is like an Election. If you look at it, the Electoral laws apply *mutatis mutandis* in certain sections.

So, basically, where some things are lacking, the Electoral laws will apply. For the voters and the people who are listening out there, there is no need to fear. The word Referendum is new to us, but please do take note that it is just like an Election. The only thing is you are going to answer the questions which will be proposed by Government, as that is how the Committee has decided to leave it in the Schedule; the Government will have to come up with the question.

As I said, it is just like an Election. In an Election, you choose a candidate for the Referendum; you go and answer the question. There are many changes in there; it has been a tireless work of the Committee, if I can say, we sat right until Sunday and just a few hours before Parliament Sitting on Monday, we were going back and forth.

We thank the Drafters, who were with us until Sunday to the very last minute. We thank the

Office of the Supervisor of Elections and the Electoral Commission for assisting the Committee in trying to come up with one of the best Referendum laws that I could say. It is very unique in this country because we pull from some countries' best practices and put them together.

There are some other Members that may have reservations about what the Bill is. To be the first, it is not easy. Honourable Koya usually reminds the Committee we will go down in history as the ones who made this. But it was a challenge for us. We tried our very best, and Mr. Speaker, Sir, the Referendum Bill is done in a way that is very simple for the office of the Supervisor of Elections and the Electoral Commission when they conduct the Referendum.

If you look at the Schedule, the wording is as it is and has left the choice to the Government to word it out. From my side, to those who will be drafting that question, please do word it in a very simple form for the people out there. We have done the choice very simply so that the people will come and cast their vote. They will have to understand it.

Mr. Speaker, Sir, to close, I would like to thank the Drafters, as I said earlier. We were working on this back then, in December 2025. It is now coming to a close, 2026. We have finally achieved it. It is not an easy job, but what we have done is we have made a Referendum Bill that will work come Referendum Day.

HON. J. SAUKURU.- Mr. Speaker, Sir, thank you for the opportunity to contribute to this very important motion. At the outset, I wish to acknowledge and thank all those who have contributed to the formulation of this important Bill. The Referendum Bill provides the legislative framework for the conduct of a national Referendum in Fiji, and it represents an important step in strengthening our democratic processes.

Mr. Speaker, Sir, I wish to focus my contribution today on one very important group, the youth of Fiji. Fiji is a young nation; a significant majority of our population is under the age of 35. With almost half of our population under the age of 25, this makes our young people not simply the leaders of tomorrow, but an important part of Fiji's presence.

Mr. Speaker, Sir, my contribution to this debate is therefore very simple: I am appealing to our national asset, and that is the youth of Fiji. The youth of Fiji have an important role to play in shaping the future of this beautiful nation. And just as their participation is important in shaping Fiji's future, their participation in this referendum is equally important. This is a historic moment for our country. For the first time, Fiji is conducting a national referendum. I therefore encourage the young people of Fiji to take the opportunity to be part of this important chapter in our nation's history. More importantly, participation in this process provides young Fijians with an opportunity to engage with the constitutional future of our country.

Mr. Speaker, Sir, our young people have the demographic strength to make a significant contribution to the political, economic and social direction of Fiji. Your numbers give you a significant voice, but numbers alone are not enough; that strength must be matched with knowledge, responsibility, integrity and participation.

Young people must understand how our democracy works; you must understand your rights, but also your responsibilities. You must be willing to ask questions, to listen to different perspectives, to examine ideas carefully and to participate constructively in the democratic process. Most importantly, you must make informed decisions. I want to make one point particularly clear: this appeal is not about supporting one particular political side, party or position. It is about encouraging our young people to be informed, engaged and responsible citizens. Democracy is strengthened when citizens participate. It is strengthened when people take the time to understand the issues before them.

It is strengthened when citizens exercise their rights responsibly and respect the rights and views of others. It is strengthened when young people recognise that the future of Fiji is not something that belongs only to the older generation, it belongs to all of us.

Mr. Speaker, Sir, to the young people of Fiji, I say this, your voice matters, your participation matters, and when you are eligible to vote, your vote matters. Do not underestimate the power of your participation, your generation will live with the consequences of the decisions we make today.

You will inherit the institutions we strengthen, the opportunities we create and the society we build. Therefore, I encourage you to take an interest in the issues before our nation. Mr. Speaker, Sir, , the future of Fiji cannot be built without the active participation of its young people. If our youth participate meaningfully in public life, you have the collective ability to help shape the political, economic and social future of this country. This is not simply an opportunity. It is also a responsibility.

As a Minister for Youth and Sports, I encourage every young Fijian to recognise the importance of this moment to engage with the process and to play your part as responsible citizens of our beloved Fiji. Let us ensure that the voice of Fiji's young people is informed, constructive and heard because the Fiji we shape today is the Fiji that our young people will inherit tomorrow.

Mr. Speaker, Sir, with those few words, I commend the National Referendum Bill to this honourable House.

HON. K.K. LAL.- Mr. Speaker, Sir, *bula vinaka, namaste, As-salamu alaykum* and a very beautiful good night to everyone. Mr. Speaker, I rise to share my thoughts on this Bill in its present form. I do so because the people of Fiji deserve a referendum that respects their intelligence, protects their freedom and gives them a genuine opportunity to decide.

A referendum concerns much more than placing a piece of paper into a ballot box. It concerns who holds power in this country. It concerns whether an ordinary citizen can understand what is proposed. Question those proposals without fear, hear competing arguments and make a decision that belongs entirely to that citizen. When the subject is our Constitution, that responsibility becomes even greater.

Mr. Speaker, Sir, we are dealing with the rules under which Governments are formed, power is exercised, rights are protected, and future generations will live. No Government should approach that responsibility with the impatience of someone trying to finish an inconvenient administrative task. The Constitution belongs to the people. The referendum also belongs to the people and the Government must never confuse its ability to organise the process with ownership of the decision.

Let me begin with the legal foundation. The 2013 Constitution remains the legally effective Constitution of Fiji subject to the Supreme Court's declaration. I acknowledge the Court's opinion in August 2025 concerning the interpretation of the amendment provisions and the applicable voting thresholds, but that opinion did not turn constitutional change into an unrestricted political exercise. It detained the requirement for public approval through a constitutional referendum.

This Bill must operate within that constitutional framework. An ordinary Act cannot grant permission to disregard the supreme law. A parliamentary resolution cannot substitute for the constitutional amendment process, and a political deadline cannot become a source of legal authority.

Clause 5 recognises two different circumstances for a referendum; first, a Constitutional (Amendment) Bill passed in accordance with Section 160 and, second, an issue that Parliament

considers sufficiently important to put before voters. The revised Clause expressly states that the second kind does not bind the State.

Mr. Speaker, Sir, that distinction must be explained clearly to every citizen and an advisory note cannot be presented as though it automatically changes the Constitution. No Government should tell people that a general expression of support gives it permission to enact whatever constitutional arrangement it later chooses. Consent must relate to what people have actually shown and asked to approve.

Mr. Speaker, Sir, defend the 2013 Constitution because its protection matters in the daily lives of ordinary Fijians. Equality matters, freedom of expression matters, political participation matters. The principle that public power must be exercised under law matters. These protections belong to the worker who disagrees with the minister, a young person questioning the Government policy, the family seeking fair treatment and the citizen who has no one influential to speak on their behalf. When we discuss constitutional change we must remember those people. They will live with the consequences long after today's pictures have been forgotten.

My first major concern is time. Clause 11 requires polling between 30 to 45 days after the writ is issued. That may be sufficient for some narrow and familiar questions, but this legislation must also accommodate proposals that could substantially alter our constitutional arrangement. The Government must explain why the same short window should govern questions of such different complexity. Consider a working parent who leaves home early, returns exhausted, prepares dinner, helps the children with homework, and then worries about tomorrow's expenses. Consider a farmer whose day is shaped by weather, transport and the need to earn a living. Consider an elderly citizen who cannot readily obtain or read lengthy legal documents. Consider a maritime community where information does not arrive with the speed or convenience that people in Suva may take for granted. Their understanding cannot be assumed. Their time cannot be dismissed. Their consent cannot be hurried.

Mr. Speaker, Sir, the period before the Writ may provide opportunities for discussion. I acknowledge that, but this Bill does not guarantee a substantial minimum period of public education on the final proposal before the short polling timeline begins. People need to know the actual text they are deciding upon. A proposal can change during parliamentary consideration. Arguments about an earlier version cannot replace an explanation of the final one.

The Government should provide a longer minimum period for major constitutional proposals supported by a clear public educational timetable. If ministers believe their proposals are sound, they welcome the opportunity to explain them thoroughly. An extra month spent protecting public understanding is more valuable than a rush result followed by years of distrust.

My second concern is the quality and the reach of voter information. Clause 14 requires a summary record of parliamentary debate to be prepared and published in at least two newspapers, together with a statement showing the proposed textual changes. That publication must occur no later than 15 days before voting.

There is value in publishing the debate, however, Parliament's debate is not automatically an accessible explanation of the constitutional proposal. A summary can leave out qualifications, technical language can remain difficult, and the length and balance of parliamentary contributions can vary. Newspaper publications alone does not ensure that every voter receives, understands or can question the information.

- Where is the expense guarantee of equally presented arguments for and against?

- Where is the guarantee of clear explanations in English, iTaukei and Hindi?
- Where is the requirement for accessible formats for persons with disabilities?
- Where is the commitment to radio community meetings and information reaching remote settlements and islands?

These matters should be secured in legislation.

Mr. Speaker, Sir, they should not depend entirely upon later decisions or administrative goodwill. A person should not need a law degree to exercise a democratic right. A voter should be able to understand what changes, what remains and what a yes and no vote means. Both sides should have a fair opportunity to present or prepare their arguments subject to transparent standards of accuracy. An independent public education programme should explain the process without promoting the Government's preferred outcome. The Government can advocate its position, but public education funded by the taxpayers must serve the voter.

My third concern is Clause 15. Some arrangements in that Clause are understandable. The Bill anticipates that an election and referendum might occur on the same day. It provides for different coloured ballot papers if the same ballot boxes are used and requires the election count to be completed first. Those are practical issues worthy of careful consideration.

However, subsection 2 creates more serious concern, where the two events occur on different days, the Electoral Commission may suspend campaigning relating to the later event during all parts of the earlier event's campaign period. The activities listed are extensive. They include public forums, meetings, interviews, panel discussions, debates, opinion polls and publication of information. A person who contravenes the suspension commits an illegal electoral practice.

Mr. Speaker, Sir, this is a substantial power over public political discussion. It requires precise limits:

- What happens when a constitutional proposal affects the electoral system and a candidate wants to explain its consequences?
- What happens when a journalist interviews a politician about constitutional changes and election policy in the same conversation?
- What happens when a citizen's public meeting concerns both?

Mr. Speaker, Sir, political subjects overlap because people's lives overlap. The law cannot assume that constitutional debate and election debate occupy separate sealed rooms. Uncertainty becomes particularly serious when a criminal electoral consequence is attached. People may remain silent because they do not know where the boundaries lie. That is the danger Parliament must address before passing this Bill. I do not allege that every use of this power would be improper. I say its breadth creates a risk that demands safeguard. Any restriction should be necessary, proportionate, clearly defined, publicly explained, and open to prompt preview. Independent journalism, ordinary civic discussion, and neutral public education require clear protection.

Mr. Speaker, Sir, the Commission's independence is important, so is the public's freedom. We should write legislation that protects both. My fourth concern is the transparency of counting. Clause 6 permits counting at one or more count centres with the Electoral Commission's approval. Centralised counting may have practical advantages, but moving ballot papers creates responsibilities concerning secure transport, custody, reconciliation, and observation.

Mr. Speaker, Sir, the same Clause prohibits releasing results at polling stations and makes release at count centres dependent upon the supervisor's approval. Unauthorised release becomes an

illegal electoral practice. I understand the need to prevent false and premature announcements. However, a national result should be supported by a transparent record of the local results from which it is built.

Mr. Speaker, Sir, the public should not have to rely upon a total that it cannot meaningfully verify. The Bill should guarantee timely publication of detailed results, clear counting procedures, and access to properly accredited scrutiny.

Mr. Speaker, Sir, it should require reliable reconciliation between ballots broadcast and ballots counted. Where counting takes place away from the polling station, the chain of custody must be documented and capable of examination.

MR. SPEAKER.- One moment, one moment. Where are you? We are talking about the National Referendum, not Elections.

HON. K.K. LAL.- Sir, this is the Bill.

MR. SPEAKER.- No, no, no. I mean, I am trying to connect your thoughts to the document.

HON. K.K. LAL.- Yes.

MR. SPEAKER.- Can you refer specifically to the provisions of the referendum where the ballots are counted? What ballots?

HON. K.K. LAL.- This is the referendum ballots.

MR. SPEAKER.- No, no, I am just trying to understand you. I know the night is late. I could be very well contributing to that. But I am trying to understand where you are coming from in terms of the National Referendum Bill.

HON. K.K. LAL.- This is directly from the Bill, Mr. Speaker, Sir, trying to differentiate.

MR. SPEAKER.- If you can refer specifically to the provisions, it would be helpful.

HON. K.K. LAL.- Noted, Sir.

MR. SPEAKER.- Thank you very much, thank you. Sorry to disturb, distract. I will give you an extra minute because of that.

HON. K.K. LAL.- No worries, Sir. Mr. Speaker, Sir, the person who believes politics happens somewhere far away among people who never seem to experience the consequences of their own decision. To that reason I say your voice matters, your uncertainty matters, your question matters, you do not owe any Government automatic approval. You have the right to listen, to challenge, to disagree and to vote according to your conscience.

Mr Speaker, Sir, no one should treat a no vote as disloyalty to Fiji. No one should treat a yes vote as a proof of every criticism was answered. The people must remain free. That freedom is the measure of credible referendum.

Mr. Speaker, Sir, we hold these seats temporarily. Our decisions can last far longer. The children who cannot vote today may inherit the constitutional arrangements approved through this process. They deserve more than our impatience. They deserve more than a contest over who can

claim the political victory before the year ends. They deserve a country where power answers to the law and the people can trust the decisions made in their name.

Mr. Speaker, Sir, I will defend the Constitution and the rights it protects. I will defend the requirements that the constitutional change follows the lawful process, and I will defend the citizens' right to understand before deciding. The Government must earn public consent. It must provide the time, information, freedom and transparency that makes the consent meaningful. Our people deserve better and this Parliament has a duty to do better. *Vinaka vakalevu.*

HON. J. USAMATE.- Mr. Speaker, Sir, I would like to thank the honourable Minister for the Bill and all the speakers that have spoken before me. As has been highlighted, this Bill and the legislation, a number of speakers have said that it is historic. We have never had a referendum and it has been highlighted the referendum for this Constitution (Amendment) Bill, will be the last referendum that we will ever have. This is because the Constitutional (Amendment) Bill does not have a requirement for participative democracy, which is what referendums are. The normal type of democracy that we have here now is representative democracy. We represent others. We make decisions on their behalf. Participative democracy is when the people make the decisions themselves. That is what referendums are like.

Mr. Speaker, Sir, this particular Bill was not easy to get around to where it is today, right from the very beginning. First of all, the draft that was chosen to be the model on which the Bill was developed was completely out of context to what was happening in Fiji. It was based on the referendum that was held in Singapore back in the 1960s. If you remember the situation in the 1960s, there was a battle against communism and a battle against the unions. There was almost martial law in that country. You look at the way the referendum was drafted. What was allowed was not allowed in the context of Singapore at that time. So, that was lifted and brought to Fiji. That is why there was so much talk about the things that were there. It was not even allowed for us to discuss with children what was going to be asked in the referendum. There was no campaigning at all. These are the kinds of conditions that were put in place in Singapore in that context at that time. The choice of the model to use was already wrong. But we are in a completely different situation here.

This referendum was designed for us to look at the Constitution completely different from the context in which that original model was brought. That was one issue, Mr. Speaker, Sir. It took a long time to be able to work through that, given the circumstances in Singapore at that time and what you are trying to achieve here.

I looked at the development of this Bill. It had a tough beginning. Then, midway, it seemed that it was abandoned. After a few months of the Committee working on it and giving instructions to the drafters - and I must say, I applaud all the drafters for the hard work that they are doing — there was no word for five months. For five months, the Committee waited: April, May, June, July, August, September.

(Chorus of interjections)

HON. J. USAMATE.- Wait, wait, wait. Hold on, it is my turn. I need the people of Fiji to understand.

(Chorus of interjections)

HON. J. USAMATE.- Five months is five months. April — it was sent. Facts, facts, facts. If it was sent in April, April to May is one month. May to June is one month. June to July is one month. July to August is one month.

MR. SPEAKER.- Yes, one moment.

HON. S.D. TURAGA.- Mr. Speaker, Sir, I raised this matter earlier on. The way he is carrying on, it is as if the lawyers were sitting there, not doing it. They are working for the Attorney-General and other departments. This is a very unique Bill, Mr. Speaker, Sir. I just ask honourable Usamate to continue with relevance.

HON. J. USAMATE.- Sir, that was not a Point of Order. I was just articulating a fact. You cannot argue, Sir, with all due respect. You cannot argue that, if you give something in April and it comes to you in September, it has taken five months. This is one of the reasons, Sir, why we need one of those Parliamentary Counsels in Parliament, so that when the Committees are looking at things like that, we do not have to.

Now, I am not saying that the drafters are not working hard, but, Sir, when you are in charge of drafting, it is not the drafters; it is the captain of the ship. When they do well, he carries the glory, and when they do not do well, he carries the can. He finds a solution to the problem.

MR. SPEAKER.- You have made your point.

HON. J. USAMATE.- So, it is action, results and outcome that speak louder than words.

(Chorus of interjections)

HON. J. USAMATE.- By the way, Sir, a similar thing happened to the Access to Information Bill, the Code of Conduct Bill and the ...

(Chorus of interjections)

HON. J. USAMATE.- Mr. Speaker, Sir, I think, as has been said, it has not been easy to do this. I must applaud the leadership of our Chairman - very young, but very insightful and full of wisdom - the young Chairman that we have there. There are some things that I would like to highlight in the Bill. If we look at Part 5 of the Bill, or section 5, I am not too sure what the terminology is.

One of the things that came up in the Bill is that other than just have the provisions for which the referendum was probably meant, which is to look at the Constitution, we also added the idea of the plebiscite there. So, you have two kinds of referendum, one, in which a Bill is done to amend the Constitution, where the results of the Constitution are actually binding. We found also that in other countries, sometimes Parliament would like issues that they would like to ask people – what are your opinions? That has happened in places like New Zealand, and that is what you have in Clause 5(1)(b), where they can ask around what their opinion is. The result of that referendum is not binding on everyone, but it does give Parliament an indication of what the sentiments are on that particular question. On that basis, of course, Parliament is not always required just to do as people ask, but it always, at the end of the day, must need to make a decision for itself.

Mr. Speaker, Sir, the honourable Premila Kumar had talked about, when you have Part 6 of this Bill, it says application of the Election Act 2014. In order to understand what you have in 6(1)(a), (b) and (c), you need to have two pieces of legislation in front of you. One of the things that we had wanted to do was actually to mirror the requirements of the Election Act into this, but unfortunately, because of time constraints and because the results came back too slow, we could not do that. We can see that when we have to apply this, we have to open this.

However, at the end, the good thing is, because there are mechanics and systems already in

the Election Act that people are familiar with, the belief was that if we use those same processes, and all of those things that are similar, it will be easier for people to understand. In the end, it has to be written this way, *mutatis mutandis* (I have learned a lot of new words since I started doing this exercise).

HON. S.D. TURAGA.- Move on.

HON. J. USAMATE.- I am moving on. I think one of the good things that we have here, there was a lot of discussion whether referenda should only be for people living in Fiji or not. Of course, when you are the Supervisor of Elections, if you get in touch with all of our citizens who are outside of the country and can vote – I think there are 12,000 or 13,000 of them at the moment – it would be far more difficult for them. However, under Clause 6 they are included so that everyone in Fiji has real participative democracy, as opposed to representative democracy, which we do in this particular House.

Some honourable Members have talked about the development of the writ, which has been something that was proposed by the Electoral Commission, if I am not mistaken. The good thing about the whole legislation that you look at it, is all the details and the processes are spelled out in the law itself. I think there has been some comments made that there is a lot in the regulations, but to a large degree, if you look at the Electoral Act and if you look at this, it is more or less the same. The detailed processes are already spelled out in the legislation itself. I think it makes it easier for the Electoral Commission and the SOE to implement it and have some rules to deal with the anomalies that they might need to work with.

One of the big issues that the Chairman has talked about for the Committee, when we were talking about promoting or publicising issues around the referendum, the Electoral Commission and the SOE felt that they should not do that, that their job is to implement. I think it will fall upon Government, perhaps, and Parliament also. Parliament now has the big job of drafting and preparing the reports that will allow the public to learn as much as possible about what is happening in the referendum and what the pros and cons are of the different arguments.

Mr. Speaker, Sir, I think we have done a lot of work in this, but there are still things that are missing. One of the things that we noticed when we look at the requirements of the Venice Commission, there are a number of things that they say. One, you do not change electoral laws 12 months out. Of course, here we are two months out, three months out. If we do have elections, we are three months or four months out. That is a world-best practice, and we are doing that. That is one of the concerns that we have.

I also noticed that one of the things that we have not been able to fully address, in some jurisdictions, they have funding guidelines, like we have for elections. If you look at the Electoral Bill that we will look at later, we have funding guidelines on how much you can spend. In some jurisdictions, they have guidelines on equal airtime for the proponents and for the opponents because, obviously, if you are in Government, you might have more air time than the other side. So, there are some guidelines like that we do not have here.

In other jurisdictions, they also have an approval quorum, 50 percent, 40 percent of the electorate must vote. In that case, it is not there. So, some of those things are not there, Mr. Speaker, Sir, but nevertheless I feel that given the work that has been undertaken. All of the other things, I am not too sure that is covered in this Bill. The voters who turned 18 years just before the Referendum and have not been registered. I am not too sure how they will be addressed, but perhaps the Electoral Commission, SOE will be able to address that, but a very important thing, Mr. Speaker, Sir, the honourable Attorney-General talked about how referendums are very good because people actually

get to make the decision, participate with democracy.

However, in the Constitution that they are proposing, there is no Referendum. It is a complete 100 percent representative democracy. So, this Government seems to pay lip service to participation in democracy. Apart from other than that for me, I have enjoyed the challenge of working on this Bill, and I support the Bill as it is at the moment.

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, Sir, thank you for the opportunity to lend my support to what is a historic Bill for this country - the National Referendum Bill (Bill No. 46, 2025).

Mr. Speaker, Sir, I initially promised myself that I would not wear my dusting hat and perhaps try to elevate the conversation, but I cannot help but respond to the comments made by my friend and colleague, honourable Ketan Lal.

I thought, just to refresh his memory, Mr. Speaker, Sir, I just typed to Gemini, please give us the history of the last Constitutional Review in 2013. This is what it reads, and I quote, 'The consultation process for Fiji's 2013 Constitution was marked by a distinct shift from an extensive, public-led participatory phase to an internal government-controlled rewriting text. The consultation and the drafting timeline unfolded over several key stages. Yash Ghai Commission, July to December 2012, six months. Does that sound familiar?

The Interim Led Government established the Constitutional Commission chaired by the renowned Professor Yash Ghai. This Commission undertook a wide-ranging, highly participatory public consultation process, travelling across Fiji and receiving thousands of submissions from ordinary citizens, civil society groups and institutions (including the military).

Delivery of the draft - In December 2012, the Commission delivered its completed draft constitution to the Government. This draft featured emphasis on regional representation, independent institutional checks, et cetera.

Rejection of the independent draft in January 2013. In January 2013, the Government officially rejected Ghai's commission's draft, arguing it did not align to their vision. Copies of the independent draft were seized, sidelined, and control was brought back into executive leadership. The Government led through the rewriting with limited public comment.

From March Mr. Speaker, Sir, to August 2013, the attorney-general's office drafted a completely new text. In March 2013, this government author draft was released for public comment. However, unlike the national-wide inter-independent public hearings conducted by the Yash Ghai Commission, the feedback period was far more restricted. I understand, Mr. Speaker, Sir, according to honourable Tabuya, was only 40 days promulgation. Without a final popular referendum or Parliamentary vote, the final version of the 2013 Constitution was formally assented to by the President brought in by Decree.

Mr. Speaker, Sir, contrast that with what we are doing today. A Government brought in by the people, introducing the National Referendum Bill, had consulted for six months around Fiji, looked at the Yash Ghai Report, looked at the 1997 Constitution, looked at other Constitutions, and have come to this point.

Having said all that, Mr. Speaker, Sir, and I thought I would just share all these just to remind that side of the House, this side of the House has been trying to follow the rule of law from day one. That is why we are here today, and that is why they are sitting on the other side of the House.

Mr. Speaker, Sir, having said all that, let me dive into some of the pertinent points in this debate. Before I do that, I thought I was promising to publicly acknowledge the Chairman of the Standing Committee, honourable Usamate, honourable Koya, honourable Shalen Kumar, honourable Ratu Josaia Niudamu and honourable Sachida Nand for the hard work they undertook.

Sir, on Saturday when we were working on the Constitution as well and we had to have a meeting, we walked into the room, in the Small Committee Room, and all of these learned gentlemen were sitting there working on the National Referendum Bill.

Honourable Seruiratu, the Leader of the Opposition, talked about trust. That picture I saw in that room that day, Mr. Speaker, Sir, is trust. That is bipartisan spirit. That picture in my mind, will live with me for a long time to come. Because it demonstrated that irrespective of our views, irrespective of the doubts that we do here, the Committee, including the Chairman, were hard at work. I just thought I would acknowledge them again. I have done so in Caucus and I thought I would just acknowledge them again for the hard work they did to arrive at this very good simple document.

Mr. Speaker, Sir, as mentioned by the Chairman, this document is a very simple document to read. It is not that complicated and very easy to understand. The Bill actually provides a framework, and at its core, the Bill provides the rules for determining the referendum. As we all know, this Committee has strengthened the framework considerably.

One of the most important principles emerging from the review is the referendum, Mr. Speaker, Sir, is being conducted within the current the Electoral Commission's electoral framework. That is excellent, because it means in terms of efficiency, execution, getting the whole rollout and it will be very easy to actually do.

Mr. Speaker, Sir, the other important issue I thought that I would just highlight was mentioned by honourable Usamate the inclusion of all voters in our register, not just the voters in Fiji. Again, in my mind, a very good initiative, because it just strengthens the principle of universal participation when we deal with issues such as changes in our Constitution or changes in laws, for that matter.

In terms of the Writ, Mr. Speaker, Sir, and I know there was discussion about the number of days. There is no difference between the number of days we are putting in our Writ and the number of days the unelected government gave to the people of Fiji in 2013 to provide comment on their Constitution, Mr. Speaker, Sir. I do not think there should be any concern on that front.

Mr. Speaker, Sir, in terms of the proposed framework has tried to encourage as much transparency as possible. As alluded to by the Chairman, initially there was a recommendation that with the referendum question, the relevant Bill be attached or appended and also the parliamentary debate because of the request by the Electoral Commission they have leaned on your resources. Mr. Speaker, Sir, and we thank you, on this side of the House for agreeing to that. It means that in terms of being well informed the people of Fiji will continue to be provided with as much information as possible over this period as we try and execute this referendum.

Mr. Speaker, Sir, honourable Tabuya, talked about greater clarity in the voting process or making it very simple. Basically, you do what you do in the national election. You either circle, cross or tick, yes or no on the ballot which is quite simple. Given the rigor that the Electoral Commission applies to the electoral, results the fact that we are relying on the electoral processes to actually deal with the count means that There should be much confidence on the rule speaker in the actual count process that will take place after the referendum has taken place because we know that it will be in the hands of the people that know how to do this very important work.

Mr. Speaker, the Committee's Report also identifies the Bill's interesting contribution to SDG 16.7, which promotes responsive, inclusive and participatory decision making. This is of course consistent with how legislation is developed. Honourable Speaker. So, again, that is another very positive thing under this Referendum Bill.

Mr. Speaker, perhaps I think the important point that we should not be lost on us is whilst at the moment the referendum on the Constitution will most likely only happen once because it is not taken forward in the Draft Constitution. We do have an Act that can be used for plebiscites which we have never had before and will allow us to continue to revisit issues of national importance issues that require the voice of the people because of the work that was carried out, the important work and the very good work that was carried out by the Committee because we do have a framework now to be able to do the referendums.

With those few words, Mr. Speaker, number one, we are following the rule of law. We have our process to change any Constitution is far, far superior to what was done by the other side of the house when they were in government.

Mr. Speaker, we do have a document that not only we can use now but we can use for the national hood in the years to come.

HON. F.S. KOYA.- Mr. Speaker, Sir, at the outset, let me just thank all my fellow Committee Members, especially our Chairman, who guided us through this duty that was imposed upon us by section 160 of the Constitution to ensure that we have the laws available for our country to conduct a referendum, whether it be one or the other in terms of plebiscite.

Mr. Speaker, Sir, honourable Ratu Rakuita Vakalalabure, honourable Jone Usamate, honourable Sachida Nand, honourable Ratu Josaia Niudamu, my good friend who is not well, honourable Isikeli Tuiwailevu, of course those that joined us a little later. Right at the outset, we had a discussion that this was a duty imposed upon us and this was not an issue that was really political or where we would be taking sides. It was an obligation and responsibility to the Fijian people, so it was a duty for us to be completely independent, to try to be as independent as possible when preparing this document to bring back to Parliament.

Mr. Speaker, Sir, it was not easy. We had some good conversations, other times we just had to listen to and we spoke to civil society, to the Electoral Commission of Fiji, Supervisor of Elections (SOE) and many other people around the country to try and get as many good ideas as possible.

Mr. Speaker, Sir, there were a couple of things that stood out. As a guideline, one of the most important documents that you can refer to when you are trying to prepare laws for a referendum and it is a code of good practice for referendums which is actually done by the Venice Commission. It is a really important document to look at when you are actually trying to do the laws since it is a very balanced and an easy way to assist in trying to get it done.

We had a good advantage. There are some laws that are already available in the Electoral Act which were of good assistance to us. Nevertheless, we had some trials and tribulations in the beginning, however, at the end of the day, we have come up with a document and we tried to be as independent as possible. At times, to be absolutely truthful here, even between the opposition Members on the Committee that held, they had differing opinions. So, we always came up with a solution that was amenable or would be amenable to all in Fiji.

Mr. Speaker, Sir, it is a very important document and as pointed out by the honourable Chairman of the Committee, I did remind them that it is a historical piece of paper that has never

been done in Fiji. It was our duty to ensure that it is easy and simple to follow.

We also looked at other jurisdictions around the world, which was Australia and New Zealand. Australia has had the advantage of conducting referendums and they did quite a few for different things. There were a lot of documents, discussions and thinking that took place along with the email correspondences.

I also want to take this opportunity to thank Jackson and Alumita, who are part of the Committee who worked with us and are a part of the parliamentary team. They did a phenomenal job trying to keep up with us and ensuring that they captured all that we actually said and did or even argued about.

Mr. Speaker, Sir, in reality the Bill is not that large, however, there are things that needed to be incorporated to keep it fair. As you can see, please do not fear the fact that there are a lot of reds that have been crossed out. It was just necessary to do so to find the right medium to ensure that we have a free and fair referendum at the end of the day when it is required.

Mr. Speaker, Sir, I think at this juncture also it is very important for everybody to know this, that we actually have a very good Electoral Commission which was of extreme help to us in the questions that we gave them. I can just explain to you, if there was disagreement with the original Bill, the chair of the Electoral Commission would not hesitate in saying that it was wrong and we should not be doing that, or that is impossible for us to do, or that is not going to be permissible within the time frame that we are actually trying to get it back. With all those things put into play, it was not an easy exercise, Mr. Speaker, to actually get this done.

On behalf of the Committee, Sir, I also, of course, like any other Bill in any other law, there may not be things in here that will be amenable to all. You may not like some stuff, we apologise, but it is a living document now, which can be amended at a later stage. And I think that is that for everyone, that is very important. They should realise that there is a lot of hard work that has actually gone on to this.

The Committee has always been, and I think will always be, for the life of the Committee, a very bipartisan one. We always try and come up with a solution that is best, and we leave the politics aside when we do it, and this has actually come out in this particular Bill. As you can see, there has been quite a lot of changes from the original bill itself, so that tells you that we have been very bipartisan.

Mr. Speaker, as I said earlier, I think one of the important things that everyone must also realise that our Electoral Act of 2014, there are a lot of provisions from there that have been put into this *mutatis mutandis* with the necessary modifications that are required. Again, as I say, one of the great things is that we have had the ability to look at Australia and New Zealand. One of the issues that came up that was very important, I think everyone should know, this is not to do with referendums, but in the last election, just as a data thing, when we checked with the Supervisor of Elections (SOE), there were about 12,000 voters that were offshore, yet the voting numbers that came back were very low. The SOE had actually put that into the equation with respect to referendums too. What it does now is that it includes everyone that is registered in Fiji.

You could be living in Australia or working at the moment, you will be permitted to vote. We wanted to get as many people as possible that were able to. The requirement is the SOE must have that window to ensure those people are able to actually get it, because I think it is about 30 odd days that they need to ensure that those votes actually come back. Very important issue for the Electoral Commission and the OSOE to ensure that everyone has the ability to say 'aye' or 'nay'.

In terms of the ballot paper, I think the easiest thing for us, and I think it has been recognised, whilst that you either take it or cross it or put a circle. I think the recommendations were that you leave it completely empty, you do not have it within a box, but on the lighter side, the Chairman said what if someone has got a sight problem and ends up putting it in the middle, you are going to lose the actual thing, so it is better to put the box in. We have got that as a box, people putting it in, so what it does effectively is actually gives you the intention of the voter and it is within the box. It might come out of the box slightly, but if it is a tick or a cross or a circle, we all know what the intention was. It makes the job of the Electoral Commission and the SOE quite easy.

I think enough has been said by everyone else. I do not want to get into the nuts and bolts of trying to respond to some of the comments that have been made earlier, because this is a very important occasion. Whether it lasts just one referendum or whether it comes back later, at the end of the day, that is entirely up to Fiji's political life, whether the Constitution passes or not, whether it is not in there, that is something for an argument for another day.

Right now, as it stands, in terms of this takes care of plebiscite referendums, which may in the future be necessary for Fiji to decide for public participation, I think most people will realise that when you do plebiscite referendums, there is no compulsion on the government to do it. It has happened in other jurisdictions where they have decided not to go with what the referendum does. If you see, it is a very important tool, and if you look at what has happened in the UK also, they removed themselves out of Brexit simply by virtue of the referendum.

The power of the people is actually in a referendum. It is one of the best ways to do it. One of the things that was mentioned by honourable Usamate was the fact that we have not put a threshold. There is a recommendation that you may put a threshold. They generally do not have thresholds; you may put a threshold if it is a constitutional one. However, at the end of the day, the loss kind of lies where it falls, so to speak, Mr. Speaker, Sir.

The duty is on the voter to go and vote to ensure that their voice is heard with respect to a referendum that is important in terms of constitutional arrangements. Of course, with respect to campaigning and all that needs to be done by the political parties, the rules under the Electoral Act that actually applies. It was just easier for us to maintain that, so it is easier for the voter, for him or herself, to be able to say, 'Okay, well, this is the environment that exists. I know my way around it in terms of normal elections; it is the same thing.'

All in all, Sir, once again, thanks to everyone who has taken part and done this. I thank Parliament and Mr. Speaker, Sir, for being patient while we actually got this done. This is the best that we could have done with all that we had. If there are any deficiencies, I am sure they will come back with amendments to it. With that, Sir, I support the Bill before the House.

MR. SPEAKER.- The last contribution to the debate is from the honourable Prime Minister, and I invite him to deliver his contribution.

HON. S.L. RABUKA.- I thank all honourable Members who have contributed to the debate on this Bill, and I also thank the Standing Committee on Justice, Law and Human Rights, including matters related to crime, civil rights, courts and their administration, the Constitution, policing and human rights. This is the third Standing Committee we have had in this Parliament since the 2013 Constitution was promulgated. According to the honourable Koya, this has been a very active Committee, and it has been given the task of coming back to Parliament with a National Referendum Bill.

Mr. Speaker, Sir, contrary to what the honourable Premila Kumar said, this will not be the

only referendum we will ever have in Fiji. The Act itself says that a referendum may be held in any of the following circumstances: for a Bill to amend the Constitution. She is right that this is according to Section 160, because there will be no equivalent of section 160 in the new Constitution.

Mr. Speaker, Sir, under Part B, Parliament may pass a resolution declaring that a certain issue or matter is of sufficient national importance that it should be submitted to the voters for their views through a referendum. It is not just a one-event issue. Parliament may, in the future, decide to take some questions to the people.

Mr. Speaker, Sir, contrary to something I said in the past, I have learned that Constitutions endure not only because they stand as the supreme law of the land, but also because they command the confidence, trust and acceptance of the people whose lives they shape. That principle lies at the heart of the National Referendum Bill that is before this honourable House today. This Bill is not merely a legislative measure; it is an affirmation of a democratic belief that has guided free societies for generations: that on questions touching the constitutional future of a nation, the people themselves must have a voice. Even on matters that touch on the Constitution, the Government may still go to the people for a referendum, but it is not binding on Government.

The referendum process provides the people of Fiji with an opportunity to participate directly in an important chapter of our constitutional journey. This one does, and it is surprising for me to note that the Constitution that came into being in 2013, had the machinery for its amendment, but did not have the referendum machinery to conduct the process for amendment to that Constitution.

Mr. Speaker, Sir, Fiji history has never been defined by a single moment, a single government, or a single generation. It has been shaped by the contributions, the sacrifice, and aspiration for all those who have come before us. Throughout our history, we have drawn strength from our traditions, from the *vanua*, and this evening, you mentioned your experience and the interaction you have had with some members of the Bose Levu Vakaturaga in your various capacities in the past. From our communities, from our faith, and from our shared commitment to building a peaceful and united nation, we have learned.

This Bill is not about diminishing those traditions or setting aside the institutions that have shaped our society. Rather, it reflects our confidence that democratic participation, our respect for our traditions, and national unity can strengthen one another in the service of for a common purpose. I recognise there are some questions whose significance extends beyond the life of any parliament or government. They concern the fundamental arrangements under which a nation is governed, and the principles by which its people choose to live together.

The Referendum Bill recognises that on such questions, the people of Fiji should be afforded an opportunity to express their views directly. It establishes a lawful, transparent, and democratic mechanism through which that participation can occur. It does not predetermine an outcome and it does not prescribe what the people must decide. Rather, it creates the opportunity for the people themselves to determine whether the constitutional arrangements, under which they are governed, continue to enjoy their confidence and support. That is the essence of legitimacy.

Mr. Speaker, Sir, if the Constitution (Amendment) Bill 2026, that I tabled yesterday, is approved by Parliament, the referendum enabled by the Referendum Bill would mark a historic milestone for our country, being the first national referendum ever conducted in Fiji. For the first time, the people of Fiji would be afforded a direct opportunity to express their collective view on a matter of constitutional significance. This Bill is a statement of trust. It reflects trust in the people; trust that our citizens are capable of considering issues of national importance thoroughly and responsibly; trust that democratic participation strengthens rather than weakens our institutions; and

trust that the future of our nation is safest when it is grounded in dialogue, understanding, and public confidence.

For that reason, Mr. Speaker, Sir, the Bill promotes informed participation, safeguards the integrity of the vote, and entrusts the conduct of the referendum to Fiji's established electoral institutions, namely the Electoral Commission, the Supervisor of Election, and the Fiji Elections Office. The objective is not merely to conduct a vote, but to ensure that the voice of the people, is heard in a manner that is credible, transparent, and worthy of public confidence.

Mr. Speaker, Sir, I recognise that constitutional questions can evoke strong views that is natural in any democracy. Yet, this process is not about revisiting the divisions of the past, nor is it about winners and losers. It is about strengthening national unity through democratic participation. It is about providing a peaceful and local means through which differing views may be expressed. It is about ensuring that wherever we may stand on these questions, we remain united in our commitment to our nation and its future.

To conclude, Mr. Speaker, Sir, this Bill is bigger than any Government. It is bigger than any Parliament and it is bigger than any political generation. It is an investment in the democratic future of Fiji. And Parliament has a responsibility to deliberate, to legislate, and to lead. But Constitutions ultimately derive their strength from the confidence of the people.

Through this Bill, we affirm a simple, yet enduring principle that the people of Fiji should have the opportunity to be heard on matters of profound constitutional importance. In the final analysis, it will not be this Government, nor this Parliament that determines the future direction of our Constitution. That responsibility will rest with the people of Fiji themselves, as it should be.

Allow me, Mr. Speaker, Sir, to thank again the Standing Committee on Justice, Law, and Human Rights for its diligent consideration of this Bill. This is not an easy task, particularly given that Fiji has never conducted a National Referendum and has not had previously any legislation governing such a process. For its engagement and stakeholders and careful examination as the honourable Koya has stated, the issue before it the Committee demonstrated the important role that Parliamentary institutions play in strengthening our democracy.

I also thank everyone who has contributed their views and expertise throughout the process. Your efforts reflect a shared commitment to ensuring that matters of constitutional significance are approached with care, openness and genuine concern for the future of our nation. *Vinaka Vakalevu.* God Bless you all, God bless Fiji.

MR. SPEAKER.- I thank the honourable Prime Minister for his contribution to the debate. I will now call upon the honourable Minister and Acting Attorney-General to speak in reply.

HON. S.D. TURAGA.- Mr. Speaker, Sir, this is not an ordinary Bill, but it is a Bill that I would say is quite a historical one, just like the VKB, because it is a vehicle in which the new Constitution will be adopted by the people of Fiji.

From this side of the House, it is a very important Bill. Let me thank the Chairman of the Justice, Law and Human Rights Committee. For those in the office, the honourable Deputy Prime Minister, we did meet with them. It was visible of the determination and the commitment they put. I would like to acknowledge their hard work. Thank you.

I acknowledge the collaboration from the Electoral Commission, from the Chairman, Justice Ratuveli and the members of the Commission, the members of the Supervisor of Election and her

team. There has been a lot of consultation the Permanent Secretary of Justice and the team. We have had a very good engagement. Of course, that is democracy, Mr. Speaker, Sir and I stand today to thank each and everyone, of course, not forgetting the hardworking team from the Drafting Section of the Attorney-General's Chambers.

Mr. Speaker, Sir, the past three weeks has not been an easy one. Standing from this side of the House, those in the Cabinet Sub-Committee can attest to that. But I have told them from the very beginning, you have not done it before. This is our first time. Others before you have done it, you are going to deliver it because this is your legacy. That is why we are here today. We did this Bill, and I thank each and everyone who has spoken, and I fully endorse the Bill.

MR. SPEAKER.- The Parliament will now vote.

Question put.

Motion agreed to.

[A Bill for an Act to provide for the holding of a National Referendum and for related matters, Bill No. 46 of 2025, enacted by the Parliament of the Republic of Fiji (Act No. of 2026)]

ELECTORAL (AMENDMENT) BILL 2026

HON. S.D. TURAGA.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Friday, 21st August, 2026, I move:

That the Electoral (Amendment) Bill 2026 (Bill No. 29/2026), be debated, voted upon and be passed.

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

HON. S.D. TURAGA.- Mr. Speaker, Sir, I rise to move that the Electoral (Amendment) Bill 2026 be now read a third time. The Bill represents an important step in strengthening participation, accessibility, transparency and the content of Fiji's electoral system. The Bill seeks to modernise electoral processes and remove barriers that unnecessarily restrict participation in our democracy.

In response to the recommendations arising from the Electoral Law consultation and introduce practical reforms that place voters at the centre of the electoral processes. campaign blackout period. Reducing the campaign exclusion zone from 300 metres to 100 metres around polling venues, whilst preserving safeguards against undue influence of voters. Clause 29 makes corresponding amendment to Section 118.

Mr. Speaker, Sir, Clause 18 expands eligibility for post-election voting by recognising family, work and other significant commitments while also removing unnecessary statutory declaration requirements that often prevented voters from accessing the important services.

Clause 9 strengthens an electoral inclusion, ensuring that persons with disabilities who rely on an assistive learning or speaking device are able to use those devices when casting their vote. This amendment promotes both accessibility and dignity.

Mr. Speaker, Sir, Clause 14 inserts a new Section 82 (a) and it provides a transparent framework for dealing with interruptions to pre-poll schedules including natural disasters, emergencies and other unforeseen circumstances while requiring prompt public notification and

emergencies and other unforeseen circumstances while requiring prompt public notification and reporting.

Mr. Speaker, Sir, Clause 26 amends section 114 to allow political parties and candidates to provide transportation and refreshments to voters, provided there is no attempt to influence how any person votes. This removes practical barriers to voting, especially for elderly persons, persons with disabilities and those living in remote communities.

Importantly, Clause 30 inserts a new section 135 (a) which establishes a clear framework for categorising electoral offences as either corrupt electoral practices or illegal electoral practices with proportional penalties that shatter accountability and public confidence in electoral enforcement. I commend this Bill to this august House.

MR. SPEAKER. - Honourable Members, the floor is now open for debate on the motion. I have a list of speakers with me.

HON. H. CHAND.- Mr. Speaker, Sir, I rise to contribute briefly to the debate on the Electoral (Amendment) Bill 2026.

Mr. Speaker, Sir, electoral laws are not ordinary laws. They establish the rules under which political power is contested, votes are cast, ballots are counted and governments are elected. For that reason, whenever Parliament is asked to change those rules we must examine not only the stated intention behind the amendments but also their practical effect on voters, candidates, political parties and public confidence in our electoral system.

The Explanatory Notes tell us that this Bill seeks, amongst other things, to ease restrictions on campaigning. Accept that our electoral laws should facilitate participation and should not unnecessarily prevent Fijians from exercising their right to vote but greater accessibility cannot come at the expense of electoral integrity.

This is precisely where my concerns with this Bill arise.

Mr. Speaker, when we examine the Bill as a whole we see a significant relaxation of a number of existing electoral safeguards. The 48-hour campaign blackout before polling there is being removed.

The campaign-free boundary around polling venues is being reduced from 300m to 100m with the Electoral Commission being empowered to determine another boundary. Political parties and candidates will be permitted to provide free transportation to voters. These are not insignificant administrative amendments. They alter important rules governing the environment in which an election is conducted.

The 48-hour campaign blackout, Mr. Speaker, Sir, the final 48 hours before an election provide voters with an opportunity to reflect upon everything they have heard during the campaign. Political parties have had weeks and months to put their policies before the people. Candidates have had the opportunity to campaign. There must eventually come a point when the campaigning stops and the decision is left to the voter. That becomes even more important today because campaigning does not end when a political rally finishes. Political messaging now reaches people continuously through *Facebook*, *TikTok*, messaging and other digital platforms. Information can travel throughout Fiji within minutes.

Mr. Speaker, Sir, removing the blackout therefore opens the door to political messaging continuing right up to the polling day. It also creates the possibility of damaging allegations or

misinformation being released at the very end of the campaign when those affected may have very little opportunity to respond before voters cast their ballots.

There is also the question of resources. A large and well-funded political party has a much greater capacity to sustain advertising and political messaging until the last possible moment than a small party or an independent candidate.

Mr. Speaker, Sir, if the government wants to remove a safeguard that has existed to provide separation between campaigning and voting then government should clearly explain what was wrong with that safeguard and what problem its removal is intended to solve.

Reducing the polling boundary from 300 meters to 100 meters. The second issue concerns the environment immediately surrounding our polling venues.

Mr. Speaker, Sir, the Bill reduces the existing 300 metre campaign boundary to 100 metres. It goes further by defining the 100-metre radius as either 100 metres or another boundary determined by the Electoral Commission in accordance with its rules.

Mr. Speaker, Sir, polling stations should be a politically neutral environment when voters approach a polling venue they should be able to walk into the venue, cast their vote and leave without unnecessary political contact or pressure.

The question the government must answer is simple, why 100 meters? What evidence demonstrates that the existing 300-meter boundary is unreasonable? What difficulties have been experienced under the existing arrangement? Why has government concluded that political activities should be permitted three times closer to a polling venue? These are important questions because we are dealing with the physical space immediately surrounding the place where a citizen exercises one of his or her most important democratic rights.

In conclusion, Mr. Speaker, Sir, Speaker said, the Electoral (Amendment) Bill 2026 replaces a number of longstanding electoral safeguards with flexible powers and relaxed restrictions. While the objectives of accessibility and administrative flexibility is commendable, the cumulative effect of the amendments risk weakening electoral integrity, increasing opportunities for undue influence, reducing transparency and giving advantage to well-funded political actors. The amendments, therefore, raise serious concerns regarding compliance with constitutional principles of free, fair, transparent and equal election.

HON. A.V.B.C. BAINIVALU.- Mr. Speaker Sir, I rise in support of the Electoral (Amendment) Bill of 2026. The test of an electoral law is straightforward. Does it help eligible citizens vote freely, protect their choice and deliver a result they can trust? These amendments advance those objectives. I acknowledge the Committee's work, the public submissions and the concerns recorded in this report. There were differences of opinion, particularly over the campaign blackout period and the provision of transport and refreshments. Those concerns, deserve a direct response. I offer five reasons why this House should support these reforms.

Firstly, Mr. Speaker Sir, the right to vote must be practical, accessible and inclusive. A right on paper means little if a person cannot exercise it. For an elderly person, a person with a disability or someone with significant family commitments, getting to an assigned polling venue can be a real obstacle.

Clause 13 expands postal voting eligibility to include absence because of family or other significant commitments. It also allows the Electoral Commission to approve additional grounds.

The Bill simplifies applications by replacing this statutory declaration requirement with a signed declaration affirming that the information is true and correct. That reduces an administrative barrier while retaining a declaration of truth.

Mr. Speaker Sir, Clause 9 allows persons with disabilities to use assistive learning and speaking devices in polling stations. A device that helps a person communicate should help them exercise their democratic right. Our election rules must recognise that. The National Council for Persons with Disabilities supported these measures and called for further accessibility safeguards. That is an important message from people whose experience should shape this law.

Clause 14 also provides flexibility when pre-poll voting is interrupted by emergencies, adverse weather or other disruptions. For maritime communities, these are familiar realities. Rough seas and disrupted travel can prevent officials from reaching a village as scheduled. Our law must allow election administrators to respond with proper notification and oversight. A person's disability, family responsibilities or island location should never become a barrier to their voice.

Secondly, Mr. Speaker, Sir, informed voters need access to information and public scrutiny. The Bill removes the 48-hour campaign blackout before polling day. It retains polling day campaign restrictions. That distinction matters. Members who oppose this change argue that voters need time for calm reflection.

I respect that concern. However, voters can reflect while information remains available. They can decide when they have heard enough. Compulsory silence also restricts the opportunity to question a claim scrutinise a promise or respond to an allegation during the final two days before voting.

Mr. Speaker, Sir, the report records support for the change from the Electoral Commission. The National Council for Persons with Disabilities also supported it, explaining that additional time would help people access and process information in accessible formats. That is a powerful argument for inclusion.

The Bill also reduces the campaign-free boundary around polling venues from 300 meters to 100 meters or another distance prescribed by Electoral Commission rules. A protected area, polling day restrictions, the obligation to protect voters from interference all remain.

The Committee has recommended deleting the proposed exemption that would exclude party and candidate names, logos, symbols and acronyms from the meaning of campaigning during this very restricted period. That recommendation, Mr. Speaker, addresses a legitimate concern about continuing political influence on polling day. We can keep information flowing before polling day and protect the voter space when voting begins.

Thirdly, Mr. Speaker, helping a voter reach the ballot must come with a firm prohibition on influencing their choice. Clause 26 is one of the most contested provisions. It permits free transport directly to and from a voter's assigned polling venue and refreshments for immediate consumption during the journey or outside the 100-metre boundary. The condition is explicit. The party, candidate, or representative must not influence or attempt to influence a person's vote. For someone who cannot afford the fare, transport can determine whether they participate at all. For an elderly person or someone with limited mobility, assistance can make the right to vote achievable. These difficulties, Mr. Speaker, also exist in urban settlements. Distance alone does not determine who needs help, cost, age, and disability matter too.

Mr. Speaker, the concern about obligation is nevertheless real. A voter may feel pressure

towards whoever provides assistance, and this report records that concern, including the Electoral Commission's warning about enforcement difficulties. We should take it seriously. The Committee therefore recommends that candidates, except for voting purposes, must not remain in or near sheds, tents, or other structures used to gather people on polling day. That is a practical safeguard against turning assistance into an opportunity for personal political pressure.

The distinction, Mr. Speaker, must also be clear in voter education and enforcement. Transport and refreshments cannot be conditional on political support. A voter owes no candidate their vote because they received a right. Breaches of the relevant provision would be classified as corrupt electoral practices. Assistance must carry no political debt. A voter's choice remains their own.

Fourthly, Mr. Speaker, trustworthy elections require accurate counting and accountable administration. The Bill strengthens the procedures behind the result. Clause 16 expressly authorises recounts for quality assurance. A recount provides an opportunity to check the work and correct an error. Accuracy must be the priority.

Clauses 17 and 18 require discarded ballot papers to be counted and accounted for in ballot reconciliation. That means accounting for those papers. It does not mean treating them as valid votes. Every ballot paper must be accounted for so that the figures can be checked and explained.

Clause 19, Mr. Speaker, replaces continuous publication and provisional results with periodic publication throughout tabulation. The obligation to publish remains. Implementation should provide regular, clearly explained updates so that the public can follow the count with confidence. Accountability also applies to decisions made before voting.

Mr. Speaker, Clause 27 provides an appeal to the Electoral Commission where a person does not accept a decision of the supervisor of elections concerning a regulated activity.

Clause 4 clarifies that an official with a declared conflict of interest steps aside from the relevant decision. These provisions, Mr. Speaker, recognise that election officials exercise significant authority and must be subject to clear safeguards. The Committee also recommends removing the proposed power to regulate referenda through general Electoral Commission rules favouring dedicated referendum legislation.

That recommendation, Mr. Speaker, deserves support. An event of that importance should have a specific legislative framework considered by Parliament.

Lastly, Mr. Speaker, electoral penalties must distinguish misconduct by its seriousness. The Bill brings more than 30 separate offence provisions in two categories, corrupt electoral practices and illegal electoral practices. That creates a clearer framework for understanding offences and their consequences.

The joint submission, Mr. Speaker, from the Electoral Commission and the Fijian Elections Office supported this approach. It noted that minor breaches would no longer attract imprisonment, while serious offences would attract more significant consequences. Ordinary citizens should be able to participate in politics, Mr. Speaker, without facing imprisonment for every lesser breach of an electoral rule.

At the same time, bribery, undue influence and other serious misconduct require effective deterrence. The report records concerns about reduced penalties for serious offences and the affordability of some fines. Those concerns warrant careful attention.

The defence of this reform is that penalties should be clear, proportionate and enforceable. The seriousness of an offence must guide its treatment. Enforcement must be consistent, whoever commits it.

Mr. Speaker, Sir, these amendments have been examined Clause by Clause. The Committee received submissions, recorded dissent and recommended changes. Its conclusion was that the proposed amendments were adequate to achieve the Bill's objective and it commended the Bill to Parliament. We should support its central purpose, wider access to voting, informed public debate, protected our voter choice, accountable administration and a clearer framework for electoral offences.

The standard we set today, Mr. Speaker, Sir, must serve every eligible Fijian and every electoral contestant. I support the Electoral (Amendment) Bill with the safeguards recommended by the Committee.

HON. P.D. KUMAR.- Mr. Speaker, Sir, I rise to speak on Clause 26 of this Bill which proposes to amend section 114 of the Electoral Act 2014 to allow political parties and candidates to provide free transportation and refreshments to voters on polling day.

The Government's stated reason is to improve access to polling stations and encourage people to vote. I agree that every eligible voter should be able to exercise their right to vote, including those living in remote areas, elderly voters and persons with disabilities. But the question before us is whether political parties and candidates should be the ones providing that assistance.

Our electoral laws must protect two things at the same time, access to voting and the independence of the voter. Section 114 currently prohibits political parties, candidates and their representatives from giving money, gifts or material benefits to voters. The purpose is to prevent vote buying and undue influence.

Mr. Speaker, Sir, Clause 26 creates an exception by allowing free transport and refreshments, provided they are not intended to influence a voter's decision. The difficulty is how the intention will be established. If a political party provides a voter with free transport to the polling station, how does the Electoral Commission determine whether it was simply assistance or whether it created an expectation of political support?

A party can say there was no intention to influence the voter, but proving what was in someone's mind can be extremely difficult. Electoral laws should not depend on intentions that are difficult to prove. They should provide clear and enforceable rules. There is also a wider concern.

Mr. Speaker, Sir, the secret ballot is designed to ensure that voters can make their choices freely and privately if they have other issues to reach the polling venue. Now, when a candidate or political party provides transport, collects voters from their homes and takes them to the polling station, there is a direct contact between the voter and the political organisation on polling day. Even where no vote is openly requested, the voter may feel an obligation to the party that assisted. That is why we must be careful about allowing political parties to provide material benefits at the very time when voters are making an electoral choice.

Mr. Speaker, Sir, there is also an issue of fairness between political parties and candidates. Not every candidate has the same financial resources. A well-funded party may have many vehicles, buses, boats and volunteers. A smaller party or independent candidate may not have those resources. If free transport becomes an expected part of campaigning, candidates may feel pressure to provide simply to remain competitive. The same applies to refreshments. What begins as an optional service

can quickly become an expectation among voters and an additional campaign cost for candidates. This is particularly important for women candidates and candidates who do not have access to substantial financial resources or established political networks. If Parliament is serious about increasing women's participation in politics, we should be careful not to introduce additional campaign costs that will make it more difficult for women and other less resourced candidates to contest elections.

Mr. Speaker, Sir, I believe we should distinguish between making voting accessible and allowing political parties to provide the means to access. Accessibility to election is fundamentally a responsibility of the state and the institutions responsible for conducting elections. The Fijian Election Office is responsible for administering elections in a fair, impartial and transparent manner. If voters in remote communities need transport, let us strengthen the capacity of the electoral authorities to provide or coordinate that assistance. If elderly voters or persons with disabilities require additional support, let us ensure that appropriate arrangements are made through a neutral system that would help voters without linking access to voting with a particular political party or candidate.

I am also concerned about the proposed restriction on candidates being present in tents or sheds where voters gather in connection with transport or refreshments. The intention may be to prevent campaigning at these locations, but the law needs to be clear. What about party officials and campaign workers? What is meant by the term 'immediate vicinity'? What happens if these provisions are breached? Who is responsible and what penalties apply? These matters should not be left uncertain, particularly on polling day where decisions may have to be made quickly.

Electoral legislation must be simple enough to understand and strong enough to enforce consistently across all constituencies, including remote islands and rural communities. I am not arguing against helping voters. I am arguing that the assistance should be provided in a way that does not compromise the independence of the voter or create unequal advantages between candidates. I, therefore, suggest that if the Government's genuine objective is accessibility, the better approach is to strengthen neutral, publicly administered transport arrangements through the Fijian Elections Office. If refreshments are permitted, there should be clear limits on the value of nature distribution together with appropriate monitoring. There should also be clear definitions, clear responsibilities and clear penalties for breaches of the new provision. Before these provisions come into force, the Government should assess the effect on candidates with limited financial resources, including women candidates.

Mr. Speaker, Sir, the right to vote belongs to the voter. No voter should feel that receiving transport, food or other assistance from a political party creates an obligation to support that party. At the same time, no candidate should feel compelled to spend money on transport and refreshments simply because other candidates can afford to do so. Our electoral system must provide equal opportunity for voters to participate and for candidates to compete. That is why I believe accessibility should be achieved through neutral and impartial electoral arrangements, not through a political party's competing to provide benefits to voters on the following day. I therefore urge the Government to reconsider Clause 26 and strengthen the safeguards before these provisions are brought into effect.

The objective should be clear – make voting accessible without making access to voting a tool for political influence. The integrity, independence and public confidence in our elections must remain paramount. For that reason, I do not support the Bill.

HON. K.K. LAL.- Mr. Speaker, Sir, I rise to share my thoughts on the proposed changes in the Clauses 26, 28 and 29 of the Bill – benefits both provided to voters and the removal of costing requirements for financial commitments and the removal of the 48-hour pre-poll media blackouts.

Mr. Speaker, Sir, electoral reform must satisfy three basic tests. Does it protect the independence of voters? Does it improve the information available to them? And does it create a fair condition for political competition?

In my submission, Mr. Speaker, Sir, these proposals fail those tests. The Government cannot establish a level playing field simply by describing these amendments as a level playing field. It must demonstrate how they produce fairness in practice.

Mr. Speaker, Sir, I begin with Clause 28, as per page 14 of the Bill, and the proposal to remove the requirement to the cost financial commitments made during campaigning. A financial promise made to voters is a proposed commitment of public resources. The public has every right to ask what it will cost? How it will be funded? And what other expenditure may have to be reduced?

Mr. Speaker, Sir, those are basic questions of accountability. If a party promises higher allowances, lower taxes, additional services or new infrastructure, voters should be able to access whether those promises can realistically be delivered.

Mr. Speaker, Sir, without costing, parties can compete by announcing increasingly expensive promises while avoiding the difficult explanation of who will pay. One party may develop a reasonable programme based on realistic revenue. Another may promise substantially more without explaining the financial consequences.

Mr. Speaker, Sir, the responsible party then carries the burden of honesty, while the irresponsible party gains the advantage of a larger promise. How is that a level playing field? Mr. Speaker, Sir, a campaign promise does not become financially responsible because it attracts applause. The money must eventually come from taxation, borrowings, savings elsewhere, or some combination of those sources. Removing the costing requirement does not remove those consequences. It merely removes information that voters need before they make the decision.

The Government may argue that smaller parties lack the resources to prepare detailed costing. That concern deserves a practical response. Provide a standard costing template, publish common economic assumptions, ensure equal access to relevant public data, allow reasonable estimates and require parties to explain their assumptions.

Mr. Speaker, Sir, there is no need to demand false precisions. A reasonable estimate with an honest explanation of its limitation is more useful than an expensive promise with no figures attached. If the existing requirement is too complicated, simplify it. If its priorities are disproportionate, review them. But the difficulty of complying with an accountability requirement is not by itself a justification for abolishing accountability.

Voters should know what political parties intend to spend before those parties obtain authority to spend it. Mr. Speaker, Sir, I turn to Clause 29 on page 14. The proposed amendments remove the 48-hour pre-poll restriction under Section 118 while retaining the restriction on polling day.

My objection concerns the loss that the protected period before voting. A short period of campaign silence allows voters to consider competing proposals after weeks or months of political persuasion. It also places a common finishing point on the campaign. Without that interval, there is a risk that the final hours become a contest over who can purchase the greatest exposure and make the most dramatic last-minute claim.

Consider a misleading advertisement published late on the evening before polling. By the time that affected candidate discovers it, obtains relevant evidence, and prepares a response. Polling

day media restrictions may already apply. The allegation has already reached public. The correction may struggle to reach the same audience before people vote.

Mr. Speaker, Sir, what remedy does the government propose for that situation? A correction after polling day cannot give a voter another opportunity to cast the same ballot. An investigation after the election day may establish a wrongdoing, but it does not necessarily repair the immediate electoral advantage.

Mr. Speaker, Sir, I recognise that argument that voters should have access to information and that campaign restrictions must be proportionate. That is a serious argument. It should be answered through careful drafting. Neutral voter information, official election notices and essential public interest reporting can be addressed expressly.

We can also examine whether the existing rules are unnecessarily broad, but removing the pre-poll restriction requires the Government to explain how last-minute misinformation will be corrected? How equal opportunities to respond will be protected? How complaints will be resolved before voting begins? The existence of social media does not make these questions disappear.

Difficulty in enforcing a rule is a reason to improve its design and enforcement. It does not automatically establish that voters are better protected without it. Mr. Speaker, Sir, I now turn to Clause 26 on page 13. This proposal permits political parties, candidates, or their representatives to provide direct transport to and from assigned polling venues, and certain refreshments provided they do not attempt to influence a person's vote. I acknowledge the condition, the proposal does not expressly authorise vote buying. My objection is that the condition may be difficult to enforce in the circumstances the amendment creates.

A political party is an organisation seeking electoral support; a candidate is seeking votes. When either provides a material benefit immediately connected with voting, Parliament must examine the risk of influence with particular care. That influence need not take the form of an explicit demand. Nobody has to say, we gave you transport, therefore you must vote for us. A voter may feel gratitude, social obligation, or pressure to please the people providing assistance. That feeling does not automatically prove an offence, it does, however, explain why this arrangement creates an enforcement problem. How will an election official distinguish genuinely unconditional assistance from a benefit provided as part of a coordinated effort to secure votes?

Who will monitor these conversations inside vehicles? Who will establish what was said during the journey? Will voters feel comfortable making complaints against people who assisted them? And what evidence will be available when the provider says that no influence occurred? Mr Speaker, Sir, the secret ballot is essential.

Secrecy inside the polling booth does not eliminate pressure outside it. We should protect the circumstances in which voters reach their decisions as well as privacy in which they record it. Mr. Speaker, Sir, there is also a clear question of unequal resources. A wealthy party may be able to organise extensive transport and refreshments, a smaller party or independent candidate may have no comparable capacity. The legal permission may be identical, but the practical advantage will differ substantially.

Mr. Speaker, Sir, an election should reward public confidence in policies, leadership and performance. Parliaments should be cautious about introducing another avenue through which financial resources can translate into electoral advantage.

The geopolitical condition on refreshments does not settle the concern. Moving their distribution outside the polling boundary does not necessarily remove their political effect. Likewise, requiring

immediate consumption limits the benefit, but that does not answer the central question, why should an electoral competitor be the provider? Mr. Speaker, Sir, some voters genuinely need transport assistance. Elderly voters, persons with disabilities, people facing difficult travel conditions must be able to participate.

That needs to strengthen the case for impartial assistance where transport is necessary. It should be organised or coordinated through the elections authorities under published eligibility rules, with appropriate funding and oversight. Access should depend on the voters' circumstances, rather than the availability or generosity of a competing party.

Mr. Speaker, Sir, I also distinguish these substantive changes from the proposed classifications of offences as illegal or corrupt electoral practices. Clear classifications can be useful. Their merit depends on the conduct covered, the penalties, proportionality and the enforcement arrangements.

Classifying an offence does not solve the problem of proving it, nor does a new classification replace the transparency lost when financial costings are removed. These issues, Mr. Speaker, Sir, must be assessed separately. Taken together, the proposals create a troubling direction. Less financial explanation before voters choose, less protected time to consider the choice and a greater opportunity for political competitors to provide benefits connected to voting.

The Government should justify the direction with evidence, rather than assurances. I therefore urge the House to retain a workable requirement for costing financial commitments, preserve a proportionate pre-poll-quiet period and replace the party providing voting assistance with an impartial arrangement. Our responsibility is to write electoral laws that remain fair regardless of which party has the most money, the strongest organisation or the greatest access to publicity.

HON. RATU J.B. NIUDAMU.- Mr. Speaker, Sir, I rise in strong support of the Electoral (Amendment) Bill 2026. Mr. Speaker, Sir, before I begin, I wonder who wrote honourable Ketan Lal's speech.

Mr. Speaker, Sir, democracy should not be a zombre or intimidating experience. Democracy should be alive in our villages, settlement and communities. It should bring people together through discussion, debate and participation. The Electoral (Amendment) Bill No. 29 of 2026 recognizes this principle and seeks to make our electoral process more accessible, transparent and reflective of the realities of modern Fiji.

Mr. Speaker, Sir, in Fiji when we gather for important national events, whether it be a village celebration, a sporting match, a church conference or a cultural festival, there is a spirit of community, inclusion and shared purpose. Elections should embody those same values. There should be occasions where citizens probably wear their party colours, engage with candidates, exchange ideas and participate confidently in shaping the future of our nation.

Mr. Speaker, Sir, we have gone through the whole of Fiji with an extensive consultation, and we have heard from people, especially with the issue of going to the polling area, they have expressed to our to our Committee, we want to go to an election where it is more like a festival or they are not frightened, they are not scared to go and vote. It should not be an intimidating place or a place of fear where they go and they are frightened of certain laws that they be prosecuted.

Mr. Speaker, Sir, the previous restrictions including the 48-hour campaign blackout and limitation on engagements, often reduced opportunities for citizens to receive information and interact with candidates during the period when public interest was at its highest. The amendments recognise that voters are capable of making informed decisions and that greater openness promotes

stronger democratic participation.

Mr. Speaker, Sir, this Bill also acknowledges practical realities. In many communities, transportation can be very difficult, and for some voters, reaching a polling station may involve significant travel, cost and inconvenience; allowing transportation assistance and refreshments while maintaining strict prohibitions on influencing voters recognises that supporting voter participation is fundamentally different from buying votes. It is about helping citizens exercise their constitutional right to vote.

Equally important is the greater transparency introduced through clear electoral offences, improved pre-poll procedures, recount mechanisms and reporting obligations. These measures help ensure that every voter can have confidence that elections are conducted fairly, openly and consistently.

Mr. Speaker, Sir, the best elections are those in which citizens leaving polling stations feeling proud, respected and heard. We want elections that are energetic, but peaceful, competitive but respectful and festive but credible. We want elections where participation is celebrated and where every voter feels that their voices matter. This Bill moves us closer to that vision. It strengthens electoral integrity while fostering greater participation. It protects democracy whilst making democracy more accessible.

For these reasons, Mr. Speaker, Sir, I fully support the Bill and I commend it to Parliament.

HON. F.S. KOYA.- Mr. Speaker, Sir, I will be very brief on this. I think enough has been said on it, but there are the provisions that the main ones that have been spoken about. I think the 48-hour period issue, reduction of the 300 meters to 100 meters and also the provision of food and transport, et cetera.

I think one of the most important things that we must all realise is that some of those things are interfering with the person's right to vote. It is a hugely important issue that they be given time, with respect to being able to independently assess without any pressure from anyone for 48 hours. It has worked well since we had elections since 2014. That particular issue has worked well. It has not really fallen foul of anything. Why is it necessary now to change it when we have not really had a problem, nor have we had any major complaints with respect to that.

Yes, understandably there are some issues that exist with respect to transport. The provision of transport for people that are unable to come and also there was recognition given to the fact that there was some discretion used for polling places especially in villages where it had 300 meters would mean that it would cover the whole village and I would like to go out whilst that actually took place. You have to be practical with these things and I think one of the most important things, as I say, you have to, when you vote, you have to be free and fair and at the end of the day, you need to be free of any intrusion in your space so that you are not influenced in any way.

Now, the other thing with the transport and the food issue is that you are placing an obligation on that person that you are providing transport to and the fear and the guilt that they may arise out of it. How do you police that? It is actually not something that is easily looked at. We had a very good discussion at the Committee stage with all of this. We could not really come to some agreement on it, and this was one of the ones that actually caused us to, for the first time in the history of the Committee, to actually vote on it.

We have an issue since it is an interference of a person's voting rights. The particular window

of 48 hours, also the 100 meters being too close. The only restriction there is when the candidate is not able to enter that provision afford et cetera. This is really an interference with that particular person's right who needs to be free and clear of any undue influence at all for that particular time. With that said, I do not intend to support that.

HON. J. USAMATE.- Mr. Speaker, Sir, I wish to discuss some of the things in terms of the Bills and the Electoral Bill. Some of the things that I appreciate in this Bill that I thought about at great length is the issue in Clause 3 where it deletes some of those sections where it limits the powers of the Supervisor of Elections (SOE) to ask whatever information it wants to. It set some parameters there. There were people that thought that it went too far, that the SOE should be able to ask for whatever it wanted. However, I appreciate that particular bit.

Mr. Speaker, Sir, another good point in the Bill is, currently we do not allow people who go and vote to take their phones et cetera. However, in Clause 9 where even though you are not allowed to bring in things like phones, there is assistance for people that might need assistive learning or speaking devices to help them. This is to ensure that people that might be challenged in some way or the other are able to vote.

Some of the things that have been talked about at great length is the reduction of the boundary limit from the polling venue to the area in which there is from 300 meters to 100 meters. We endorsed this idea of 100 meters. About two weeks ago, we were in the village in Vuci, in Tokatoka and the polling center is the hall, with the nearest house is 10 meters away from the hall.

We also heard of another village, I am not sure whether any of the members talked about it, in the Western division, where there was a polling station, and the person in charge of the polling venue took the 300 meters literally and put everybody outside the 300 meters. If you go to a place like Fulaga or Oneata, you will be in the ocean. If we move it down to 100 meters, hopefully, in the regulations, the Electoral Commission of Fiji would be sensible about it. It is obviously important to have a boundary around the polling centre so no one can give advice, talk to someone on their way to vote. But it must be done in a manner that is sensible, given the kind of areas in which we have voting takes place. So, we do support that bit.

I think one of the other things that I have appreciated from this Bill, one of the changes in Clause 13 about extension of eligibility for postal voting, before there was a lot of restrictions. Now, people are able to go for postal voting, even if they cannot be at the polling station because they might have a wedding or some family function somewhere. They can apply based on that. I think it is much more friendly for people in terms of being able to apply for postal voting.

Now, one of the things that I disagree most with this particular Bill, Mr. Speaker, Sir, is the removal of the 48-hour blackout. My very good friend, the honourable Niudamu, who has said we should make it like a party, party, party. This is serious business.

(Chorus of interjections)

HON. J. USAMATE.- Voting, Mr. Speaker, Sir, is serious business. We are deciding upon the leadership of our country. A lot of people vote on the basis of emotion. You want people to go into a voting situation, Sir?

(Honourable Members interject)

MR. SPEAKER.- Order!

HON. J. USAMATE.- Go into a voting situation where you are thinking very carefully about who you want to vote for and why because when you are in a party, party, party, party, you can get swayed by the emotion, and you vote without realising it. I do not fully agree with the sentiments of my very good, learned friend there at the back. I do not think it should be a party situation. Party, party, or *siba, siba, siba, siba*. I think it is a situation, Mr. Speaker, Sir, where we want people to think, think very carefully.

Mr. Speaker, Sir, people have been bombarded by information, people vote for me because of this, vote for me because of that. Do not vote for him because of that. They need to have some space. They need to have some space to think, to not to be completely bedded.

Mr. Speaker, Sir, I was reading outside, when I was sitting outside, because I am not feeling too well, looking at some studies on neuroscience. A lot of people vote on the basis of anger and fear and the things that are told to them at the last moment. We want to be able to remove all that, and let a person go into voting without feeling under pressure. His brain cells are okay, not party, party, party, he is focused on the job at hand, Mr. Speaker, Sir.

I believe that when you have this constant badgering of people right up to the time that they vote, it is not conducive to making a very logical, well-thought-out choice. That is my personal view. The trend globally is moving more towards the 48-hour blackout. Give people some respect from all the hullabaloo and the cheering and the whistling and whatever is taking place.

The other thing that I appreciate, Mr. Speaker, Sir, in Clause 19, where it says the updating of information will not be continuous or periodically. It will change to periodically. Some people say, no, you should keep it continuous. The problem with that continuously, they are then under pressure to keep throwing results out without the quality assurance to make sure that the data they put out is accurate. I agree with this idea of periodically, but perhaps in the rules, they might define what periodically means. When you are on election day, you want periodically to mean 24 hours. It must be one or two hours, because when there is an absence of information, then people start reading all kinds of funny business into what is happening.

I think periodically is good. It gives an opportunity for the SOE and Electoral Commission to make sure that the reports they push out are accurate, but it must be defined whether it is one hour, two hours, three hours. Periodically, that needs to be defined, Mr. Speaker, Sir.

The other thing that I disagree with, Mr. Speaker, Sir, is the free transport and the refreshments by political parties. Now, my very good friend, the honourable Niudamu, I heard, said, oh, you went everywhere and people were for it. Not everywhere, and he knows that, too. That is why he has the visual from the back there. Not everywhere. There are people also felt that when you give free transport, when you give refreshments, it is a subtle, emotional, not inducement, but it gets someone who is walking straight maybe to lean slightly. When you want someone to go into an election, you do not want them to leaning anyway. You want them to make the choice themselves.

I feel very strongly that there have been some statements when you look at the number of polling centres we have now compared to the past, there are polling centres in every single village now. I think only in very few places. I think if we provide transport, it should not be done by political parties. It must be done by someone else. Mr. Speaker, Sir, I am not in favour of that idea.

One of the things that we see now that has been change also, Mr. Speaker, Sir, is 27. Now organisations that receive funding from a foreign government, intergovernmental, or NGO, multilateral agency to participate in any campaign. Before they are not allowed to be involved. Now they are allowed to, but in compliance with the rules set by the Electoral Commission. So, that is

quite a substantive change. The interesting thing would be how they monitor to make sure that it is not abused.

There has been some concern about the way in which the offences have been assigned. Now, the offences have been grouped into either illegal electoral practices or corrupt electoral practices. There have been some school of thoughts that when you do that, some of the penalties have dropped from 10 years to two years, so a massive difference in the offence. But that has been balanced out with the corrupt electoral practices list. You can get fined, you can go to prison, but then you are also not allowed to participate in elections for a period of four years.

Interesting thing, Mr. Speaker, Sir, with this Constitution (Amendment) Bill, the period will not be four years, but five years. This four years in this Bill, we are not in corrupt electoral practices. If the new Constitutional (Amendment) Bill comes in, it is misaligned with the four years that we have in this particular Bill. Four years in this one, five years in the new Constitution (Amendment) Bill that is coming up.

Mr. Speaker, Sir, there are many positive changes in the Bill, but in my heart of hearts right inside here, I cannot support this Bill. Because I believe it leads people to push people towards a certain, it bans them with the removal of that 48-hour blackout. Provision of free transport and all this causes people to lean in a particular direction. Because of that, Sir, I do not support this Bill.

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, thank you for the opportunity to contribute to this Bill. I will take about five minutes or even less.

I want to say, Mr. Speaker, Sir, that the general elections, as has already been informed of the public by the honourable Prime Minister, and under the current rules of the 2013, must be held by 6th February, 2027. The Writ of Election, as we all know, must be issued no later than the 24th December, 2026.

These dates, Mr. Speaker, Sir, are just months. They are even just weeks away. The rules, that we are seeking to introduce through this Bill will now govern the next election. The rules that we delay, will not. The current framework, as it is, has identifiable gaps in it. There are serious ones, and I will clarify what they are. I think most of them have also been identified by previous speakers.

The Bill, I would suggest, Mr. Speaker, Sir, is not just a housekeeping Bill, because it contains 47 amendments altogether. It creates two categories of electoral offences, corrupt electoral offences, and illegal electoral practices. Penalties of up to \$100,000 political parties and two years' imprisonment for individuals. It reduces the campaign free zone around polling stations from 300 metres to 100 metres, and the honourable Usamate has given some classical example of how that might impact different locations around Fiji. It allows parties to provide free transport to voters, a measure that we feel directly supports rural and low-income Fijians who might otherwise be unable to reach polling stations.

The honourable Premila Kumar speaks about voter protection when these allowances are permitted. I want to say this for the record, that we have had these kinds of elections where people treat it as if it is part of a greater festivity, a celebration of rights that normally is not practised every year, practised every four years or five years. We have done that from 1972, we have done it in 1977, 1982, 1987, 1991, 1999, 2001, and 2006.

The type of election you are uncomfortable with, the one that we are proposing now, has been done many times before, even many more than the current practises of where we feel that we have to go into this sanctity, almost a religious environment where you worship right through to where you

go to cast your vote. It is intimidating; people feel intimidated, and it is not supposed to be that way. People are supposed to enjoy their right to vote in an environment that allows that expression as well to be made.

There is a classic example. They give very little credence to voter attitude or voter capacity in Fiji. I would like to say, that voters in Fiji are very classy voters. I will tell you why. They are known to be cross-voters too. Crossvoting does not only belong in this House. I think, to be sure, crossvoting begins in the polling stations. For those of us, we were not aware, we were probably too young at that time, but we were told that the classic one was the one where the honourable Butadroka was part of. He campaigned, he constructed, he shared, and there were a lot more people who passed through his shed, and ate in his shed, and drank the *yaqona* and smoked, and when the count finished, he lost. That is the proverbial Rewa man that we always enjoy a little banter about.

That is the atmosphere and environment that we want to bring back so that people really know. Inside of that small booth, that is where the privacy of voting comes in. No one knows, and no one is entitled to know. You may come in someone's carrier and go and vote for someone else, no one will know. However, the allowance of that latitude for voters to decide where they are, and to be free to vote for who they want to vote for, should be unrestrained.

In Australia, Mr. Speaker, Sir, because it is compulsory voting in Australia, they usually have it only on Saturdays. What happens in Australia, schools and community centres where voting happen, usually prepare sausage sizzles. They call it democratic sausages and they sell it during the voting day. They make it become a form of festivity, there is music, and they enjoy having to come and exercise their voting right at the voting. That is what we want to encourage Fijians in the next election to do.

It also means that it responds to recommendations made by the Multinational Observer Group (MOG) following the 2022 Election. I think that is very important. That is one of the things that they noted, is that there might be a chance that structural improvements need to be made. I know, the objection that has been made in this House, and some will say, well, there is not enough time; some will say two months to three months may not be sufficient to train officials and educate the voters. Some honourable Members, quite rightfully, had already expressed it tonight, might feel the same.

The honourable Usamate, in commenting on the constitutional procedural arguments or debate yesterday, identified or spoke about how the Draft Constitutional Report have appeared to change the form of the electoral system, and he raised the point that ideally 12 months before the Election no changes should be made to electoral laws. I was flabbergasted when I heard him say that yesterday, because I felt that it was again a sign of political schizophrenia when they themselves introduced an Electoral Amendment Law in 2022, the very year of the last election.

Mr. Speaker, Sir, I had the opportunity to flip through the amendments of the Electoral Act. In fact, it is on record, Mr. Speaker, Sir, that the last amendment was done on 2nd September, 2022. That was just three months away from the December 2022 Election.

One of the main features, of that amendment, Mr. Speaker, Sir, as you would understand, this was when they gave the Supervisor of Elections sweeping powers, one of which was that everyone had commented about that change. They gave the Supervisor of Elections the power to demand from you information that says that would be required in furtherance of his duty, which can be anything. It defies confidentiality, secrecy, everything that the law would want to protect.

That law says, you cannot be protected because if the Supervisor of Election wants those

records, you must provide them. And if you do not \$50,000 or two years in prison. Those were the changes that they made in September of 2022. We have got five months more to go, and I am sure that those who are going to be handling the operationalisation of these, the Supervisor of Elections and the Fijian Elections Office, have enough time to do what they are supposed to do when the Bill is passed tonight. Be that as it may, Mr Speaker, Sir, I respect the concerns that have been raised by the other side of the House but let me ask this of them. What is the alternative? What do you prefer?

If we delay these Amendments past the next Election, we go into the next Election with the current Electoral Acts, an Act that the Multinational Observers Group identified as needing reform after the 2022 Election. So, we go into that Election without the strengthening offences classification that we find in these Amendments, without the campaign rules being clarified, without operational improvements that the Fijian Elections Office has itself recommended.

Mr. Speaker, Sir, you would have understood and known from many publications by the Fijian Elections Office and the Electoral Commission, and they have stated clearly. They remain ready to conduct the Election regardless of this Bill's timing. So, if you give it to them tomorrow, they are willing to operationalise this, draw up the Standard Operating Procedures, and then run the trainings, not just for those who are going to be carrying out the Election, but also for voter education.

Mr. Speaker, Sir, let me close with the principle that must guide our vote. Firstly, the Electoral laws are not administrative trivial. They determine how campaigns are conducted, how offences are punished and how trust is and must be maintained.

Secondly, timing is substance. An Amendment that takes effect before an Election is not the same as one that takes effect after. When we act matters as much as what we do.

Thirdly, the integrity of the next Election depends on what we do here today. Or might I change that and say we do here tonight? The Bill, Mr. Speaker, Sir, again every law there is that has been enacted in this House and in any other Commonwealth House of Representatives, no Bill is perfect.

There are legitimate concerns about the 48-hour blackout that have been raised by the Opposition, about implementation timelines and about public awareness but the core principle, Mr. Speaker, Sir, is this a stronger Electoral Act in force before the next Election. I urge this Parliament and I urge the Members of the Opposition to support this Bill with us.

MR SPEAKER. - I thank the Honourable Vosarogo for his contribution. Honourable Members, I will now call on the Honourable Minister and Acting Attorney to speak in reply.

HON. S.D. TURAGA. - Mr. Speaker, Sir, democracy is strongest when participation is broad. When institutions are clustered and electoral laws reflect the realities facing all the citizens that is basically what we have done here. The reforms are part of the recommendations from the international observers, a part of the consultation on the reform of electoral laws.

They are observations from the Fiji Elections Office, they are part of the recommendations from the Electoral Commission. That is what we have done and I echo what my colleague, Assistant Minister for Justice, it is a celebratory, not a dancing one, Mr. Speaker, Sir. It is a wonderful moment because you are going to choose who your leader is. The Bill removes unnecessary barriers, Mr. Speaker, Sir. It improves access for voters. It strengthens accountability through a modern offence framework. It enhances transparency in electoral administration. Most importantly, it places greater trust in the people of Fiji to participate freely and responsibly in the democratic process. As the saying goes, “democracy is not when we restrict participation, but when we empower it”.

Mr. Speaker, Sir, this Bill is not about lowering standards, never. That was not the intention. It is about removing unnecessary barriers while preserving accountability. It expands participation through Clauses 9, 13, and 26, and strengthens transparency through Clauses 14 and 16, enhances integrity through Clauses 4 and 5, and modernises enforcement through Clause 13.

Together, these reforms make electoral laws more accessible, more practical, more democratic for every Fijian voter.

MR SPEAKER.- I thank the honourable Minister and Acting Attorney-General. Honourable Members, the Parliament will now vote and there being opposition, the Parliament will now vote.

Question put.

Votes cast

Ayes	-	31
Noes	-	10
Not voted	-	10

Motion agreed to.

[A Bill for an Act, to amend, the Electoral Act 2014 (Bill No. 29 of 2026), enacted, by the Parliament of the Republic of Fiji. (Act No. of 2026)]

MR. SPEAKER. - Whatever one may say on the merit or otherwise of honourable Usamate's contribution, I am not saying that they are invariably always without merit, he certainly guarantees that everyone is awake and alert and part of the conversation, whatever time of the day it is.

ELECTORAL (REGISTRATION OF VOTERS) (AMENDMENT) BILL 2026

HON. S.D. TURAGA.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Friday, 21st of August, 2026, I move that:

The Electoral Registration of Voters (Amendment) Bill 2026 (Bill No. 30/2026), to be debated, voted upon and be passed.

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

HON. S.D. TURAGA.- Mr. Speaker, Sir, I will be brief. I rise to move that the Electoral Registration Voters (Amendment) Bill 2026 be now read the third time. This Bill is largely consequential to the reforms proposed of the Electoral (Amendment) Bill 2026 and seeks to ensure consistency across Fiji's Electoral Legislative Framework. At its core, the Bill stands on the integrity of the National Register of Voters and aligned voter registration requirements with the broader electoral offences regime.

Clause 2 introduces new definitions for corrupt electoral practice and illegal electoral practice and the corrupt electoral practices list, thereby aligning this Act with the amendment being made to the Electoral Act 2014.

Clause 5 says the integrity of the National Register of Voters by requiring the removal of persons who are entered on the corrupt electoral practices list or otherwise disqualified from voter registration under the electoral laws.

Mr. Speaker, Sir, the centrepiece of the Bill is Clause 8, which inserts a new Section 19(g), establishing a corrupt electoral practices list. Under this provision, persons convicted of a corrupt electoral practice or found guilty by the court of dispute returns will be entered into the list and prevented from being registered as voters for a period of four years, after which their names must be removed.

Mr. Speaker, Sir, democracy carries both rights and responsibilities while every eligible Fijians should have the right to vote there must also consequence for those who engage in serious electoral misconduct that undermines the integrity of democratic processes. This Bill promotes accountability, protects the credibility of the electoral system and reinforces public confidence in the voter registration process. I commend the Bill to the House.

HON. F.S. KOYA.- Mr. Speaker, Sir, I am getting confused which Bill we are on. I thank the honourable Attorney-General for his short remarks. Correct me, if I am wrong, this is on 30.

I think one of the difficulties that we had with this particular Bill we were being sensitive to the needs of those people that are affected. We were trying to find the language that would be correct and what we came up with I think from the recommendations that were made to us by the Women's Rights Movement and some other disability organisations the best that we could come up was I refer to Section 5 where instead of saying unsound mind, we were, I see the chair is smiling instead of saying unsound mind, which, for some odd reason, now is actually not the incorrect terminology. We found the medium was that it was the words psychosocial disabilities.

I hear the laugh in the background. As a matter of fact, honourable Niudamu came up with another word which I will not mention. He was trying to put some local language into it, but it did not quite gel. This was the only portion that was sort of the bit of the offending part of this particular Bill with respect to dividing up the corrupt electoral practices et cetera. There were not many issues in regard to it and as you can see from the Bill itself, there is only one particular change that the Committee came up with and that was the psychosocial disabilities that existed.

We believe that it was probably the best one and we took the recommendation made by the Human Rights Movement, if I am correct. They chose that and I think they looked at the UN definitions et cetera, which is being used around the world nowadays. So, all in all, that was really the only objection that we came up with and we corrected it, otherwise I do not think there was a problem from this side of the House with respect to that.

HON. S. TUBUNA.- Mr. Speaker, Sir, I rise to contribute to the debate on the Electoral Registration of Voters Amendment Bill 2026. The integrity of an election does not begin on Election Day, it begins much earlier, with the integrity of our voters' registration system. The credibility of the National Register of Voters and the confidence of our citizens, the laws that govern elections are clear, fair and consistently applied.

Under the proposed new section (19) (g), where the statutory requirements are met following a conviction of a corrupt electoral practice or a report by the court of this Bill written, the Supervisor of Election is required to enter the relevant person under corrupt electoral practices list. This is one of the important amendments that has been made under this Bill.

Mr. Speaker, Sir, the Bill also brings greater consistency to our electoral laws by categorising a number of existing offences under the electoral registration of voters as illegal electoral practices. It is important because the laws governing elections should not operate independently of this Act. Our laws governing voter registration, electoral conduct, and electoral offences should form a coherent framework that can be clearly understood and consistently administered. The Bill also

makes amendments to terminology, the personal act, the terminology used in the Constitution. While discussing voter registration, there is also a broader concern of the conversation that Fiji should continue to have about water participation. The right to vote is one of the important rights that we exercise as citizens. Our democracy is strongest when our people are informed, engaged and actively participate in choosing who will represent them.

I, therefore, suggest that part of the future electoral laws and reviews and national consultations. Fiji may wish to carefully examine messages that encourage every registered voter to participate on election day. This could include examining the experience of jurisdictions where attendance at the poll is stated as civic responsibility while also considering appropriate exemptions for those who are genuinely unable to attend and ensuring that any future approach remains consistent with our Constitution and fundamental rights.

Mr. Speaker, Sir, we need a credible register, clear rules and appropriate consequences for corrupt electoral conduct. Equally, we need citizens to understand that democracy is not something around them, it is something in which they have an opportunity to participate in.

The Electoral Registration of Voters Amendment Bill addresses an important part of that framework by strengthening the connection between voter registration and the wider laws governing electoral conduct. As we continue reviewing and improving our electoral laws, we should remain guided by the principles of integrity, accountability, accessibility, legal certainty and meaningful participation.

Mr. Speaker, Sir, I do support the Bill before the House.

HON. J. USAMATE.- The issues that I would have wanted to talk about have already been addressed. I can speak for one hour if you want. I think the Corrupt Electoral Practices List is this and the change of the term. Just a word on the change of the term. I think changing from “mental disorder” to “unsound mind” was to bring it into conformity with the Constitution. But the wording that we are using now, especially with psychosocial disabilities, is the way that people that recognise as being of that ilk prefer to call themselves. I think it is nice to be able to use the terminology that they like. With that, Sir, I support the Bill.

HON. A.N. TUICOLO.- Mr. Speaker, I rise in support of the Electoral (Registration of Voters) (Amendment) Bill 2026. The principle behind this Bill is straightforward. Every eligible citizen deserves a fair vote, and every vote deserves protection from corruption. A credible election begins well before polling day. It begins with clear laws, a reliable register of voters, and public confidence that electoral misconduct carries consequences. There are five distinct reasons why this august House should grant its support to these amendments.

First, the Bill puts electoral integrity into practise. Mr. Speaker, bribery, vote-buying, and under influence undermine the freedom of voters to make their own decisions. When a person corrupts an election, the harm reaches beyond one candidate or one political party. It affects every citizen who participates honestly. The Bill establishes a Corrupt Electoral Practises List and connects the list to voter registration eligibility. It gives electoral administrators a defined mechanism to act when the relevant legal findings have been made. A law against electoral corruption must have consequences that can be administered.

The people's choice must never become someone else's purchase. These provisions protect the ordinary voter, the market vendor, the farmer, the young person voting for the first time, and the pensioner who expects their vote to count fairly. They deserve an electoral system that takes corruption seriously.

Secondly, the proposed list is based on legal findings rather than political accusations. Mr. Speaker, we must be precise about what this Bill provides. Under the proposed section 19(t), entry on the list follows a conviction for the specified electoral misconduct or a finding reported by the Court of Disputed Returns following an election petition. It does not provide for someone to be listed simply because an opponent makes an allegation; that distinction matters. A political accusation cannot substitute a legal finding.

The Supervisor of Elections must administer the statutory criteria. Political loyalty should have no bearing on that responsibility. The Committee has also identified the importance of notification, review mechanisms, and protection against administrative mistakes. Those concerns deserve serious attention. An eligible voter must have a meaningful way to challenge an error. The strongest defence of this reform is that accountability and fairness must operate together. We should protect elections from misconduct while ensuring that every decision affecting citizens' registration follows a fair process.

Thirdly, the four-year period provides a clear limit on the consequences. Mr. Speaker, the Bill does not create a permanent Corrupt Electoral Practices List entry. It requires the Supervisor of Elections to remove a person's name from that list four years after the relevant conviction or report. That gives the consequence a defined beginning and end. There is a legitimate public interest in deterring serious electoral corruption. There is also a legitimate public interest in allowing people to return to electoral participation after the prescribed period.

Accountability must have consequences and consequences must have limits. The Committee rightly raises questions about proportionality, pending appeals, and the possibility that more than one electoral event could fall within the four-year period. These are matters for careful legislative treatment. They strengthen the case for clear safeguards around the reform. Where a conviction or finding is overturned, the law should provide a clear route to correct the resulting registration consequences. We should defend a system that is firm, fair, and capable of correcting mistakes.

Fourthly, the Bill makes our electoral laws work together. Mr. Speaker, this Bill forms part of the wider electoral reform package. It introduces common definitions of corrupt and illegal electoral practices and aligns the registration legislation with the proposed changes to the Electoral Act. That is practical work with practical benefits.

If one law defines an electoral offence, the registration law must clearly explain the relevant consequences for voter eligibility. Electoral officials and citizens should have to navigate in consistent terminology. The Bill also reclassifies certain registration related offences within the proposed illegal electoral practices framework. These provisions must be read alongside the companion legislation, so that the applicable offences and penalties are understood accurately. For ordinary Fijians, the benefit should be a system where the rules are easier to understand and applied consistently. That must be supported by public education. People need to know what conduct is prohibited, what consequences may follow, and how to challenge an incorrect decision.

Fifthly, the Committee's scrutiny gives Parliament an opportunity to improve the Bill. Support for electoral integrity must go hand-in-hand with protection of electoral rights. The report records concerns from disability advocates, the Fiji Women's Rights Movement, the University of Fiji, and other submitters. Their contributions deserve respect.

The Government's proposed replacement of “mental disorder” with “unsound mind” sought consistency with constitutional terminology. However, the Committee recommends a different language for persons with psychosocial disabilities. We must examine the legal effect of that recommendation carefully. Respectful terminology matters but changing the words alone does not

resolve the question of who may be excluded. Disability should never become a shortcut to disenfranchisement.

Any restriction must have a clear legal basis and appropriate safeguards. Accessible registration, communication support, and reasonable accommodation should help eligible citizens participate. The same care applies to the personal information held on the Corrupt Electoral Practices List. Information necessary for administration must be handled responsibly. Listening to these concerns and improving the legislation demonstrates the value of parliamentary scrutiny.

Mr. Speaker, Sir, the case for this Bill rests on five commitments. It protects elections from corruption, acts on illegally established findings, impose a defined consequence, makes electoral laws consistent, and safeguards the rights of eligible voters.

The Committee commends the Bill to Parliament with a proposed amendment. I support its central purpose and urge this House to give proper attention to the safeguards identified in the Report. Our duty is to protect both the integrity of the election and the rights of the elector. With those responsibilities firmly in view, I commend the Bill to the House.

HON. S.D TURAGA.- Mr. Speaker, Sir, no Bill is perfect, no law is perfect. That is why laws are reviewed from time to time. As you are aware, as a result of our discussion this morning of the use of this term and some of the technicalities that need to be improved, as the Minister responsible, I am committed to undertaking this call. In the next session of Parliament, there will be some amendments to ensure that those terms really reflect what it meant.

At the end of the day, Mr. Speaker, Sir, it is just a balancing exercise. This Bill protects the integrity of the elections, supports the rule of law, preserves the democratic right of citizens by limiting any disqualification period to four years. Ultimately, the Bill is about safeguarding public trust. Honest voters deserve confidence that our electoral system rewards participation, protects fairness, and imposes accountability where serious wrongdoing occurs.

For those reasons, Mr. Speaker, Sir, I commend the Electoral (Registration of Voters) (Amendment) Bill to Parliament and urge all honourable Members to support its passage.

Question put.

Motion agreed to.

[A Bill for an Act to amend the Electoral (Registration of Voters) Act 2012 (Bill No. 30 of 2026) enacted by the Parliament of the Republic of Fiji (Act No. of 2026)]

**POLITICAL PARTIES (REGISTRATION, CONDUCT,
FUNDING AND DISCLOSURES) (AMENDMENT) BILL 2026**

HON. S.D. TURAGA.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Friday, 21st August, 2026, I move that:

Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Bill 2026 (Bill No. 31/2026), be debated, voted upon, and be passed.

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

HON. S.D. TURAGA.- Mr. Speaker, Sir, I rise to move that the Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Bill 2026 be now read a third time.

The Bill seeks to modernise the regulatory framework governing political parties, improve transparency, establish reasonable campaign expenditure limit, and align the Act with the new electoral offences framework established under the Electoral (Amendment) Bill 2026.

Clause 2 introduces the definitions of corrupt electoral practise and illegal electoral practise, so that offences under this Act are aligned with a wider electoral framework.

Clauses 3, 4, 5, 6, 7, 11, 12 and 13 consequently categorise offences throughout the Act as either corrupt electoral practises or illegal electoral practises.

Clause 8 introduces an important reform by removing existing restrictions on donations from non-citizens and former citizens, while requiring that such donations be declared to the Registrar within 60 days after polling day and published on the Registrar's website. This promotes transparency while allowing greater participation in democratic processes.

Clause 9 inserts a new section 24, establishing campaign expenditure limits to \$300,000 for candidates and \$3 million for political parties, creating a greater certainty and more level playing field during election campaign. Any breach of this expenditure limit constitutes a corrupt electoral practise.

Clause 10 further serves to disclose the requirements by requiring all candidates, whether elected or not, to disclose a campaign donation.

HON. F.S. KOYA.- Point of Order! Starting bad, Sir, I think he may have the wrong Bill.

MR. SPEAKER.- We are on Bill No. 31.

HON. F.S. KOYA.- No, the amended one that was filed. The ones that is reading is the old Bill that was done first. The amended one from the Committee is

MR. SPEAKER.- Bill No. 31.

HON. F.S. KOYA.- It is 31, but he is not reading from the amended one, I think he is reading from the original one.

HON. F.S. KOYA.- My apologies, Sir.

MR. SPEAKER.- That is okay. I know

HON. F.S. KOYA.- It is late.

MR. SPEAKER.- It is late. Are we on the same page now?

HON. S.D. TURAGA.- Yes. My apologies, Mr. Speaker, Sir. I believe I was referring to Clause 9 and the sum of \$100 and \$4 million. Clause 10 further strengthens the disclosure requirements by requiring all candidates, whether elected or not, to disclose campaign donations, expenses and source of funding within 60 days after polling day. Failure to do so constitutes a Corrupt Electoral Practice.

Mr. Speaker, Sir, democracy depends on both participation and accountability. The Bill seeks to strike that balance by promoting transparency, encouraging compliance, ensuring that political competition occurs on a fair and regulated footing. I commend the Bill to the House.

MR. SPEAKER.- Now I have lost my list of speakers.

(Laughter)

HON. P.D. KUMAR.- Mr. Speaker, Sir, I rise to speak on Bill No. 31. The Bill is much more than a political parties donations and accounting. It is about the integrity of our elections. It is about whether political parties compete on ideas and policies or on who can raise the biggest cheque. And above all, it is about whether voters can have confidence, the political influence is not being bought behind closed doors. That is why I believe this Bill requires much greater scrutiny, particularly when the next General Election is so close.

Mr. Speaker, Sir, let me acknowledge the positive aspects of this Bill. Now, for the first time, Fiji will have limits on campaign expenditure. That is a principle we support. The 2022 Multinational Observer Group specifically recommended that Fiji consider campaign expenditure reporting and spending limits. That is Recommendation 11 - addressed campaign funding and spending. So, we welcome the introduction of spending limits. We also acknowledge that the Committee has improved the Bill in important respects. It has moved away from the original proposal to take donations from foreign citizens, which we have just heard.

Mr. Speaker, Sir, the question before us is whether the Bill as presented strengthens or weakens Fiji's political finance framework. And on that question, I wish to raise with concerns the donation limit. The existing law provides \$10,000 annual limit on donations by an individual to a political party. The Committee has now increased that to \$20,000. That is fine, but it is not properly justified why it was increased from \$10,000 to \$20,000. Mr. Speaker, Sir, in fact the 2022 Multinational Observer Group recognised Fiji's \$10,000 donation cap and public disclosure requirements as part of the country's political finance safeguards.

Mr. Speaker, Sir, second and even more serious, the Bill removes the deterrent from the donation rules. The existing law contains offences and consequences for breaching the donation restrictions, but the Bill removes those provisions, that creates a fundamental problem. A law which says that something is prohibited must also say what happens when the prohibition is breached. Otherwise, we have a rule without an effective remedy.

Mr. Speaker, Sir, this is particularly concerning in relation to foreign or prohibited donation where the Bill deletes section 22(4) and (5) of the Principal Act, that is, removing fines and five-year imprisonment. Now, if a prohibited donation is received, who is prosecuted? What is the penalty? If the money is forfeited, what happens to the political party that receives it? This is about the integrity of our electoral system.

Third, Mr. Speaker, Sir, is the issue of disclosure. Political finance transparency is meaningful; only voters receive the information on time – an informed decision. If voters discover who funded a political party only after they voted, that is not meaningful pre-election transparency. Mr. Speaker, Sir, the question now is whether the new framework gives voters enough information before polling day. The voters should have the opportunity to ask, who is financing this party, who is financing this candidate, are there business interests involved, could there be a conflict of interest, et cetera. These are legitimate questions for voters to consider before they cast their votes.

Mr. Speaker, Sir, I support spending limits, but the framework must be fair and enforceable. The Committee has reduced the proposed individual candidate limits to \$100,000. At the same time, the party limit has been increased to \$4 million. We need to consider how these two limits operate together. A candidate who is supported by a political party may benefit from both individual campaign spending and substantial central party expenditure. An independent candidate does not have the same structure behind them. Therefore, Mr. Speaker, Sir, the legislation must ensure the spending limits do not unintentionally create an uneven playing field between candidates.

The Bill also needs stronger anti-avoidance provisions. What happens where several candidates share expenditure? What happens when expenditure is channeled through another organisation or third party? What happens when a party and a candidate coordinate expenditure? These matters need to be clearly addressed, otherwise the limits may look strong on paper but difficult to enforce in practice.

I also refer to section 24(3) where gifts can be given to a village or community, and I am questioning why the gift is not defined. Why is it open-ended? So, are we improving governance or what are we doing here?

Mr. Speaker, Sir, we are not opposing the regulation of campaign finance; quite the opposite. We support stronger regulation, but we believe the Bill must strengthen these principles rather than create gaps in the system. There is a simple principle at stake here. Political power should come from the people, not from the size of the donor's bank check. Money will always play a role in democratic politics, that is a reality, but our laws must ensure that money does not become the dominant influence of our political decision-making. If we are going to change that framework, we must be certain that we are improving it. We should not weaken the enforcement. Mr. Speaker, Sir, with those words, I will leave it there.

(Laughter)

HON. L.D. TABUYA.— Mr. Speaker, I know it is very late, just reminds me of that time of the night when you sort of get up and need a snack or get a drink and then you get your second wind, so here we are.

I do rise in support of this Bill that's before the House and we ask ourselves a simple question - how do we allow political participation while protecting the independence of our democracy? It is interesting, Mr. Speaker, to hear the Opposition in several submissions over the Bills we have discussed tonight and how they are very quiet protective of the independent candidate, whereas I want to remind them, whereas I want to remind that this is where under their 2013 Constitution, when you create an entire national constituency, has made it virtually impossible for an independent candidate to survive. So, this is why, of course, a Constitutional (Amendment) Bill will revert us back to constituencies, so that an independent candidate has an opportunity.

Mr. Speaker, political parties and independent candidates need resources to reach voters, but voters need confidence that money is accounted for, spending is controlled and political support does not purchase political favours. I just wish to quickly make five points.

The Committee's recommendations show that the consultation has shaped this reform. The original Bill, as was mentioned earlier, and I repeat "...proposed removing donation limits and allowing donations from non-citizens..." and it has attracted serious concerns and this has been addressed.

Recommending the annual donation cap, increasing from \$10,000 to \$20,000 and deleting the provisions to permit non-citizen donations. They have also recommended reducing the individual

candidate spending ceiling from \$300,000 to \$100,000. These are substantial changes, but they do demonstrate why we refer the legislation to a Parliamentary Committee.

It is important to note, Mr. Speaker, is that while it increases the donation from the individual to a party to \$20,000 it reduces the ability for that candidate to spend from \$300,000 to \$100,000 which means there are more limits around an individual compared to the ability of a party to be able to spend. These have consequences because a political organisation costs money. Therefore, parties must communicate their policies, organise meetings, reach communities across our islands and candidates must have a practical opportunity to present themselves to voters by putting a \$20,000 annual donation cap recognises these realities so that while the individual gives this to the party, the party then goes on to spend it. There are obviously more requirements from the parties in terms of reporting back or accounting for what they spend.

The donation cap and the campaign spending cap serve different purposes. The donation cap limits how much a person can contribute. A spending cap limits how much a party or candidate can spend on campaigning. Both have a place in protecting electoral integrity.

The Committee's recommendation provides a stronger basis for defending this reform because it retains that combination. The campaign expenditure limits establish a concrete rule against excessive spending as we have heard from other speakers, recommending a ceiling of \$100,000 for an individual candidate and \$4 million for a political party.

There are maximum limits, Mr. Speaker, are not spending targets so no one is required to spend \$100,000 and no one is required to spend \$4 million to run a party campaign but the distinction between the two ceilings reflects different responsibilities.

Again, coming back to the individual running an individual campaign, whereas a party must organise a national campaign across all of Fiji which costs money. Now, of course, the proposed provision also includes expenditure incurred outside the prescribed period, for use within that period. So, that matters because the spending rule must account for campaign costs even when arrangements are made earlier. There is a limit in terms of when you can spend those campaign costs. Breaching the campaign expenditure limit is classified as a corrupt electoral practice that gives the ceiling legal force. Of course, a spending ceiling only protects voters when it is respected and enforced.

Mr. Speaker, campaign accountability must apply to unsuccessful candidates as well as winners. So, whether you win or lose, every candidate must account for campaign money.

Lastly, Mr. Speaker, clearer electoral offence classifications as mentioned earlier as well, it classifies, again, corrupt electoral practices or illegal electoral practices and again, this aligns with the other two Acts we have passed earlier and this matters.

I just want to raise this issue, Mr. Speaker, because in the last previous elections under the previous rules or the current rules there was no distinction. Even if there was an inadvertent, if there was a mistake though inadvertent, this was still classified as an offence that carried the same kind of penalties. There was no accounting for the levels of culpability or lack thereof which in itself is unjust.

In a regulatory offence system like the Electoral Acts this is unprecedented. It should show levels of culpability, so this is fair. There is also the rule about customary gifts and honorable Premila Kumar raised the issue about what is acceptable when you go to a village setting and you take gifts. It is pretty clear in terms of village campaigns, whether it is a customary gift that we use, it does deserve respect.

However, we need to also in recognising protocol when we are visiting communities. This must also be carefully looked at to ensure that it does not become a route for electoral inducements. The proposed text requires protocol gifts to be counted as campaign expenditure and declared.

It also contains a bribery exemption for declared gifts and if you declare it, then there is an exemption to that. We should therefore insist on clarity about the scope of that exemption. Of course, that must be clear that even though we do respect our culture, protection for electoral integrity must go together.

To conclude, Mr. Speaker, Sir and honourable Members, the strongest case in this reform rests on five principles:

- (1) consultation that produces meaningful changes;
- (2) political donations that remain subject to limits;
- (3) campaign spending that has an enforceable ceiling;
- (4) financial reporting that applies to every candidate, and
- (5) electoral rules that are clear and consistent.

I thank the Committee for recommending the important improvements to the original Bill which have been given support. Every dollar in any election or any campaign must be accounted and every vote must remain free. So, with those principles, I do support the Bill before the House.

HON. J. USAMATE.- Mr. Speaker, Sir, before I forget, I overlooked something to mention in terms of Bill 29, and that is in Clause 20 in relation to the party list and the final national results tally. We had come up with an amendment, however, it overlooked putting it into the Bill, and I thought I would bring that into the record.

Mr. Speaker, Sir, a lot of the major issues in this particular Bill is in terms of amount of spend a person can spend on their campaign, amount of spend a party can use, and the amount of donation that a person can make. The first iteration of the Bill did not put any caps on donations. The Committee felt that this was not good, and dangerous. This is why the cap was put there, but not at \$10,000, rather at \$20,000. Since the cap of \$10,000 had been there from 2014 and there was a feeling that things had got more expensive, so it is kept at that level.

The initial Bill had no caps at all for the donations and we thought that was not good at all. This is also the same for the campaign spent for parties has gone up to four million dollars. Once again, the party that spent the most in the last election was around \$2.8 million. In this election it does not mean that you will spend all that amount of money.

The other issue was the reduction in the spend per candidate from \$300,000 down to \$100,000 as the honorable Premila Kumar mentioned. I was looking at some of the stats from the Multinational Observer Group (MOG) recommendations, where it says the report recorded a decrease in women candidates from 23.8 percent in 2018, 16.3 percent in 2022 and it is now at nine percent. One of the things that has been said that can be detrimental to women trying to get into, and youth for that matter, is that they would not have the amount of money that they need.

We do not want a situation where the person with the most money to spend is the person that gets into Parliament. This is perhaps also one of the reasons why the spending cap for parties is higher. When people do not have money, then the party can spend money on them, so it creates a balance and it is also about making sure that in the individual cap, the amount that a person can spend on their own campaign is reduced. At the same time, there is more available for the party to have

those that might be good candidates, nevertheless, do not have the money available to them to do their campaign.

One of the big concerns that we do have, Mr. Speaker, Sir, the last two that I have, it is getting very late at night. One thing that I am a bit worried about is under Section 9, where it says that 24(3), any gift that is given to a village or community group and declared is not bribery. I am a bit worried about that term, any. What does any mean? Could be a brush cutter or an excavator or something, I do not know.

The other concern that we have, Mr. Speaker, Sir, is in Section 10. When people give things, they only declare it 60 days later. By that time, the person is already in Parliament. That is another key concern that we have, and it is because of these things. I must say, Mr. Speaker, Sir, I must congratulate our Chair. This is the first time that we have had, ever since we worked through, I have been working with this Committee, that we have ever had to vote. This particular bit, we did not have to vote. We negotiated our way through.

Unfortunately, some of the things I am picking up now, we did not negotiate on. The last one, we did vote, but in this particular issue, I did not think of the importance of it. This declaration and it coming to light 60 days later, the person is already in Parliament. That is a bit of an issue for us. I think for that reason, Sir, we do not support the Bill.

HON. F.W.R. VOSAROGO.- Mr. Speaker, I rise in support of the honourable Attorney and the move of the Bill and this third reading. Mr. Speaker, the Political Parties Act of 2013 had placed great restrictions on who can donate and how much they can donate. And it caps individual donations at \$10,000 per year but imposes no spending limits whatsoever.

That means, Mr. Speaker, that a party with deep pockets – I just heard the honourable Usamate speak about the last election and the party that had the most money and declared the most money was \$2.8 million. That is how much they spent. I think the second one would have been just hovering around \$900,000. You already see the differences in how these parties have expensed and they have different capacities that they have, which means that they're different rich and the different power that they hold over an election.

Mr. Speaker, what I have just explained is that a party with a deep pocket, as we have just had an example of, can spend an unlimited amount of money because there was no cap. A party without those pockets are going to run into a lot of difficulties in their election campaign. I am going to say this, Mr. Speaker, because what we now have is a very levelled playing field that no one would go above the cap, everybody staying within the limit, because the rule before was not providing a level playing field. It was what we would call an auction field.

Mr. Speaker, this Bill now introduces something that Fiji has never had. And Fiji has never had a campaign spending limit, \$100,000 for each of the candidates and \$4 million for each of the parties. I would submit, Mr. Speaker, that this is what we call a very generous and genuine reform in our election rules. In fact, it is responding to the recommendations that was made by the Multinational Observer Group following the 2018 election, which at that time they specifically called for a campaign expenditure limit. And so now we are bringing that recommendation to become law to make sure that everyone is operating within the same bandwidth or potential bandwidth when we go into the election in the next few months.

I guess Mr. Speaker, with all the others being quite handled by speakers from government, I would stand in support of the motion and the Bill advanced by the honourable Attorney-General.

HON. F.S. KOYA.- Mr. Speaker, Sir, I will be very brief. I agree with the sentiments expressed by honourable Usamate and honourable Premila Kumar, but just to put some things in perspective, with the ceiling increase of \$100,000 per candidate, \$4 million for the political party, do the math, if you have 55 candidates, then the ability of that political party goes up to \$5.5 million, then plus the additional \$4 million. So, you are talking about \$9 million that is the general spend, for a political party and its candidates. That is a fairly high ceiling. When we had the initial Bill, it was \$300,000 and \$3 million, and that came to some \$16.5 million, and then \$3 million, that is \$19 million, and it was also linked to foreign funding, so that is all gone.

Mr. Speaker, Sir, I think the cap is a good thing, but there are some disagreements in there that we have, as mentioned by honourable Usamate and honourable Premila Kumar. I think the other thing is the Committee found that the \$10,000 was the donation cap after so many years, I think the Committee decided to increase it to \$20,000. I think there is sufficient money to go in there. Obviously, there are some objections to it, as raised earlier on.

All in all, Sir, we do not support the actual Bill.

HON. S.D. TURAGA.- Mr. Speaker, Sir, yes, it is. It is quite historical, because the first time, as I can recall, passing eight Bills, and they are not just Bills, they are more significant Bills. Those Bills, if I may just remind, before we came to this House, it was clear in our mind that we were going to enact it, and here we are.

Mr. Speaker, Sir, strong democracies are built on public trust. Citizens must have confidence that political parties operate transparently, that campaign finances are disclosed, and those who breach the electoral laws are held accountable.

These Bills serve the disclosure requirements, establish enforceable campaign expenditure limits, something new, and aligns offences with the modern electoral framework and promotes greater transparency in political financing. It is, therefore, a practical and a measured reform that strengthens Fiji's democratic institutions and enhances confidence in our electoral process.

Before I sit down, Mr. Speaker, Sir, I would like to commend the Chairman of the Standing Committee on Justice, Law and Human Rights Committee, and its honourable Members. When we debated this in the last sitting, honourable Usamate said, we will not be able to do it, but they did demonstrate. Last Saturday, after we finished with the Referendum Bill, the Chairman said, 'okay, we are done with referendum now, we will start with the Electoral Bill,' and they did sit on Sunday.

Mr. Speaker, Sir, and I want to commend them. I think it is just a demonstration of why we are here in Parliament. Those people outside this Parliament, they have a different view about us. I look on the other side, I remember the three colleagues who are not with us (the late Minister for Agriculture, the late honourable Agni Deo and the late honourable Inosi Kuridrani). I think it is this moment, that we have to be thankful and grateful to the Lord for his love and compassion. I thank the honourable Prime Minister for your support. Sir, we have been truly blessed to be with you. We know tomorrow is going to be another significant day. Nothing happens by accident.

For this reason, Mr. Speaker, Sir, I commend the Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Bill 2026 to Parliament and urge all honourable Members to support this Bill.

MR. SPEAKER.- Parliament will now vote.

Question put.

Votes cast

Ayes	-	30
Noes	-	9
Not Voted	-	13
Abstained	-	1

Motion agreed.

[A Bill for an Act to amend the Political Parties' Registration, Conduct, Funding and Disclosures Act 2013 (Bill No. 31/2026), enacted by the Parliament of the Republic of Fiji.]

MR. SPEAKER.- Honourable Members, that brings us to the end of the sitting that began yesterday and ending today. I am reminded of, is it, Lionel Richie's hit number, *What a night?*

I thank you all for your contributions. The Parliament is adjourned until later today at 10.30 a.m. The Speaker is giving you, honourable Members, an extra hour of R&R.

The Parliament adjourned at 1.38 a.m.