

FIRST DAY

Tuesday 5 February 2013

DRAFT HANSARD

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PARLIAMENTARY DEBATES

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Corrections should be authorised by signature and contain the name, office and telephone number of the person transmitting/making the corrections.

Amendments cannot be accepted over the phone.

Corrections should relate only to inaccuracies. New matter may not be introduced.



Sarufa M. Haro
Principal Parliamentary Reporter

FIRST DAY

Tuesday 5 February 2013

The Parliament met at 2. p.m., according to the terms of the Resolution of 27 November 2012.

The Speaker (**Mr Theo Zurenuoc**) took the Chair and invited the Member for Abau, **Sir Puka Temu** to say Prayers:

“Papa God, yu stap na mipela istap. We, the leaders of this blessed country bow our heads acknowledging that You are indeed the God of the Universe and also the God of this country, Papua New Guinea. We thank You for your continuous goodness and blessing to us as a people and as a nation. We thank You for this moment as we sit in the first Session of Parliament for this New Year. We now invite You to preside over this Session as we submit ourselves and this meeting into your hands. Amen.”

ELECTION PETITION – KAIRUKU/HIRI ELECTORATE - STATEMENT BY THE SPEAKER

Mr SPEAKER – Honourable Members, I wish to inform Parliament that the National Court of Justice which was set as a Court of Disputed Returns, an Election Petition No. 72 of 2012, dated 3 December 2012, in the matter between Peter Isoaimo and Paru Aihi, the Electoral Commission of Papua New Guinea ordered that the Election of Mr Paru Aihi is declared void.

BROADCASTING OF PARLIAMENTARY PROCEEDINGS – STATEMENT BY THE SPEAKER

Mr SPEAKER – Honourable Members, I have to inform Parliament that the Permanent Parliamentary Committee on Broadcasting of Parliamentary Proceedings met today and resolved that;

(a) *Kundu 2* will be allowed to televise live Questions Without Notice as part of its community obligation.

(b) *The National Broadcasting Corporation* will be allowed to broadcast live *Questions Without Notice*

(c) *EMTV* will be allowed to film *Questions Without Notice* for news purposes only for the duration of this meeting.

DEATH OF FORMER MEMBER – STATEMENT BY THE SPEAKER

Mr SPEAKER – Honourable Members I have to inform Parliament of the death of Mr John Kamb on 18 December 2012.

He was a former Member for Kerowagi Open Electorate in the Fifth National Parliament from 1992 to 1997 and the Sixth National Parliament from 1997 to 2002.

During his term as a Member of Parliament he was appointed Minister for Correctional Services from 1992 – 1994. He was the Chairman of the Permanent Parliamentary Committee on Public Accounts from 1995 – 1997 and was a Member of the Public Works Committee from 1994 – 1997. He was re-elected to the Sixth Parliament for the same Seat and was appointed Vice Minister for Mining from July – December 1997.

He was Vice Minister for Village Courts from December 1997 – July 1998, then Vice Minister for Health from July to December 1998.

He was also appointed Member of the Social Development Committee from November 1998 to July 1999, then Minister for Housing from the 26th of July 1999 to 3 November 2000. He was appointed Minister for Works and Implementation and then Minister for Communication and High Technology in March 2001.

As a mark of respect to the memory of the late Honourable Gentleman, I invite all Honourable Members to rise in their places.

All Members present stood in their places as a mark of respect to the late Gentlemen.

**CERTIFICATION OF ACTS –
STATEMENT BY SPEAKER**

Mr SPEAKER – Honourable Members, I have to inform the Parliament that I have in accordance with *Section 110* of the *Constitution* certified 14 Acts made by the National Parliament:

Appropriation (Judiciary Service 2013) Act 2012
Appropriation (National Development Expenditure 2013) Act 2012
Appropriation (National Parliament 2013) Act 2012
Appropriation (PNG LNG Project 2013) Act 2012
Appropriation (Recurrent Expenditure 2013) Act 2012
Customs Tariff (2013 Budget) (Amendment) Act 2012
Exercise Tariff (2013 Budget) (Amendment) Act 2012
Forestry (2013 Budget) (Amendment) Act 2012
Gaming Control (2013 Budget) (Amendment) Act 2012
Income Tax (2013 Budget) (Amendment) Act 2012
Income Tax, Dividend, (Withholding) Tax and Interest (Withholding) Tax Rates (2013 Budget) (Amendment) Act 2012
Inter Government Relations (Functions and Funding)(2013 Budget) (Amendment) Act 2012
National Roads Authority (2013 Budget) (Amendment) Act 2012
Papua New Guinea Fiscal Responsibility (2013 Budget) (Amendment) Act 2012

MOTION BY LEAVE

Mr JAMES MARABE (Tari/Pori-Minister for Finance) – I ask leave of Parliament to move a motion without notice.

Leave granted.

**SUSPENSION OF STANDING ORDERS –
REARRANGEMENT OF BUSINESS**

Motion (by **Mr James Marabe**) agreed to –

That so much of the Standing Orders be suspended as would prevent Order No.33 Government Business being called on forthwith.

Motion so agreed to.

**CONSTITUTIONAL AMMENDMENT
(MOTIONS OF NO CONFIDENCE LAW)**

2012

Third Reading

Second require opportunity for debate and second vote. Debate resumed from 27 November 2012 (See page.....)

Mr SPEAKER – I present the Report of the Permanent Parliamentary Committee on Constitutional Laws and Subordinate Legislation relating to Constitutional Amendment (Motions of No-Confidence Law) 2012.

Mr John Pundari – Point of Order! Mr Speaker, I thought the Chairman reported to Parliament already and advised Parliament the Committee actually cleared the Proposed Law.

Mr SPEAKER – Minister, that is clear.

02/01

Leave granted to move the third reading.

Mr PETER O'NEILL (Ialibu-Pangia- Prime Minister) – I move –
That the Proposed Law be now read a third time

Thank you Mr. Speaker, today, I made the statement about the importance of this particular constitutional amendment in the last time I presented the Proposed Law to this honourable Parliament.

Mr Speaker as you know, I don't need to tell this honourable Parliament why we need this.

The obvious consequences of the instability that we have had in the past where governments, where governments in the past have been allowed to manage only numbers on this floor of Parliament and forget about running the country on behalf of our people.

Mr Speaker you do not need to look too far. Look at how this honorable house was managed; look at how the schools and hospitals were managed in the country. Look at the infrastructure and the law and order the consequences are very obvious.

We forget to do our required job. That is why as we enter into this new term of Parliament it gives us a unique opportunity for us to put our country into the right path for the development that it deserves.

Mr Speaker our people are demanding for services, they are demanding for good accountable leadership and that is why this government was elected not so long ago.

Only six months ago the elections took place where the mandate was given to this Parliament to elect a government that would run the country.

Mr Speaker the challenges are too many we need political stability to make sure that we meet those challenges before us.

Mr Speaker the confidence of the people and the investors are there and this confidence will remain only if there is stability in this Parliament.

That's why it's necessary for us to make sure that we provide that leadership.

Mr Speaker I call on this honorable house that we have a unique historic opportunity that has never been presented to any government in the past where the majority in government was able to move the amendment that is before us.

Mr Speaker I commend this particular Bill to the house, I don't think speeches are necessary to highlight why it is obviously so plain for us to make sure that we make this amendment.

People forget that it is not about the Prime Minister, it's not about one person holding on to this government.

This Parliament will continue to hold any Prime Minister or Minister or member accountable. The Parliament through its wisdom can hold those accountabilities in place.

Mr Speaker, It is not about one individual person, it's about our people and our country and we care for them.

It is important that leaders who want to become Prim Ministers and Ministers must get the mandate from the people

That is why I am now asking this Parliament to support me in this new amendment

Thank you Mr Speaker.

Dr ALLAN MARAT (Rabaul) – Thank you Mr Speaker.

Mr Speaker, the people of Papua New Guinea expressed their views in relation to this particular provision through the Constitutional Planning Committee as a Report. In that Report, the constitutional founders clearly expressed that power and authority belongs to the people

Mr Speaker all that power and authority that belongs to the people were transferred to the *Constitution* and the whole *Constitution* encapsulates the power and authority of the people.

All of us are exercising it but are we exercising it correctly.

Mr Speaker that was a very profound statement by the Constitutional Planning Committee that power belongs to the people and it shall be exercised in accordance with the *Constitution*.

So upon the *Constitution* the three arms of Government rest, the Legislature, the Executive and the Judiciary and that is how the Executive performs.

Stability in Government is not found in extensions of time it is earned and governance is by human beings not by animals.

And you have to earn that stability in governance.

So the rational behind what the CPC recommended is that six (6) months from day one when the government takes office its go.

You were in Alotau you formulated your policies and on day one you should have started implementing those government policies.

Prime Minister you have the numbers and you still got a few months so what's the hurry if you are performing to the best

You need to understand where stability in government comes from its not in the extensions of time; it's in your performance.

It is too early in the life of this term of Parliament for such a Constitutional amendment to be tabled, debated and passed.

I don't need to train you that's why the people voted you they trusted in your ability that why you've got to show that you are capable of governing.

03/01

That is where you have got to show that you are capable of governing.

You must earn it from the people –

(Members interjecting)

Dr ALLAN MARAT – You must earn it and govern it.

(Members interjecting)

Dr ALLAN MARAT – No, you went out there and campaigned, and I want to stress this point; the number of election petitions clearly show that many of us have come to Parliament through the right means.

(Members interjecting)

DR ALLAN MARAT– Yeah, you can say that, but many of us did not come here through the right way, and we got off on legal technicalities.

Mr Don Polye – Point of Order! This is quite a debate since Mr Speaker, you have given them the opportunity to do so.

(Members interjecting)

Mr Don Polye – Firstly, what I am trying to get at here is that, when you say that there are some Members of Parliament have come in through the backdoor then,

it looks like you are doing the job of the court of disputed returns and that is with respect to the judiciary and its functions.

Secondly, it is disrespectful and as well as it undermines the reputations of Members of Parliament who have come here under that speculation.

Thank you, Mr Speaker.

Mr SPEAKER – Thank you, Honourable Treasurer, Honourable Member for Rabaul the point of order raised is in order. You need to retract your statement in relation to the reference that Members of Parliament have come here through dubious ways and means.

Dr ALLAN MARAT – Mr Speaker, I thank you, I withdraw what I have said. Mr Speaker, the Government needs to be patriotic.

(Members interjecting)

Dr ALLAN MARAT – No wait, you have to be patriotic whether in public or in private. That is how you earn it and earn stability, and more particularly in the private because you have to be patriotic in your actions.

(Members interjecting)

Dr ALLAN MARAT – If you cannot measure up, especially, being patriotic in private in your words and actions then you should resign. Governments are run and managed by human beings and the concept of stability is found in how human beings through us their representatives honestly, transparently and on principle whether it be constitutionally or morally run and manage the different aspects of development through changing circumstances to the satisfaction of our people.

Mr Speaker, if the, National Government is honest, transparent and has principles regarding every changing circumstances of each aspect of development throughout Papua New Guinea the people will not need to see any change in the Government. Thus, there will be no need for an extension of the grace period.

Mr Speaker, we are arguing about stability and I must say that, stability is never through extension of time. We have never seen stability in governance.

(Members interjecting)

DR ALLAN MARAT – Listen, we have seen only the manifestations of stability in governance and it is from human beings.

It does not come from an extension of any grace period for motions for vote of no confidence. Therefore, what is the real basis of the fear and the manufactured need to extend the grace period to 30 months. I cannot see any reasonable justifications other than the obvious corrupt schemes to legitimately milk the system of government such as the government procurement processes.

Mr Fabian Pok – Point of Order! You are a respected leader and when you say that we are doing this for corrupt purposes then you must give evidence of these accusations.

You cannot presume such things because not all of us here are corrupt leaders because you could be corrupt yourself.

Mr SPEAKER – Thank you, Minister resume your seat and Member for Rabaul you may continue with your debate.

Dr ALLAN MARAT– Thank you, Mr Speaker, I was just making a general comment.

Tha is what happens because I was a Minister before and I know.

(Members interjecting)

Dr ALLAN MARAT– Someone is calling me an idiot that is okay.

Mr SPEAKER – Honourable Members, I must remind you all not to use offensive languages on the Floor of Parliament, and that also includes you, Member for Rabaul.

Mr ALLAN – Mr Speaker, stability is found only in democratic accountability that upholds the spirit of the *Constitution*, which reflects the full power and authority of our more than 7 million people of Papua New Guinea.

Mr Speaker, without a doubt, stability can never be found in or determined extension of the grace period just because the leadership is dishonest, not transparent and unprincipled. Stability as I have been emphasising is earned by human beings through honest, transparent, principled and committed leadership to our people, and simply through an extension of time.

Thank you, Mr Speaker.

Motion (by **Mr James Marape**) – agreed to

That the question be now put.

Motion – That the Bill be now read a third time – put.

Mr SPEAKER – Order! Honourable Members, as this is the second vote the *Constitution* requires that the vote must be recorded and that in order for the proposed law to be passed it must also be supported by two thirds majority of 74 Members.

04/01

The Parliament Voted the Speaker (**Mr Theo Zurenuoc**) in the Chair.

05/01

AYES-90

NOES-14

Motion so agreed to, with the concurrence of the absolute majority as required by the Constitution.

Proposed Law read a third time.

ADJOURNMENT

Motion (by **Mr James Marape**) agreed to-

That the Parliament do now adjourn.

The Parliament adjourned at 3:00p.m.