

SIXTH DAY

Wednesday 17 July 2013

DRAFT HANSARD

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SIXTH DAY

Wednesday 17 July 2013

The Speaker, Mr (**Mr Theo Zurenuoc**) took the Chair at 10 a.m.

There being no quorum present, Mr Speaker stated that he would resume the Chair after the ringing of the bells.

Sitting suspended.

The Speaker again took the Chair at 10.30 a.m., and invited all honourable Members to say the Lord's Prayer.

QUESTIONS

Mr FRANCIS POTAPE – Thank you Mr Speaker, I direct my questions to the Deputy Prime Minister and the Minister responsible for Special Purpose Authorities and the Development Authorities in Papua New Guinea.

Mr Speaker, the resource areas have special purpose authorities and to this date the special purpose authorities get millions of kina every year but we do not know what they are doing with it.

(1) Can your department review all the special purpose authorities in Papua New Guinea especially in Southern Highlands and Hela provinces with a view to make the district treasurer and the district administrator signatories of the account?

Thanks to the Department of Finance because now that is the case with all the LLGs. So the districts are able to know what the LLGs are doing. We should make further reforms to the accounts of the Special Purpose Authority so that we will know what they are doing as well with the millions of kina they receive every year.

(2) Can the Special Purpose Authorities be made to provide compulsory reporting every year to the district administrator of the concerned district and the District Administrator can provide the same report to the Secretary of the Department?

(3) In the review can the Minister ensure that the JDPBPC of the district approve the project listing of the Special Purpose Authorities to ensure that these projects are consistent with our five year development plan?

Mr LEO DION – Thank you Mr Speaker. As I said in our caucus meeting this morning, that it is a concern. The Special Purpose Authorities in the project sites or in the areas where development are taking place have been in existent for quite sometimes.

Mr Speaker, the process and procedure in which those special purpose authorities were established is quite clear. Under the law it was meant for a purpose with the right intention. Regarding the Members first question, whether can we review the existing process and procedures in the law? Mr Speaker, I can assure the Member that a review is currently underway in the Department in order to carry out certain post mortems in relation to the weaknesses of this particular special purpose authority that has been established in those areas where those projects are being conducted.

Under the law, the Special Purpose Authority should be decided upon by the local level governments concern; especially the tier government. It is also answerable to the Provincial Government and the Joint District Planning and Budget Priority Committee.

I will not deliberate on the problems that they have faced, but the law simply says that the reporting of these activities of the special purpose authorities including the financing, programs and progress is required by the law to advise and inform and progress is required by law to actually advice and inform or consult with the provincial government of the area as well as the Joint District Planning and Budget Priority committees.

02/06

Mr Speaker, I think we have not complied with the spirit of that special purposes authority when it was established. I always refer to my favourite comment, the rule of law and the rule of the system. It was meant purposely to serve those project area and especially the; land areas that were affected by those things.

Mr Speaker, I must say the composition of the members for those special purpose authorities comes from land owners specifically as well as nominated members from those locations or environment. As far as the legislation is concerned, we cannot pass the buck, the provincial government local level government and the joint district planning and budget priority committees must take ownership of that and manage the activities of those areas because without that we would face those problems. So far there is a Pogera Special Purpose Authority in Enga province which is fully operational and it's a model one and that is the only one I have seen report on and I'm informed that it's functioning very well. The others are Kutubu SPA in the Southern Highlands province which is operational, Moran, Hides SPA in the Komo LLG in the Southern Highlands province, Koiari LLG SPA in the Central Province and Nimamar LLG SPA in Lihir New Ireland Province. It was established to assist land owners in their endeavour to make sure that the benefits that derive from those areas fully enjoyed by the majority of the people, especially the land owners and not forgetting the grants and the royalties that has been issued.

I think the perception for the last few years has been that provincial government has lost control. Someone is interpreting the law in a different way that it doesn't go to the provincial government and the Joint District Planning and Budget Priority committees but through some direction.

Mr Speaker, we have identified those problems and there is certainly a review is going on and there will be a recommendation made after this review so that NEC will consider the way forward in relation to improving some of those weaknesses that has been identified.

For those special purpose authority that are working very well in the country, I encourage the Joint District Planning and Budget Priority committee chairman the provincial government to make sure that there is some control applied.

Mr Speaker, sadly in Papua New Guinea, we have that mentality where we try to be the boss of everything, but if we do not abide by the policies and laws in place then more people will complain of mismanagement. I believe I have answered all three questions in general and I can assure you Mr Speaker, that after the review I think those weaknesses will be identified and improvements are made. However we must improve the Special Purpose Authority through legislation because they are an implementation arm in the local level government that exists but there is no capacity to provide implementation for the decisions made by the local level

government. It's similar to the districts in many parts of this country where you don't have the capacity and administration to carry out those implementations in terms of road building and so forth, the technicalities is not there.

03/06

The capacity in the administration to carry out implementation in terms of the road building and et cetera, the technicalities is not there that's why we have to make sure under this review generally, *Organic Law on Local Level Government and Provincial Governments*. The system and structure that needs to be looked at in order to complement each other and accommodate for decisions that as the leaders of Parliament that have been voted by people are to be made without any questions by anybody like the administration or any technical people down there.

Mr Speaker, that's what I can say about the questions asked by the honorable Member.

Mr JOE SUNGI – Thank you Mr Speaker, I want to direct my question to the Minister for Works.

Mr Speaker, in East and West Sepik Province there are two National Highway which both starts from Wewak and one stops along the way close to Aitape. The other one continues and stops at Lumi along the coastline and its called Inland Sepik Highway.

Right now these two National Highway have deteriorated and it's not fit for the public to travel on. The condition of the road has deteriorated very much.

For instances, if you travel from Nuku or Lumin to Wewak it will take almost 8 to 9 hours and if you want to go to Aitape then you have to go to Wewak and travel another 5 hours. So total of 13 to 14 hours to travel to Wewak and go back to Aitape.

Mr Speaker, we have tried our very best to connect these two roads because they are not connected at the moment.

My questions are:

(1) As the Works Department got any plans for these two roads?

We have a pilot project now to link up Nuku with Aitape which will cut down the hours of traveling from 13 hours to only 2 hours.

Mr Speaker, we want to get funding from AusAID, under the transport sector support program but they can not fund that pilot project because it's not a national road link.

(2) Can the Minister clarify if he has any plans to declare this connection from Nuku to Aitape as a National Highway?

So that it will be much easier and shorter for the people from my electorate to travel to Aitape rather than traveling for hours to go to Wewak. All I want is the Minister to declare Maitachi road as the National Highway so that we can get funding from AusAID to complete that road.

Mr FRANCIS AWESA – I thank the Member for Nuku for his important questions. I will give him a detailed answer whether this road is on our plans to be declared as National Highway or not.

But briefly I want to say that these two highways; the Coastal Sepik Highway and the Inland Sepik Highway do have a major problem. This problem has been there for a very long time and my concern is that a K600 million has been allocated to these two highways.

My question is what has happened to all this money? And that goes to all the Members.

But I want to assure the honorable Member and the people of East Sepik that this Government will address this problem. In my last Ministerial Statement, I stated that substantial amount of money was allocated.

04/06

I am unable to give you an exact figure but I will give you a detailed answer later this week so that you will be aware of the funding and the importance that this Government attaches to all the roads including the East Sepik coastal highway and the inland Sepik Highway.

So I want to assure the Member that we will be looking at the condition of the road with a view to funding and maintenance later on and as in regards to whether we can construct a short cut road from Nuku to Aitape, that is also another issue that my Department will look into and give him a response in writing later. But in relation to some of these, I know for a fact that a lot of money has been wasted in East Sepik by former Members of Parliament. For instance, K50 million allocated to Angoram District, the road was not constructed and the money was allocated in a lump sum and this is a problem.

Sir Michael Somare – Point of Order! As a representative of the Angoram people, I would like to say that the money totaling K57.7 million is kept in a trust account and it is safe in East Sepik. It is not misappropriated. It is the administrator who is now seeking election and stuffing around and not approving projects for the Angoram District.

Mr SPEAKER – Thank you Governor for East Sepik. Minister, please continue your response.

Mr FRANCIS AWESA – I thank the point of order from the Honourable Governor of East Sepik. Why I have said this is that only this week, the Fraud Squad have come to my Department to find details of how these moneys were expanded and that is why I am making reference to this. I see that a lot of money is being allocated not only in East Sepik but in various provinces but the work is not done. So I am making a general statement, I am not referring to only one province but I am aware that the investigation is going on.

Mr SPEAKER – Honourable Minister, please reduce your scope to answering this specific question. You are broadening your scope so much.

Mr FRANCIS AWESA – Thank you Mr Speaker, I am broadening my scope because of the Point of Order.

So in relation to the question by the honourable Member for Nuku, I will give him a response in writing but I have been working with him so far in relation to a K8 million that was parked in the trust account. We have worked together to ensure that this money is used properly in his electorate to do some of the road infrastructure. It was supposed to have been done previous.

Mr Speaker, I want to say here that I am working very closely with the Member and some of these questions are genuine in relation to the coastal Sepik Highway and the inland Sepik Highway. This is a genuine question and the Government will be addressing this issue in the next year's budget and this year in terms of basic maintenance. So I will leave at this point and get back to the honourable Member in writing later this week.

Mr TITUS PHILEMON – Thank you Mr Speaker. I direct my questions to the Minister for Lands and Physical Planning.

Last week in my debate, I raised concerns on the lack of involvement by the Lands and Physical Planning Department in awareness relating to the proposed mine on Woodlark Island in Milne Bay Province. I would like to repeat this today in the form of questions without notice because I believe that it is very important. We need to settle the outstanding issues once and for all because this is a potential mine that is about to come on

05/06

It will be the second mine in Milne Bay Province within the same electorate of Samarai-Murua. We had a previous mine at Misima and a lot of things were not done properly and we do not want that to be repeated on Woodlark Island.

My questions are in relation to the same issue and I ask the Minister for Lands to give me the answers. I also want the Ministers for Mining, Environment and Conservation and the Attorney-General to take note.

In February this year ii wrote to the Lands Minister requesting immediate action to implement a recommendation to return the alienated freehold land on Woodlark Island to the customary landowners on the island. To date no such action has been undertaken.

Now that the environment impact studies have been approved, can the Lands Department move to do this so that the mine is developed?

In 2007 the Lands Board granted an Agriculture Lease over large portions of the land to a company to develop an oil palm plantation which was not agreed to by the landowners. This was abandoned but the lease is still under the company. The matter is before the court.

Can the government expedite the process more quickly and when it is completed the land be returned to the people of Woodlark Island.

Can the Lands Department immediately undertake a new baseline study to re-visit the studies that have been undertaken and are on file to determine the landownership situation so that the government can make a blanket declaration to return the land to the customary landowners?

Can the Lands Department undertake awareness for the benefit of Milne Bay Provincial Government and the people of Woodlark Island on issues relating to land and the benefits to be earned through royalties and other benefits?

Mr Speaker the proposed mine of Woodlark Island cannot be allowed to proceed without the people properly understanding the many issues that will impact on their lives.

Government bodies such as Lands Department have a responsibility to protect the interests of the people. These government authorities must do what is right by the people.

Can the Minister assure the people of Woodlark, Milne Bay Province that their interests would be protected? We cannot suffer the same adverse experiences we suffered as a result of the Misima Mines.

Mr Deputy Speaker, as you know because you and I work together on these issues, both Misima and Woodlark islands are same but we will not stop until we see something positive happen to the people of Woodlark in the aftermath of the Misima Mine.

Mr BENNY ALLAN – I'd like to thank the honourable Governor for asking some very important questions regarding the land issue on Woodlark Island.

Mr Deputy Speaker let me answer his questions in this manner. I think he wrote to us asking us to look at the possibility of Lands Department reclaiming the land and returning it to the landowners.

When he raised the question on the Floor at that time the Prime Minister asked me if I could assist to facilitate that.

06/06

Mr Deputy Speaker, let me differentiate the difference between 'free hold lease' and 'alienated state land'. The free hold lease is where you have a company or an individual who holds a title to that land and the State or the Lands Department has no right to make decision over that land where as the alienated state land is where we can make decision and that's where the Lands Board can deliberate on applications that are forwarded to them for deliberations.

Mr Deputy Speaker, the matter is before the Court and therefore, I will not give details of what the Department will do but I would respond in writing to the honourable Governor to explain him of what the Department would do in term of assisting with the issue on Woodluck

Island. But for the benefit of the good people of the island, the Milne Bay and Parliament, this is how it took place in 2007.

In 2007, the National Lands Board granted an agricultural lease of three (3) licenses to company called Vitro Plan Ltd for portions 139,138 and 140. But part of the lease enclosed on to the land was under Woodluck Mining Ltd, which engaged and exploration license to another firm.

When the Lands Court granted the agricultural lease to this particular company, the part of the land enclosed on to the mining lease area and the Woodluck Mining Ltd as the agreed party, took the matter to Court. Therefore, this issue is still in Court and I will not elaborate more on that matter. But I want to assure the good Governor that we will respond fully in writing because we need to get legal advise from the Department and I will give you the detain explanation.

The reason of how the Lands Department was left out when the team visited the island simple because we are in Court.

Mr RONNY KNIGHT – Mr Deputy Speaker, my questions are directed to the Minister for Attorney-General in regard to many negative events happening related to abuse of alcohol and home-brew in Manus and everywhere in our provinces and districts ranging from arms robberies, murders to simple assaults and street offences. These activities occurring have one thing in common and all of them are alcohol related and instigated.

Frequently, the alcohol is illegally brewed at someone's residence. The recent events in my province seem to be all alcohol related with steam or illegal liquor, which is cheap and easy to make and have access. All efforts from the Government and my office to eradicate this thing is not happening. The attempt to eradicate these problems has failed.

(1) If we could amend the law for such activities and penalty provisions and other light spotlight issues?

(2) Can we also amend the law to make the manufacturing of alcohol by illegal means by a mandatory ten (10) years sentence?

Mr KERENGUA KUA – Mr Deputy Speaker, I will answer his questions briefly and I will respond to his in writing but the overall scheme of all the penalties under all the laws are being repealed right now as we speak.

Thus, all the penalties under the various legislation including summary offences, criminal code and any other motor traffic offences regulations you can think of are under review and with view of increasing the penalties. So I will give you the detail answer in due course.

07/06

In summary offences, criminal code and every other moderate traffic offence regulation you can think of are under review right now with the view to increasing the penalties. So I will give him a detailed answer in due course but I hope nobody will ask me further questions today because I cannot answer properly today.

Mr DOUGLAS TOMURIESA – Thank you Mr Deputy Speaker. I direct my question to the Minister for Civil Aviation and I want the Minister for State Enterprises to take note and I also want the officers from his Department to go to my electorate and check our airstrip and hope that Air Niugini can land there soon.

Mr Deputy Speaker, my serious of questions are people in the rural island communities have been reporting sightings of aircrafts landing and also over flights usually in the evenings. This is now a common occurrence in the Milne Bag islands. Last week, the Governor for Morobe raised the same issue of air incidence in his province and a crashed aircraft in Salamoa.

(1) Can the Minister assure the nation that our airspace is monitored and policed effectively?

(2) What is happening, are we allowing illegal activities in our airspace and are there security breaches?

(3) What is the Minister and his Department doing about this serious problem?

Mr STEVEN DAVIS – Thank you Mr Deputy Speaker and I also want to thank the honourable Member for Kiriwina-Goodenough for raising an issue which also gives me an opportunity to speak to the issue raised during the grievance debate by the Governor for Morobe. This is an issue that is affecting our nation and it is to do with our airspace as a sovereign nation.

Mr Deputy Speaker, I will start by saying that this Ministry is not going to tolerate anymore breaches, incursions and illegal activities in our airspace this time forward. We have now decided that we will work with the Public Prosecutor's Office and the Attorney-General's Department to make sure that we will undertake this time private prosecution and ensure that there is conviction against offenders of our airspace rules and regulations.

Mr Deputy Speaker, I will come to the answer in relation to the incident in the airspace of Morobe and in that regard, I will highlight the fact that in that incident, the light aircraft involved was registered in Australia and not in Papua New Guinea. There are people today in this sector who think that Papua New Guinea's airspace can be entered and abused at anytime the like with impunity. After 37 years, my Department is now taking a serious stance to ensure that we do not allow that incident to happen again.

I wish to inform the people that as Papua New Guinea as a sovereign nation is ready to protect its airspace and as O'Neill-Dion Government invests more money into the upgrading of systems to ensure that our airspace are more at the world class level at par with our competitors in the region, we will also generate income out of it. Our airspace has been plundered in the past but it will not be allowed to continue.

Let me state some facts for the benefit of Parliament and our nation, at the moment, our capabilities in terms of monitoring activities within our airspace is only 200 miles out from Port Moresby air control radar. That means that the vast majority of our airspace is not monitored at any given time but that does not mean that there are no regulations in place. The regulations today compel pilots operating within our airspace to communicate before they take-off and throughout their flight with our air controllers. That is the position of the law right now.

08/06

In other words we rely on effective and continuous communication with pilots during the flight. But we have realized Mr Speaker, is a need to upgrade our systems and that is a commitment by the O'Neill-Dion government that has started in 2013 budget to fund the upgrading of our systems in our tower controls.

Mr Speaker, there is a satellite-based technology called ADSB, a very expensive infrastructure which this Government has undertaken into support in acquiring. When that has

been in the next two years, every valley, mountain, river, and coastland in this country will be monitored.

Mr Speaker, with that technology we can be cable to see when an incident occurs, for instance when there is a crash, in just seconds we will know where that incident has occurred.

Mr Speaker, we are doing something about it, but may I also just highlight that the regulations are also being reviewed now and we want to introduce those changes in the Parliament in the near future. This will strengthen our position in terms of monitoring our air space and also in terms of the operators are clear about what the rules are.

As I stated earlier on, if we prosecute we are going to start with the prosecution of the pilot involved in the Morobe incident. I want to assure the honourable Governor for Morobe that the Accident Investigation Commission has since investigated the incident of the May 25, 2013, which involved an aircraft belonging to the Airlines PNG and another unregistered aircraft.

Mr Speaker, the investigation has now revealed that the aircraft had no clearance to operate in that controlled airspace. It also did not have necessary radio communication equipment called transponder, which is compulsory. Mr Speaker, we are also saddened by the fact that that aircraft is not registered in this country. May I say that, the wreck that is now in Morobe Province is now in the custody of the State. We have now taken control of that wreck and remains of that aircraft is the property of the State until legal clearance.

Mr Speaker, the offender has disappeared into the bushes of Wau Bulolo somewhere but, our search for him is relentless. As of yesterday, I the Commissioner for Police would have received a letter requesting an investigation of his particular matter and once arrests are made, the necessary arrangements with the Attorney General and Public Prosecutors office will ensure.

Mr Speaker, finally on that matter, we have now opened dialogue on that matter with the Australian counter part of CASA to ensure offenders in our airspace do not runaway to Australia, New Zealand or any other country within our region and treat us with immunity like they did in the past, thank you.

Supplementary Question

Mr KELLY NARU – My question to the Minister for Civil Aviation is in relation to Nadzab airport.

Mr Speaker, all air traffic controllers previously stationed at Nadzab have been moved to Port Moresby and there are controlling the Morobe airspace from Port Moresby. The skeleton staffs at Nadzab are monitoring the landing and takeoff through the visual aid of monitoring, and this may contribute to the endangerment of planes and passenger.

Are there plans in place by the Government through the Minister for Civil Aviation, to bring back the effective functioning of the air traffic control tower operations at Nadzab by bringing back the Nadzab controllers who now stationed in Port Moresby?

09/06

Mr STEVEN DAVIS – Mr Speaker, I thank the honourable Governor for his important question and it deserves to be answered on its own.

I would like to request the Governor to put his question in writing and I will give a comprehensive response after seeking a briefing from the PNG Air Services Limited who are now responsible for our air traffic control and monitoring of our air space.

Mr Speaker, in the last two months I have been to the Nadzab airport myself and I have visited the tower control and I appreciate the issue of manpower issue that the Governor is raising and that is a matter that has been raised to the Board of PNG ASL. I will be asking for these specific responses in respect to the situation in Nadzab.

Mr Speaker, what I know is the regulation of CASA's expectation of PNG Air Services Limited that any decision to withdraw any personnel from the tower in Morobe would have been made knowing full well that safety issues are the paramount consideration and they would have been considered in that decision.

My Speaker, I would reserve my right to give a comprehensive and detailed response in due course to the Governor.

Mr DE KEWANU – Mr Speaker, I thank you for recognizing the people of Mendi.

My question is directed to the Treasurer honourable Don Polye.

Mr Speaker, in the Treasurer's various forums he has stated a strong support to agriculture and skills development and other programs.

How will you factor all of these programs into the 2014 Budget within the very tight fiscal policies you have introduced in the 2013 Budget?

Mr DON POLYE – Mr Speaker this question relates to the O’Neill-Dion Government’s Fiscal Policy in the years to come. That is why I had to consult the Prime Minister and the Deputy Prime Minister when the question was being asked.

The issue of agriculture, skills development and the small medium enterprises, these have been the issues that have been there for a long time. The time has come to take some very important and strategic actions to making sure that “we walk the talk” and this question is a very important one that we must address these issues.

Mr Speaker, when you look at the projections of the Budget when we handed down the Budget last year for this and onwards to 2017, you will see the fiscal frame that we have structured in the Budget that you see a deficit in K2.5 billion and a similar level of deficit next year 2014 and you come to a balanced Budget in 2017, meaning that having incurred a debt level into the earlier part of this Parliament than we scatter down to a balanced Budget at the end of the Term.

That was the projection we gave in the multi Budget for the period under the O’Neill-Dion Government.

Mr Speaker, we have addressed major issues like the free education and the Prime Minister has made an announcement that we are going to make that compulsory meaning every parent must bring their children to school. That is a very important commitment we must try and there is a lot of assessment there.

That means the quality of education must be addressed not only at that level but also at the tertiary level and the technical development especially the institutions and skills development and it requires that commitment to continue to go in the coming Budgets.

10/06

The other issue that we will also continue to give priority is the health. This is also focused in the budget and that is to give free basic health services to the people of Papua New Guinea.

We are now talking about the rehabilitation of grade and strengthening the regional hospitals as the referrals hospitals for each region. The provincial hospitals are coming up now. For example, Jiwaka and Hela provinces must have hospitals. The O’Neill-Dion government is focusing on that.

Look at your economy, at the moment we have been saying that Mr Speaker, we are growing at 5.9 per cent GDP. I once said this on the Floor of Parliament that you can have a huge growth but without development. What do you mean by that? That means the size of wealth is not enjoyed and participated by the small people but followers group of beneficiaries. So the people miss out and therefore we can say a big GDP growth without development. We do not want to see that happen.

The O'Neill-Dion government's focus is on SMEs but how do you grow without a base for the SMEs to grow on. Therefore, Agriculture comes into view and this is very important. The skills development also comes into view to create that resilient economy. So we want to do it boldly. The Prime Minister, the Deputy Prime Minister and this government will do it boldly to take some bold decisions to do some adjustments in our fiscal policies.

I think to capture all this in the Budget, we have to agree to accept a management level of debts that PNG can manage over the medium term and the long term. Let us not be scare about debts. We have started already so in 2017 I think with the support of the Prime Minister and his Cabinet will adjust a balance budget from the current budget that we envisage in the medium term multi year budget plan in 2017 is a deficit budget so I will try to keep that at a deficit budget.

Mr Speaker I am not saying this so that we flood in with all kinds of demands. What I mean is that the management level of deficit towards the next five year period and beyond. So that we are sectoring our agriculture, SME, Tourism and skills development in support to the existing program O'Neill-Dion Government is already implementing.

There might be a down turn in the export revenue because of commodity prices have been affected but I give my assurance to the MPs that yesterday I had a meeting with the Internal Revenue Commission Ms Betty Palaso and two deputy commissioners, of the income of over the last two quarters up to June period, we have had a strong performance in taxes, personal incomes and GST against the down turns in Gold and Copper and Oil.

Mr Speaker, there is a very small performance of the above projected figures including the respective industries as well as the other areas of income.

So, Mr Speaker, when I say we have to look at agriculture on behalf of the O'Neill Dion Government's skills development, because we cannot create a resilient economy if we do not start it now. Therefore, we must go into some level of deficit budget in order to achieve that.

Mr Speaker, I must stress here what the Prime Minister and other Ministers have said that if we do not spend to achieve the intended objective on the ground and if our money goes to waste then Mr Speaker, I fear we will go into debts without reaping any benefits from the investments we make. We will also see much big problems in the coming years. It is really up to us to achieve the benefit on the ground, so every toea you spend, there must be income. This means that we have to improve our developments.

11/06

This year, our budget is K34 billion because of the size of the economy and we project it to grow at K58 billion into 2017 but with the adjustment to the fiscal structure that I've just alluded to we must grow it to even beyond 58 billion on the condition that we implement it to achieve the benefits or the returns that we intended it for with the money that we are spending.

Thank you, Mr Speaker.

MOTION BY LEAVE

Mr JAMES MARAPE (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 Marape**) agreed to –

That so much of the *Standing Orders* be suspended as would prevent Orders of the Day Nos. 71 and 72 being called on forthwith.

**CONSTITUTIONAL AMENDMENT (CALLING OF PARLIAMENT)
LAW 2013**

Second Reading

First required opportunity for debate and First Vote (from 16 July 2013).

Mr SPEAKER – I present the following paper pursuant to statute.

Constitution –

*Permanent Parliamentary Committee on
Constitutional Laws and Acts and Subordinate
Legislation – Report relating to the proposed
Constitutional Amendment (calling of Parliament)
Law 2013 and Proposed Constitutional Amendment
(Motion of No Confidence) Law 2013*

Mr RICHARD MENDANI (Kerema) – I ask leave of Parliament to make a statement in connection with the report.

Leave granted.

Mr Speaker. I rise to seek leave of Parliament to allow the Permanent Parliamentary Committee on Constitutional Laws, Acts and Subordinate Legislation to conduct a thorough public inquiry into the proposed amendment to our *Constitution*.

1. The proposed amendment into the Calling of Parliament Law 2013,
2. The proposed amendment into the Motions of No Confidence Law 2013.

Mr Speaker, these are two important amendments to our Constitution and the Committee feels that it would only be proper that our people are given an opportunity to be heard and to be a part of the consultation process as provided for within the *Constitution*.

Mr Speaker, I now would request that the Parliament give two months to the Permanent Parliamentary Committee on Constitutional Laws, Acts and Subordinate Legislation to conduct this inquiry. The inquiry would expose the rationale for these amendments, seek views from our people on how these amendments would promote and protect accountability.

This would allow the Committee ample time and support to undertake its responsibility as required under *Section 24(c)(a)* of the *Standing Orders* of Parliament which states that: The Committee must consider and discuss before there is an opportunity for debate on the proposed law or matter as directed by Parliament.

12/06

Mr PETER O'NEILL (Ialibu-Pangia – Prime Minister) – In accordance with Standing Order 222(b) I now commence the First Required Opportunity for Debate.

Thank you, Mr Speaker, I want to thank the honourable House for again giving me the opportunity to present these changes to it for its deliberations and that on the notice that I gave a few months back through NEC approval and further notice to this Parliament and off course, subsequent deliberations by the Committee.

Mr Speaker, they build on the changes that were overwhelmingly approved by this honourable House earlier this year. And many of the reforms were implemented by the last government in the last decade.

Mr Speaker, I am very pleased that the debate that has taken place in the country, especially from Members of Parliament, Leaders of the coalition Parties and others have been very mature and very constructive. I take this opportunity to thank all Members for that.

Mr Speaker, the response from our friends on the Opposition and some commentators to this very straight forward and balanced measure has been a bit emotional. But as a responsible government we are listening to our people and our leaders and we also welcome all their views as being constructively expressed.

Mr Speaker, some of the language that has been used including accusing me of terrorism, creating anarchy and destroying Parliament goes a little bit too far.

Mr Speaker, threats of running to the courts to stay Parliament from debating and making laws as it is mandated to do is fast becoming a matter of concern. I think some of us forget that

we are legislators in this House, if we are to practice law we should be out there on the other side.

Mr Speaker, I am appealing to this House and the community to view these changes as we are building from what we have already achieved in that we are building political stability and bringing confidence to our country for many years to come.

Mr Speaker, these changes are not extreme and they are certainly not dangerous. They do not undermine our democracy or accountability.

Mr Speaker, in fact it does the very opposite, it strengthens our systems of government of our country.

Mr Speaker, again I say, what is most disappointing is the attempt by some to undermine the supreme authority of this Parliament when it comes to the national Constitution.

Mr Speaker, our founders, in their wisdom decided very deliberately very early that only this Parliament alone could amend or add to the Constitution. No other forum, no other avenue, only this Parliament because this is where we are being mandated to do so.

Mr Speaker by trying to challenge the proposed amendments even before they are passed by this House is undermining the role of every Member of Parliament.

Mr Speaker, we as Members and leaders of our country must not be part of this kind of recklessness and totally negative approach that is continuously undermining our country.

Mr Speaker, I am certain that our Members of Parliament want the stability that leads to a good government that will provide a better delivery of basic services our people want and deserve.

Mr Speaker, Members want to see our government improve our vital infrastructure. They want our government to massively grow our small business sector. They want their government to maximize the benefits and deliver the better services to our people from our resource development that we are now enjoying.

Mr Speaker, our government is now starting to deliver what our people want and expect of us.

We believe that Opposition is an important part of our democracy and our Parliament so the Opposition should be using its resources, the budget, Mr Speaker that you provide to provide alternative policies and programmes that will help us the government and every Member of this Parliament to grow and develop our country.

13/06

Mr Speaker, as I said earlier, one argument that some of the commentators are making that this is a proposal about keeping Peter O'Neill in the Office of the Prime Minister. This is simply laughable.

Mr Speaker, I will remain in this Office as long as I retain the confidence of the majority of the elected Members of this Parliament. The Members under the *Constitution* decide who will be the Prime Minister. When I look at the size of the Government's majority today, it is very clear that I continue to enjoy their support and together, we are determined in making changes for the good of our people and the country.

Mr Speaker, these changes are not about protecting Peter O'Neill, they are about strengthening long term government stability and confidence. That is what our nation needs today and that is what we are determined to deliver.

Mr Speaker, let me now speak on these two changes the Government is asking this Parliament to make. The amendments to *Section 145* of the *Constitution*, does not prevent Motions of No Confidence. What it simply does is that it amends the *Constitution* to provide a Prime Minister to be chosen after the elections with an earlier protection that we have passed for 30 months grace period and that this protection can be now put in place by proper debate and public transparent in the way we change governments in the future.

Mr Speaker, it simply requires that a sufficient notice must be given for that motion to take place and it must be given on the Floor of Parliament to the Speaker so that we do not hijack it through the Committee system as we done it in the past.

Mr Speaker, the current system of one week notice has been subject to widespread abuse in the past and it has been abused by both governments and the Opposition. And what this amendment does is that it will guarantee that the Vote of No Confidence Motion is treated as a very serious matter for our people and the country. A proposal to change a government elected into office is a significant interest to our citizens and the country because it affects them directly.

Mr Speaker, it will have a proper notice period during which the merits of the motion can be debated by the community through media, our Members of Parliament and various parties that make up the Parliament. What is wrong about that? Does that in any way seriously suggest that having a Motion of No Confidence properly considered and debate is a threat to the democracy? Is it an act of terrorism?

Mr Speaker, of course not. If a Prime Minister whether this Prime Minister or any other Prime Minister who totally loses the confidence of the people and that of this Parliament, he or she does not deserve to be in this office and must be removed.

Mr Speaker, that fact has not changed. All we are changing is the process must be transparent, orderly and timely and not a process of Motion of No Confidence determine by people with big cheques books.

Mr Speaker, to ensure that a no confidence motion if treated with seriousness it deserves and to be considered as a total that can create more stability and certainty for our country.

The second change that I wish to recommend to this Parliament is that of *Section 124* of the *Constitution*. That is about defining the sitting periods of the Parliament each year. This change will stop the prolonged adjournment of the Parliament merely for political convenience and survival.

Mr Speaker, this will allow government of the day to plan better and plan its legislative program that we deserve to take charge of and it will make the Parliament operate more efficiently and it will help the government become more accountable.

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Mr Speaker, we have done very well over the past 12 months. We have passed more legislation in one calendar year than any governments in the past. We have had more statements and reports table on the Floor than any other Parliament in the past.

That is a clear indication of a government and a Parliament willing to carry out its functions and do the work that we are elected to do.

Mr Speaker, wherever I go in the region and wherever we meet our major investors and our own business leaders in the country give us the same message. All leaders are told that political stability and certainty that we have provided in this Parliament today is a welcomed and very much applauded trait by many members of the community.

Mr Speaker, the confidence within our country and our region about our country is at an all time high. They believe that Papua New Guinea has got a chance to realize all its full potential. This message just strengthens stability a little bit more. They are not radical changes at all but just a logical extension to the change we already made.

Mr Speaker, our country faces many challenges. Our population growth is growing at a very high rate. That means there is an even greater demand for basic services. Our economic infrastructure is run down. Our farmers are being hit hard by low commodity prices. Even our mining and resources sector is now under real pressure from low prices and international competition.

Mr Speaker, meeting these challenges is going to require tough decisions and it will also require a good government. And to have those in place we must have stability and certainty. These proposed changes do no more than that.

That is why I wish to inform this House that we will not, in this term of Parliament, we will not in the future make any further changes to *Section 145* of the *Constitution*, and instead we will put forward a bi-partisan committee to the nation so that we can consult the nation and recommend to this House future structures of government our people want.

I think it is now important, after 40 years of Self Government and Independence, that we give a chance to try and make those reforms in an whollistic way.

Mr Speaker, a clear terms of reference will be established to make sure that this committee that will be made up of very prominent independent persons will travel to all parts of the country so that they can report back to this Parliament together with the Electoral Boundaries Committee so that we can put to rest many of the questions and task our people to make their decisions.

Mr Speaker, this exercise will resolve many of the struggles we continue to face as a nation to provide a stable government and stable country for our people.

Mr Speaker our government will develop further details and make this consultation process take place within 2014.

Mr Speaker, I commend the changes that I've proposed to this Honourable House and I know that this is the Second Reading and first opportunity to vote and off course, as the Chairman of the Constitutional Committee has stated it will be deferred for a further two months so that we can have the second opportunity to vote and our people can continue to debate on these issues as we move forward.

Sir PUKA TEMU (Abau – Minister for Public Service) – Thank you, Mr Speaker, I wish to add to the debate.

Firstly, I commend the Prime Minister for the bold and strong initiative and very strong arguments for the changes that the honourable Prime Minister is proposing.

I think, Mr Speaker, the honourable Prime Minister is absolutely right.

Sir Michael Somare – Point of Order! There is some confusion that I'd like to bring to your attention. The honourable Member for Kerema brought in a reference about the motion that should be deferred for a while for Members to have a good chance to have a look at it before it is brought in.

On the first reading now, I want to know where does the *Standing Order* come in? Do we allow his motions to go first before we start debating to or not. What is happening? We are a bit confused.

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Mr Speaker, I want to know where does the *Standing Order* come in. Do we allow his motion to go first before we start debating or what is happening? We are bit confused.

Mr SPEAKER – He asked leave.

Sir Michael Somare – Of course he asked leave and we did not vote for it.

Mr SPEAKER – I did not quiet get what he said, Grand Chief Sir Michael Somare and I thought he presented the report of Committee's finding this morning.

According to *Standing Orders*, when the amendments came through it was referred to the Committee for its deliberation. He is only reporting to the Parliament. The Chair did not hear him moving a motion to request that the matter be taken out and be deliberated for and that the Chair allows the process to go through, thus, I allow the debate to continue.

Sir PUKA TEMU – Thank you Mr Speaker, I was saying that in his leadership, he was absolutely right that the issue of the current Government under his leadership is looking at some constitutional changes is timely. I would take the cue from the Prime Minister's statement that we are 38 years old by September this year.

Mr Speaker, like in life, when a person is 38 years old, he or she is a mature adult. By this age, we are more mature to move on and look at some of the experiences and learn from the past. But most importantly, what the Prime Minister had said is important for a further guidance on the way forward.

This is my third term and I have seen that there are times where the incoming governments would want to make the changes but numbers are not there and the dynamics are very different because of politics. But politics is all about getting the numbers and agreeing to move the changes. I believe, this is the time that this honourable House must seriously look at what the Prime Minister is saying in his statement.

Therefore, all of us supported the 30 Months Grace Period and the Prime Minister in his wisdom once again, stated in his First Reading that the Prime Minister gave Notice, he said too that he has listen to some of the concerns raised by leaders in the Government Caucus and from the community concerning his proposed amendments, which is very consistent. He is really a humble leader who listens to the people. I stand to support the amendments that the Prime Minister is bringing forward with regard to timeliness.

I think one of the debates going on and it appeared on the paper through the Leader of the Opposition is a misconception due to the proposed amendment in the number of Parliament Sitting days. I believe that misconception is also picked up the Leader of the Opposition who accused the Government that the Government reduced the 63 Parliament Sitting days to a minimum of 41 days, which is a proposal.

In fact, to inform our people that, Parliament Sits for only 4 days a week and when multiply the 9 weeks, it is 36 days that the Parliament actually will sit. Therefore, when the Prime Minister said that we leave it a minimum of 41 days, we are actually increasing the number minimum requirement of Parliament Sitting days. As a result there is a lot of misconception out there in the public and this is the place to argue those matters rather than go to the media and cause a lot of confusion.

Mr Speaker, there is an issue that I wish to raise concerning the issue of previous amendments where we are a lot for 30 months grace period replacing the 18 grace period. I think the Parliament will have to look at the other constitutional provisions where 12 months before the Writs are issued, Parliament cannot entertain a Vote of No-confidence on the Prime Minister.

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Under the amendments that we have made up to 30 months period, I would debate and argue that, for example, if a Vote of No-confidence was moved on the serving Prime Minister and that he won the Motion or lost and the new Prime Minister comes after the 30 months grace period, which means that the amendment that we had made on 30 months grace period would pass 30 months to a full term. Thus, the issue of Writs before the 12 months provision would have past.

Mr Speaker, I strongly recommend that we re-look at that in the light of the amendments that we have made concerning the 30 months that the Parliament has passed for the 30 months grace period.

The outstanding issue that concerns me most is the 12 months before the grace period so, that window of 18 months I think we, really have to relook at it and critically pick it up and move forward with it.

Mr Speaker, I take the cue from the Prime Minister and it is the time for this term of Parliament and particularly when this motion is on the Floor of Parliament that we support the Prime Minister because the political instability has been the issue that has really troubled out young country and we did have an experience of political stability and a lot of polices and a lot of major projects were negotiated, we developed the vision 2050, the Fiscal Strategy, we also developed many, many laws, which are the bases of what we are enjoying today. That is a short experience of how I can express our political stability that I see and a Prime Minister leading for a two terms of Parliament can bring to this young country. On behalf of the people of Abau, I will support the amendment.

Mr KEN FAIRWHEATHER (Sumkar) – Mr Speaker, I think a lot of people in this Chamber and outside think that I would not support these amendments. This is mainly because I have been mixed up with the Vote of No-confidence for the last 30 years or so and I actually like them. They are fun! But I must admit that they are getting more expensive.

But I think quiet often in us there was no real reason that sometime we are doing it. When I look back on it, I can think of times when it was just for boredom.

Mr SPEAKER – The Chair wishes to remind you that we are now debating on the proposed amendment and calling of Parliament and you should keep your debate limited to amendments.

Mr KEN FAIRWHEATHER – Thus, I keep it to this Parliament then but my point is well made, I think.

I believe, it is properly time now with the amount of money that the Government has and will have but we need to take a better look by the way we do things. The community expects now a better way to do things so, whilst it might go against my natural instinct that having been funded at everybody.

I will support the amendment Bill.

Dr FABIAN POK (North Wahgi – Minister for Defence) – Mr Speaker, I wish to take this time to commend the Prime Minister for introducing this Amendment Bill to this Parliament. This country is now 38 years old and it needs such changes to suit time and situations. We have made comments about other country's development and how they are developing and changing or growing in all aspects of changes in respect to development. We always quote and pronounce that Singapore is growing or Malaysia is growing even Indonesia is developing as well as other countries. We must critically analyse how and why they are growing or developing. They have political stability, which they stood as unity to run their country.

Mr Speaker, during the campaign I guess all of us campaign to bring development to the electorates and we did not campaign to become Prime Minister. I think if there is no political stability, we will not bring development to our districts and electorates because we will be lost for directions and leadership to bring services to our people and they will also be lost.

We must act now to change some laws if there is need to change them, we must do so.

17/06

These are the types of laws that we must carefully consider to make sure that politics in this country is stabilized and we can move forward. The former Prime Ministers in these House are aware of that political instability. When they became Prime Minister, they did not focus on governing the country, because they were always on alert for the instability. We cannot afford to

do that now when many income revenue projects such as the LNG have started in our country. We are now planning to build roads and set up other major infrastructure projects. We Members of Parliament, are also for the first time receiving K10 million for our districts. We need stability to do these tasks. They say Singapore never had any resources but Lee Kuan Yew was therefore 25 years and he had the vision to see the country grow. Only for the last 10 years did we had one Prime Minister serve for that full period, every other time it was 18 months. What can be done in 18 months? Nothing! We are well educated Papua New Guineans, our self-interest must not come above the interest of our people, its very important. Whatever Bill we support, we must sought it whole heartedly because its for the good of our people. I therefore support this Bill, if in any way today or in the near future it supports the stability of this country.

I was very happy that we supported this 30-month period. Previously when I was a Member of Parliament I was one of those few persons who put this Integral Political Party Bill together because I realized that the instability of the politics hindered development and this country did not grow. When the court withdrew that Bill, I was sadden even though I was not a Member because I realized that we were going back to the Yoyo system of politics where stability wasn't in place. I therefore congratulate the Prime Minister for his wisdom, and for the Milne Bay Accord for introducing these Bills to strengthen Papua New Guinea. I would like to advise the critics that these Bills are not to support individuals; they were devised after thoughtful analysis and evaluation to enforce stability in this country. The LNG project was realized because, Somare governed for ten years. I was once a Minister for Petroleum and I foresaw this project but we could never have achieved it due to instability. Ministers must be able to remain in a portfolio for a longer period so that they can understand their roles, like public servants that's how the country will grow. I support this Bill. If there are Bills and amendments that we have to do to stabilise this country we have to stabilize it. Many countries in this world have grown in a big way because of political stabilization. Their Ministers were in their portfolio in a long time and they knew where to go and their Prime Ministers likewise. We have just started it and yet there is so much criticism. Many people speak before they think, and that where we have our problem As Member for North Waghi I support this Bill because if it has to create some form of stability now or into the future this is the way forward for country.

Mr WILLIAM DUMA (Mt Hagen – Minister for Petroleum and Energy) - Mr Speaker, I stand to support the proposed amendments proposed by our Prime Minister.

Mr Speaker, we all should remember that contradictory to others maybe saying about the possibility to going to court to prevent this constitutionally mandated arm of the government in going about its business. No on right now even before the proposed amendments are being debated in Parliament can go to court, no even the Ombudsman Commission. The Ombudsman Commission only has the power to go to court to review an act or an amendment that has been made by Parliament and not when it is before Parliament for its consideration.

18/06

Thus, Mr Speaker, no one should seek to discourage or to intimidate or to influence than confuse duly elected and mandated leaders in this Chamber from going about their various duties, that is, to enact laws, which in their judgement think is in the best interest of the country.

Mr Speaker, this amendment being proposed by the current Prime Minister is not for our Prime Minister, Mr O'Neill, it is for our future. One day one of us in this Chamber will become Prime Minister and will benefit from this very amendment.

This country has come up to an age where everyone from the Primary School Children have access to internet and face book and there is an increase level of communication between various sectors of community where everyone is very knowledgeable these days.

Mr Speaker, during the process of election of a Prime Minister by the Parliament, it is very important that the Parliament critically selects and chooses a Member and the current Prime Minister is one of those that can lead us. He fully understands the expectations of this country.

I do not for one who thinks that after having secured these amendments, he would then go and mismanage this country, we have faith and complete trust in this Prime Minister or for that matter any Prime Minister that this Parliament elect.

So, we have come up to an age and we cannot simply think that those things happening in the past will be repeating, itself again. Personally, I see very well educated and wealthy men of substance who have been elected to Parliament and this trend will continue into the future.

Mr Speaker, in the next Parliament I would dear to predict that this Parliament would have very well educated and very independent well of people who have made their decisions to come to this Parliament and to make decisions for their people.

Thus, in proposing this amendment Mr Speaker, the Prime Minister has done the right thing by proposing something that will not only benefiting us but the future Papua New Guineans. I for one do not have any doubt whatsoever that our Prime minister has other ulterior motives.

These are amendments which are designed to ensure that we have stability and in a country where we have more than 700 languages with the economic is continuing to pick up, there is only one thing that we can do for ourselves and for our children and that is to support these amendments so that we have a Prime Minister who does not necessarily have to everyday weak up and look over his shoulders to think and to assume whether, his follower Members are negotiating to remove him.

Mr Speaker, I will whole heartedly support this amendment.

Mr DON POLYE (Kandep – Minister for Treasury) – Mr Speaker, I wish to highlight here that I want to speak for the amendment but I would like to talk about stability and other points concerning the good and bad sides of stability depending on who is in power.

Mr Speaker, according to my Party's perspective, I have discussed this issue with the Prime Minister because this is a very important because we represent the very people that elected us into Parliament and it has to be reflective of people's interest like other Members have said.

However, whilst supporting the amendments, I would also like to make some few commends but I would like to say that the previous amendment we did to extend the grace period from 18 months to 30 months grace period, is one that the my Party (Triumph Heritage Empowerment) support it very strongly because we believe in stability.

Yet, with the Prime Minister's Party (PNC) and other collision leaders embossing on the THE Party the responsibility of doing the barges to get on behalf of the Government and responsible Government we really need that stability to make sure that we implement the Budget because it is not just one year budget but it is a five year budget. We will see similar budget in the near future, therefore, the stability is very important and must be there all the time.

19/06

So the move to have that stable environment in order to create the micro economic stability through government programs is a move in the right direction.

Therefore, we have been supporting this after having discussed with the members of my party. Stability has advantage and disadvantage depending on who is in power. I have confidence in the Prime Minister Peter O'Neill and People's National Congress, Human Resource Party under the leadership of Honourable William Duma, People's Progress Party, the National Alliance, Rural Development Party, United Party, the New Generation party and other parties on the Floor. We have the number and I believe we will pass this proposed amendment but it is a test that we will all go through to show our motives. If our motives are general we will have stability to clear the method for development as mentioned by the Minister for Defence.

Only time will prove our motives and I have full confidence in our government to ensure that we deliver. I have seen stabilities in many aspects like stable for a good thing to perpetrate that can persuade the people.

But we can also have stability for a good reason that can build a good economy for our people. So stability is not the real challenge here. While it is the stability, the challenge is where we are especially those of us in power because it is our job to ensure that using that stability we have achieved these developments on the ground.

The issues of good governance must become part of the stability. The issues of obedience to law must be there. We must ensure that we are responsible for arresting any rogue attitudes that deprives us to serve our people. There must be fairness in the systems of delivery.

So this is not Prime Minister O'Neill's matter, but for all of us to support. I know we will pass this after two months time. We have supported all heartedly because we would like to see stability.

Mr Speaker, we have a five year term of Parliament but look at Papua New Guinea's system of deliverance. The US and other countries have a three year term of Parliament. Why do they have to do that? They only have three years and another person gets into Office. It is simply because their economic systems of deliveries are efficient unlike PNG. We are still struggling and therefore we have a five year term. We cannot have a three year term because we will be cheating the Prime Minister.

We have an inefficient, dishonest growing economic service delivery system and implementing system. Over 70 per cent of our people are illiterate and we cannot get them to be affluent to the system of governance and other issues.

It is a lot of work before we can talk about tangibly implementing projects on the ground. So we have to do a lot of underground work for the next four years and have them implemented on the fifth year. But even before you implement the elections are around the corner and you are out there on the field of campaign again.

Papua New Guinea has a unique cultural politic and development and we have to be there. We must have the stability for the Prime Minister Peter O'Neill to deliver within these circumstances. This is a wise move to cut out the shadows of uncertainty and doubts in terms of service delivery. We should have five years of stable period for the Prime Minister to perform in order to deliver with his governments and the ministers.

We will also be judged by our people when we go to elections and therefore, we must not cheat our people.

20/06

The Government and implementation programs must also be strong with that stability. Otherwise we might be read at the end of the period pointing out the stability that we have created but where are the delivery of tangible benefits on the ground.

We have to put implementation and stability together and the governance issues must be a very strong component of the stable period that we create and through that strong governance we have to deliver the services and I think that this will be a blessing to the people and we will be judged by the things that we do.

Mr Speaker, I support this Bill, changing from 3 months period back to a month and changing from 14 Members of Parliament signing on a Vote of No-Confidence Motion to 21 Members.

We have discussed this issue with the Prime Minister from my Party's perspective and we have come back to this timing and number. Under our circumstances we need the five years of stability to administer and to deliver. Governance and compliance to the law is very important to deliver services to our people so that people will judge us correctly.

Dr ALLAN MARAT (Rabaul) – Mr Speaker, there has been a lot of change since independence until now no one can deny that. Change the Constitution and legislations only if utterly necessary to provide that march to go forward.

Mr Speaker, I take encouragement in what the Treasurer has just said that no one could go against good suggestions. I say good suggestions for stability but it is the other side of it.

Whether, once these amendments are passed the Prime Minister and the current government can guarantee this nation transparency and accountability. Those are the areas in which the Opposition is thinking twice about.

We are not sure when these amendments will be secure which will be the case, that governance will indeed be stable and for the sake of many the rural majorities in this country. That is the concern of the Opposition.

When we look at what has happened in January this year 30 months were secured, grace period. That is two and a half years. So constitutionally you have two and half years and then there's the other 12 months from the date when the Writ for the next Election is issued. That is three and a half years.

So we have seen that these proposed Constitutional Amendments are targeting one and half years. 3 months is taken up for the notice to be given.

Mr SPEAKER – There will be an amendment coming through in the Committees.

Dr ALLAN MARAT (Rabaul) – Sorry I am not aware of that. That was our concern and we thought that one and half years will be taken up by this three months.

We are not sure and we presume that that one and half month will be taken up by *Section 124 and 145* amendments.

Mr Speaker, whilst we agree that these changes are unnecessary we are not really sure whether the Government is really going to be transparent and accountable for the next five years.

21/06

One other point that I would like to stress is the fact that when our constitutional forefathers, especially the CPC framed the *Constitution* there was a very broad consultative process. And we believe, the Opposition believes that in the same vein, any amendments to the *Constitution*, now don't use the argument that we are representatives of our people, the *Constitution* is not any ordinary law. It is the fundamental law of this country. And if the CPC used a very broad consultative process before they came up with the *Constitution*, we should

adopt the same today when we try to amend very important provisions in the *Constitution*, especially provisions that tend to border and erode democracy. We should consider a referendum, broad consultation.

The two months you give to the Committee, we think is not enough. I think a lot of people out there in the rural areas want to make a contribution to major constitutional amendments.

So, Mr Speaker, whilst we agree that changes are inevitable, with these two amendments, for me and I believe on behalf of the Opposition, we are not going to support it. We are not going to support it but it will not mean anything, you have the numbers.

So, you can have it but the future will judge. The future will judge the stance taken by the Opposition.

Mr JIM KAS (Madang) – Thank you, Mr Speaker for giving the people of Madang a chance to air their views in this Chamber.

I would like to propose and alternate to the thinking brought to the Parliament as it is with these amendments that he is proposing.

I've heard learned speakers from the other side speaking about stability and about what you've earned in the last 10 years and I think you've forgotten one fact.

Mr Prime Ministers, through Mr Speaker, let us not rush to the *Constitution*. This is my suggestion that you have one organic law that you have overlooked.

If you want to find stability, you'll find it in the OLLIPAC, you go to OLLIPAC first before touching the *Constitution*. If you strengthen the political party system here in this country, you will find stability. Let us not jump to the Constitution, bypassing the OLLIPAC.

That is my alternative to this honourable House. OLLIPAC will provide you stability and that is why I have stood on this Floor of Parliament and I said legalise the number of Members a political party should have.

You are having one Member parties on that side and this side and you are having two member parties calling yourselves political parties, creating instability, and now you want, under the guise of that stability clause, whilst instability is still there, you want to rush to the Constitution and look for cover. Why don't you find it in OLLIPAC first? How about that. I don't have much to say, thank you.

Mr POWES PARKOP (NCD) – Thank you Mr Speaker for recognizing the people of NCD. As you all know, I was in court for two weeks and did not show my face here. Thank you, Mr Speaker.

I also wish to contribute to the debate, speak a few words; I think all the other speakers have already echoed the sentiments shared by all of us so we'll try to keep it short.

I think the on the issue of the first proposed amendment about Calling of Parliament to 40 days is not an issue. We are all at peace to move it only. I think the main issue of contention is on the proposed amendment to the Motion of No Confidence Law.

22/06

Mr Speaker, I believe you and I came into Parliament in the last term of Parliament and you already know my views. The Motion of No Confidence is in place because it is good for check and balance system of the government, leadership and their performance but the Members of Parliament must know that firstly, it is contributing to the retardation of the politics in our country and secondly, it is preventing the progress of our country.

Mr Speaker, if we look at the last 37 years of independence, we will notice that instead of the government governing the country, we were governing numbers. The Grand Chief, Sir Michael Somare, Governor for Western Highlands, former Member for Kokopo and the Governor for Kavieng know about this. These are outstanding leaders who have become Prime Ministers of our country and maybe they could have delivered more if there was stability and they were allowed time to perform. But every time we had Vote of No Confidence after 12 months and then we changed it to 18 months and now we have further extended it to 30 months grace period. This didn't allow a government to govern this country and get things done. This is the problem that we have been having in the last 38 years and now we are at the threshold to something about it.

So, there is a merit for us to look at and whether we are going in the right direction is an issue that we will look at it. But the time is right and we cannot leave forever in the past and allow this nonsense to continue forever. It had stagnated the progress of our people and the nation.

Mr Speaker, I am suggesting that we adopt the presidential system of government where the Prime Minister becomes the president elected by the people and the Parliament would not

remove him during his term. You can only caution him or like in other countries where they have presidents, there are mechanisms to bring him to account but the Prime Minister or President and his Ministers run the country; they get things done. Parliament is the legislature but we are mixing it with the Executive and that is why we are facing problems.

So we have to sort these going into the future and the Prime Minister's statement has already catered for this already. It is already in the concession that the Prime Minister has given. He said that we set up a committee together with our committee chairman and go around canvassing the views of our people into the future and we must do it now so that we can secure the future. Now is the time to do it for the future and we cannot leave it to our children; we've got to make the hard choices now, and the hard choice is that yes, we want to provide check and balance on our system of government on leadership but it contributes to anarchy, instability or abuse of the mechanism for Vote of No Confidence. And the fact is that it retarded politics and retarded the progress of our people. The governments been elected term in term out were there to govern numbers.

Having said that, I think the main concern the Prime Minister, Ministers, Speaker and our people is that, we are all concerned that the stability should not be something that we abuse it; we use stability to entrench ourselves and promote corruption. That is the concerns of the Members and parties that have reservations because Prime Minister and the Ministers during this stability might become complacent and won't deliver. We want stability but you must deliver to our people the services and development they need and create opportunity for our people.

Secondly, don't get yourselves entranced and become corrupt. That is the concern that we have. We all know and everybody is saying that we are coming of age which is good but that kind of tendency will occur so there must be some mechanism which will guard against the entrancement, complacency, lack of delivery et cetera. If we have that balance in there then I believe we will all agree and move forward.

23/06

We must guard against this entrenchment, complacency, lack of delivery and so forth. If we have that balance still there I think all of us will of one accord concur and move forward. But I think the Prime Minister has already made those concessions already.

His initial suggestions of three months and one third of the signatures of Members has already been conceded so I think we should support this initiative. I think the Prime Minister is seeing it not as the final solution to the problem of maintaining check and balances but something that we can build on in to the future. Later the bi-partisan committee that the Prime Minister has alluded to can go out and canvass views of our people so that we can revisit the mechanism to work towards long term initiative of whether to keep it or to scrap it. I personally do not like this.

I don't see why we should have an opposition in Parliament. We don't have to follow the Westminster System. That's their system, it came out of England and is their culture and tradition. There know that they don't have a written constitution in England but they follow culture and tradition. So it is something that came out of their system and works for them.

But in Papua New Guinea, you go to your villages, is there a government and opposition in existence or not? There is none. All of us are the government and all of us are the government. We debate, argue and challenge each other but once we come to a compromise, the energy of our people is released to produce the desired result.

Here in the Parliament at Waigani we have an Opposition and a Government but half the time we are just challenging each other for egoistic altruism with a view to degrade the other side so we can get into power.

We are serving the same people. I think if we get rid of the Opposition the Prime Minister should be free to appoint anybody on the Floor of Parliament to be his ministers.

We could have stability in that way to but the Prime Minister has envisaged that. This is only a temporary approach which will maintain us into the future and then our people can decide on a final model.

But, I think the final point is to tell our people, especially those critics outside to understand that we do share their concerns. But, if we look at our history over the last 38 years, the Vote of No-Confidence mechanism really marred our growth.

Which Commonwealth country has votes of no confidences? Do you hear of them in Australia? It does not exist in Canada, Malaysia, and Singapore and even in Japan, in Papua New Guinea we are a champion of votes of no confidences.

But having said that, I wish to say that what we are doing, which is what our people must understand is this; it is time to get rid of Votes of No-Confidence. It doesn't mean that checks

and balances are being done away with but we are giving that authority and power to decide who becomes Prime Minister back to our people.

At election time, you can go confidently knowing that whoever you elect to represent you, which party you want to form government and whoever the party leader you want to be Prime Minister. We are passing that responsibility back to the people by getting rid of it from Parliament. It was abused when it is with Parliament so we are passing it back to the people. At election time, it is serious business. You decide properly. You decide who your leader should be and which party has the policies and the leadership quality to provide good leadership, governance and provide the services for our people.

That's the decision that our people should make and I think this is what we are trying to do now. We relent from the tradition of Parliament to use Votes of No-Confidence because we have abused it.

So, what we are also saying is that whoever comes into Parliament after the elections should be allowed to govern for five years. What do you think about that? You should be allowed to rule for five year and then go back to the people and let the people decide.

They do that in Australia, in England and everywhere else in the world but uniquely not in Papua New Guinea.

Mr Speaker, I also realized when I went to the Court of Disputed Returns for the last two weeks and when I searched for precedents in England I surprisingly found that since the creation of their Parliament up to now they have had only six petitions. Only six petitions have gone before the Court of Disputed Returns in England, the mother of all Parliaments in the world.

But in Papua New Guinea we hold the record because we abuse the system. Though the laws are there as enacted by the Grand Chief and his peers, when it comes to us we play cowboys with in and it becomes something we abuse as stated by the Member for Sumkar.

24/06

Mr Speaker, we have very good laws with good intentions made by Grand Chief Sir Michael Somare and his colleagues during their times, however, we alter them and we abuse them therefore, we have to support the Prime Minister and remind the people that we are giving the power back to the people through the election.

Mr PATRICT PRUAITCH (Aitape-Lumi – Minister for Forest and Climate Change) – Mr Speaker, the National Alliance will support your Government on the amendment of the Constitution. Prime Minister you will have our support because during the National Election the people of this country had given your mandate to lead this country.

Mr Speaker, it is necessary for us to look at what binds us in terms of us moving forward like everyone is echoing that *Constitution* is the paramount legislation that keeps all of us in unity to progress forward.

But before any changes takes place we need to look at our experiences and critically analyse them. Many of us have echoed Vote of No-confidence is the biggest impediment in terms for the progress of our nation. Like, human being when he or she is at the age of 38, one has to decide to make his or her own decisions to consolidating one self.

Mr Speaker, I believe that the Constitution is a living document for all of us. When this country adopted a Constitution a lot of our leaders then were not educated like the current Members of Parliament that we have today. It is a great change that most of us a university graduates with various degrees, during those times perhaps only four people were educated to the university level of education. This indicates that PNG is changing in all aspects of development and this means we have to change some of our laws to reflect the current circumstances.

It is a sad scenario of the past when the governments have not enough resources to fund our electorate and districts like today, when we have enough resources potion to districts. So, it is necessary for the Government to look at legislation, so that, the necessary amendment can be made to reflect that intention.

I would like to highlight here that most you Members will not have time to run your districts and electorates. I thank the Prime Minister for allocating huge amount of resources to the districts and electorates. However, you need time to be in the districts to take charge and oversee development in the area. We have been asking the government for money to fund our districts and the Government has given us lot of money and we must make use of this money to bring goods and services to our people. We must not go back to the Government for more money and we must not blame the public servants.

Mr Speaker, I support the idea of clarity on the number of days because the Governors and the Open Members have time to visit the electorates but us the Minister, we do not have time to make our electoral duties or to visit the electorates. Therefore, it is appropriate that justice is

given in this way so we too can do our electoral duties to oversee how our huge funding can be used according to our Joint Budget and District Resolutions.

I believe the Government has made a right move to this way in terms of accountability and transparency is adhered to at the district levels. Like I said, the National Alliance has enjoyed two terms of running a country and most of us have seen the fruits of it and we must not deny that. Many of us have seen it and the way for the economic growth for this country is because we have stability.

(Members applauding)

Mr PATRICT PRUAITCH – We need to progress from there onwards and we cannot go back.

25/06

The allocation of K10 million to Kundiawa-Gembogl is not enough but the Finance Minister said there was cash flow problem and he will still end up getting K10 million at the end of the year. The experience of National Alliance has shown that when you have stability you attract partners on board. That is a very low debate but I think it is necessary for us to amend the Constitution it reflects the current changes and circumstances within the country.

Mr FRANCIS POTAPE (Komo-Magarima) – Mr Speaker, on behalf of my people of Komo-Magarmima the LNG hosting district, pipeline people, I commend the Prime Minister , honourable Peter O’Neill for bringing forward this most important and critical Constitutional amendment to section 124 and 145 of the of the national Constitution .

Mr Speaker, what I say does not matter whether I’m in the Government or the Opposition; it is my view as a member of the Parliament. I want to say that this constitutional amendment marks the beginning of the new era in Papua New Guinea politics. I want to remind ourselves as members of Parliament it is indeed the role of parliament to make and change laws to suit our times. The supreme law making body of this this country as enshrined in our Constitution is the Parliament. That is why many lawyers and professional people want to come to Parliament and make laws and so whatever they say outside is irrelevant. This is where we

make laws. Any non governmental organizations and professional groups can express their views but at the end of the day it's the Government of the day makes the decisions and changes laws. The O'Neill-Dion government consists of former prime Ministers and former and current well respected ministers, highly educated lawyers who became politicians and highly educated members of parliament who come from all walks of life including myself.

Mr Speaker, our people must believe in us we were chosen by them to stand up for what is right. Many times I hear the comment that the government has got numbers so they will bulldoze it. This parliament is not about Opposition or Government it is about me as a leader, what I believe in and what I want. That's why I stand up to vote along that line. Having said that I am clear in mind that the laws I help to pass in this Parliament are relevant for today and necessary for our people today and tomorrow for the future generation. The laws must reflect the true intent of the Constitution and the thinking of our forefathers. I've read in the newspapers that people are saying that we are raping the Constitution, as one of the young leader of this nation I don't believe this is so. We are protecting the Constitution and giving credibility to leaders to stand up. Few years back there was a protest on the streets of Port Moresby about Land Mobilization Bill which Sir Mekere Morauta wanted to bring on and some people died. Today these students now adults have come out with regret saying we should have allowed it to happen. Let us not fear, the amendment to section 124 of the national Constitution is in relation to number of Parliament sitting days. The amendment is a must and necessary that everyone including, my colleagues in the Opposition should support because this amendment seeks the correct anomaly in the practicality of the sitting number of days. A Parliament meets on a quarterly basis every three months for three weeks per annum. In plain language, three weeks refer to five working days of Monday to Friday and exclude the weekends so five days times four times 20 days gives about 40 sitting days and not 60 days and per the laws. The Clerk would have the record of the total per the law.

26/06

The Clerk would have the records of total number of days Parliament sat in 2007 to 2012. From my memory, I can say we never sat for full 63 days. Thus all of us in the last term of Parliament breached the *Constitution* and are likely to be referred by the Ombudsman

Commission but we were never picked up. So now this amendment protects the Government and that minimum and us must be 40 days.

Mr Speaker, on the amendment of Section 145, I hold the view that it serves as a pressure valve to keep the Government in constant check. If the government steps out of line the constitutional provision is in place to change the Government. It is still there. I also agree that the Government that is not managing the affairs of the country in the interest of the people ought to be replaced.

Mr Speaker, I totally support this amendment because, it does not abolish Section 145, and the provision of Vote of No Confidence still remains. The pressure valve will still remain but the Government is protecting the pressure valve and making it holy. I think we are making it holy because changing Government is a serious business so why should people be jumping up and down.

Mr Speaker lets not create a storm when there is no storm. According to our record since independence, this important provision has been constantly abused and we all know it. Good governments have been unnecessarily changed because of this provision, not necessarily in the interest of our people. It has been a constant nightmare for the past Prime Ministers with imminent vote of no confidence looming all the time in the background. Managing of numbers to remain in Government has been a natural focus at the expense of development aspirations of our people and that's why many young people today do not have jobs. Over the years, legislative reforms have been initiated to address this abuse. Initial six months of grace period has been amended to 18 months and now in 2013 to 30 months. I believe the country would be better of today, if the grace period was 30 months there and then. Our fathers never saw it, they only saw the check and balance side of it, but they didn't see that instability would do a lot of damage to the future population. That is what we are experiencing today. Giving the Government 30 months after its formation is fairly sufficient period to initiate and implement government policies, programs and projects, failing that, a test can be mounted through a vote of no confidence. I believe a vote of no confidence is a very serious matter.

Mr Speaker, we all know it isn't easy to form a government. Any government formed by the people through the ballot papers in a general election should not be changed just by Parliament because allegiance and groupings of members have changed and shifted. The people themselves must replace the mandate manifestly bestowed on successful government. However it

is not practical in appreciating the fact that Members of Parliament are representing the people. We need to make necessary changes to section 145 of the Constitution to give credence and meaning to the issue of vote of no confidence. Too many things are at stake when Government arbitrarily changed for the good of those who want to do it.

Mr Speaker, since Vote of No Confidence is a serious business and majority of Member so of Parliament must expressively state that, they have no trust in the executive government. Therefore one tenth of members of Parliament is not good enough number, to demonstrate this distrust. The number of members of Parliament must be increased to demonstrate that there is seriousness in this matter.

Mr Speaker, therefore the number must be large enough to be representative of the entire nation.

27/06

Mr Speaker, while the amendment calls for one-fifth of Members to trigger the change. We have increased from one-third to one-fifth from 10 Members of Parliament to 21 Members of Parliament, which is a good number to begin with.

Mr Speaker, the risk that the O'Neill Government is taking in my view, is the task of the vote of No-confidence is becoming easier.

Many critics oppose this amendment totally with a view that the O'Neill led Government will be deeply entrenched with power. Let me ask these critics to look at the other side of the amendment.

Once you have the 21 Members locked away you can talk to the remaining Members to change the Government.

Where as under the current provision you still have to talk to the 11 Members to make sure that whether they still believe in what you all have started.

Mr Speaker, Papua New Guinea is a Christian nation with many cultures and customs and it is virtually impossible for one Prime Minister to rule and last.

If the Prime Minister is so bad, I believe the 57 Members like me will ask for the Government to be changed.

We must not blame past Prime Minister's or Minister's. This blame game is done by weak leaders. When you are pointing one finger at someone remember you have four fingers pointing back at you.

Mr Speaker, with this few remarks I thank the Prime Minister for his bold move he has taken and I appeal to my friends from the Opposition not to fear but to stand united together to make this amendment to the Constitution so that this country can change for the better of all of us.

Mr SPEAKER – I must remind all honourable Members that this matter is of national importance and you must allow the Chair to give fairness to everyone. I will allow a few more people to speak.

Mr ANDERSON AGIRU (Hela) – Thank you Mr Speaker, I promise to be very brief.

Mr Speaker, our country has been under captivity for some time and we have kept this country from moving forward because of our deeds.

Mr Speaker, it is time we let our country go so that it no longer becomes a prisoner by our own conducts.

Having said that, I want to commit the Peoples United Assembly and the people of Hela in supporting this Constitutional Amendment brought by the Prime Minister.

Why, because by giving stability we give hope and we give our country a chance to compete, develop and find its own place in history and be global players in the inter dependent global economy.

Mr Speaker, we should not fear. What we fear is the fear of the unknown. Before we move forward we have to arrest that fear first. For the past 38 years Prime Ministers have been kept under captivity.

Ministers who should have been sacked have been kept because the likelihood of them moving a vote of No-Confidence in him.

Therefore, my honourable distinguished Members of Parliament, with this amendment two things trigger, firstly, the continuity on delivery of service.

Today, for the first time it was initiated by the Government of the Grand Chief Sir Michael Somare the DSIP, which 89 districts in Papua New Guinea get K10 million.

28/06

For five years you are looking at K50 million and that can make a difference. With K10 million it might be difficult to make a difference. So what you are doing today is to entrance that continuity so that your rural electorate has an opportunity to development and receive these resources.

Secondly, Mr Speaker, the good policies our government has initiated need continuity but when the government changes a new government brings in its own policy. Therefore, our people are confused. The important infrastructure developments or important government intervention programs like the tuition free policy, agriculture policy, are the things that our people need in order to transform our country. Therefore, the question of whether we should amend the constitution is something that should be left outside.

We are here in this Parliament to make laws so that we give confidence back to our people. Over the past 20 years that I have been in Parliament I have seen well educated leaders who will not jump camps but all in the name of personal creed some of them even promised the Grand Chief that they will be there with him all the way and go down with him. I thought that, that was the gospel truth. I was the only one in that camp until the D day of election campaign.

So, my friends, if the educated people can jump ships, we have to amend that law so that the Members can be accountable and remain for five years, continue the government's policy in order to develop their electorates.

As Papua New Guineans, we have to give opportunity to development process so that our people can trust us. If the Members cannot deliver within that five year term kick them out. The same applies to the Prime Minister and if he fails to perform after five years other political parties are available. So that is a test the Prime Minister has to face. Not while he is still governing because his party has been mandate through the ballot papers. Thank you.

Mr GARRY JUFFA (Northern) – Mr Speaker, I will be very brief as well. Nobody denies that stability is very important. We all want stability and I commend the Government for their efforts.

I am supporting this because I am heartened by the efforts made to bring about Hikek. I am supporting this because I can see the progress of the public service review. This very

important machinery has been funded in 1975 when we are not modernized will now be reviewed.

I suggest that because this effort will concentrate power there must be responsibility in how we manage that power so that all stakeholders will benefit. When there is stability a number of stakeholders will benefit, firstly, the corporate sector, they will be very happy, why? It will allow them to conduct businesses, with planning and foresights, minimizing their overheads and increases the profit margins.

The government will be happy because they can carry on with the business of delivering their programs and what it is that they wanted to do for the country and the people. We can already see improvement in health, economic, agriculture, education and all the other sectors. We, the Governors are benefiting too because we have been given substantial amounts of money to go develop our provinces.

29/06

Mr Speaker, that right can never be abused by way of Votes of No Confidence. As elected leaders we must sincerely and always respect our people in so far as their constitutional right in electing a government is concerned.

Mr Speaker, elected leaders who want to change a government must have that appropriate reason. Their motives must be right and sincere and the reasons must be guided by the people at heart and our people as the number one priority; not priority of getting into office and enriching ourselves.

Dictators like Idi Amin have been created and the likes of Hosni Mubarak. Sadam Hussein and Muhammad Gaddafi of Libya. We have seen the result of how these people have come down-by people's power. Dictators like Idi Amin have governed as a result of support they received through the barrel of the gun.

Mr Speaker we are not immune to what is around the world today and what has been around in the past. History is there and it is clear. It is only by the barrel of the gun and by the strength of your defence forces that have created dictatorial and totalitarian regimes.

Mr Speaker here we are talking about a Bill that is not created by a dictator. The Opposition leader is talking about terrorising the Constitution. Are we terrorising the

Constitution by way of not recognising our people's right as to instituting a government democratically?

Mr Speaker the provision of a vote of no confidence that is still there means to every one of us that this Parliament is not about the creation of a dictator as the Opposition would want to believe.

Terrorists and terror makers according to my experience in the global communities are the doing of rogue defence or undisciplined soldiers.

30/06

Mr Speaker, as we go forward with this Bill, governments must be mindful of the fact that we need to ensure that one way or the other, we control our Defence Forces and disciplinary forces as to how they take interests in areas of what is a democratic right of choosing and electing Members to Parliament.

Mr Speaker, as I said earlier, power ultimately belongs to our people and it must always remain that way. Learning from all the experiences around our global community and our short experience, power must never ever be undertaken and carried on by illegitimate governments come into play in this country as a result of coups.

Mr Speaker, you might think that I am diverting away from what is before Parliament.

(Members interjecting)

Mr JOHN PUNDARI – I still have 10 more minutes.

Mr Speaker, good governments will always create stability in our disciplinary forces. They will create the respect we want to see in them and ensuring that governments of the people are respected by them. This is not happening in Fiji who are one of our closest neighbours and it must never happen in this country.

No one whether it be the discipline forces or whether it be our people for that matter must come to think that here on the Floor of this Parliament as a result of this Bill, we are creating a dictatorial regime. No, our people must be very clear to the point that yes, 38 years down the line we are very clear on the way we have come insofar as our governance is concerned. We've got to do the right thing going forward and it is here before us.

Mr Speaker, I personally do not like votes of no confidences. We would rather go back to our people and let them decide whether we should continue as a government or not. Our people must not be lead to misunderstand that here on this Floor of Parliament, we deliberated to making someone more powerful. It is not that.

Our Prime Minister today, honourable Peter O'Neill might be our Prime Minister for this term but it could be someone else the next term. This is not the creation of dictatorship or totalitarian attitude of ruling this country. Our disciplinary forces, public servants and the people are out there must understand that the provision for the Vote of No Confidence is there, the seriousness of changing the people's government is challenging. Why should I just come overnight and want to change the government?

31/06

Just for the shake me empowering myself as the Prime Minister of this country when the Prime of this country has not done anything wrong serious enough to warrant the change of the Prime Minister of this country. That is the whole question. If you are serious, the reasons must be also serious and the motives must be right. If the Prime Minister or Chief Executive of the land has done something wrong, it must be evidently clear enough to ensuring that yes, you have the support of the 22 Members to putting a notice of Vote of No Confidence. That is the crunch as to how I see this Bill.

Mr Speaker, the Opposition doesn't want me to keep on talking and some of them are eager to speak so I want to say thank you.

Mr TOBIAS KULANG (Kundiawa-Gembogl) – Thank you Mr Speaker. I came in late to the Chamber because I didn't want to hear sweet talk.

Mr Patrick Pruaitch – Point of Order! Mr Speaker, I called for division and you did not hear me.

Mr SPEAKER – I did not hear your call for division. I would have entertained it if I heard it.

Mr TOBIAS KULANG – Thank you Mr Speaker, they used to control that Chair previously but now you must control it.

Mr SPEAKER – Honourable Member, can you withdraw that statement because I don't like it. I am impartial to the Chair and doing my job.

Mr TOBIAS KULANG – Mr Speaker, I withdraw that statement.

Mr Speaker, we have two simple issues here. The first concern we have on the amendments we want to pass is that as a new Member of Parliament, I am really amazed how we as leaders change our views overnight. That is one thing that we should not forget and that is why our *Constitution* was framed.

Mr Speaker, when our forefathers were trying to frame this *Constitution*, it was not some simple people who gathered at one corner and decided to frame this *Constitution*. If we study the notes of the CBC, there was a wider consultation across the country where they gauged the views of all our people before they sat and framed our *Constitution* and this *Constitution* gave birth to this sovereign nation called Independent State of Papua New Guinea.

So now during this generation leadership, when we want to amend the *Constitution*, we must bear this in mind. This is not an overnight thing. The first thing we are saying is that every time under current legislation if we want to introduce an amendment to the *Constitution*, there already exists a conflict of interest whether it is coming from the Government, it does not matter because there already exists a conflict of interest. We are saying that there exists inherent weakness in our *Constitution* as to where and how we can deal with it.

Mr Speaker, *Constitutions* are sacred documents and every developed nation in the world including our nearest neighbour Australia has a clause for a national referendum before anybody can think about touching the *Constitution*.

32/06

We have a weakness in this country. Of course we don't need to copy Australia but we must not forget that we are a nation of 800 different nations co-existing together. It is a very delicate situation.

Whatever laws we enact each of those 800 different nations must feel that their interest is integrated then we will continue to remain as a nation but we must beware when we disdainfully tamper with this *Constitution*.

We are saying that there are weaknesses and we should be careful. If we are serious, the independent people who can test the motives and intentions are the people. So there must be evidence, not only through the elected representatives on the Floor of Parliament but there must be evidence of the process that we have subjected our intentions to the people of this country. And they have tested our motive. That's basically what we are saying.

Secondly, on this specific amendment, especially 145 and 124, the Prime Minister has stated two prominent justifications. One of which he said these two are loopholes that exist in the Constitution. This has baffled me. Does this infer that the people who framed our Constitution erroneously inserted these clauses or not? I think in hindsight with the benefit of greater education we can say that they made an error.

Mr Speaker, Section 145 is not about getting rid of governments, it's an accountability clause. Nothing is wrong with the law. The problem is us. We must be matured, we are not matured and our hunger for power and that's what creates instability, we are the cause.

There is nothing wrong with the law. The law is there to ensure accountability. The law is there to empower this Parliament; it gives this Parliament the ability to scrutinize the executive government of the day.

We have lengthened it to 30 months which makes it difficult and today in moving the motion you mentioned one third of the Members and the notice period must be three months.

Mr SPEAKER – Honourable Member it is one fifth and one month.

Mr TOBIAS KULANG – Thank you, one fifth and how many months?

Members – One month.

Mr TOBIAS KULANG – Thank you, I thought you said three months but you probably got scared and reduced it.

So, indirectly what you are saying is remove this clause. If you are real man just say get rid of Section 145. You are all learned persons so effectively what we are doing is making this clause redundant and impossible to invoke. Let us not fool ourselves.

Section 145, as many of us have alluded to, but the culture of them bringing cheques to the State Function Room and force all of us to line up like children, you must bear in mind that thus culture exists.

I believe that we need stability but we are saying that there must be a thorough review of the Constitution. At the moment we have only one chamber. The Constitution in Section 100 allows for only one chamber where the legislative and executive arms of government sit together.

I have been in the government for a short time but I have felt that when the legislature and executive arms of government sit together, the executive government can become overbearing. You think you are somebody and you prattle on and on but I tell you, you will line up like school children.

Yes, we have to deal with the issue of stability but there needs to be a whollistic approach.

33/06

Mr Speaker, if we are all human being and we want to bring stability, I suggest that we do the amendment today and leave it after 2017 National Election and the new government can come in and do the changes. Why you come in quickly and rushing this very important legislation?

Definitely, there is a need to alter or an overall review of the *Constitution* and the time has passed. We have to strengthen the Government system in the country and we do not need this peace meal approach.

The current Government structure is weak where such as law will give too much power to the executive harm of Government and the Parliament will lose its ability to scrutinize and that is what we are warning but all of you are educated and qualified to so I leave it to the Government.

Mr Speaker, Section 142 states clearly that there must be some allowance for some frequent meetings. Yet, we are now proposing some 40 days and we have to appeal within 12

months and if achieve that 40 days during the first 3 months of the year, we may not meet for the rest of the year but only time will tell. Whatever the amendment we are proposing is only cornering *Section 145*. We might be surprised to see the notice and we will be using the allowances but the maneuverability will create *Section 124* and we will be side stepping at all time.

Mr Speaker, the Opposition feels that your proposed amendment is not suitable for the benefit of this nation and in fact, it will not enhance our *Constitution*. We believe that we will create issues and if we do not do it, we are 38 years old going 40 years and we must subject the *Constitution* to a thorough independent process of review. Why are we hiding inside the Parliament Chamber to represent our people and butchering our *Constitution*?

Mr Speaker, my second point is that the Prime Minister said that the Government is mandated by the people and the people cannot hijack it and remove it from the Floor of Parliament. Of course, that is true. The Government should be for the people, by the people and of the people. We agree with that phrase.

But such phrase would not stand firm until and unless a total review is conducted to change and amend the fundamentals structure of the *Constitution* and our Parliamentary system. Thus, the Opposition is not debating about the Vote of No-Confidence to change the Government, but the issue the accountability. All of us have been here for less than 12 months now and we cannot demand the people to trust us through such amendments to the *Constitution*.

Mr Speaker, the trust will have to be at hand and I have not done any progress in my electorate and I notice this in politics. I may say that properly in my second and third year, I will do some tangible things so I cannot ask the people that weather I have not perform, yet, we are going through ground breaking ceremonies.

Thus, how can you say that the people will trust us in the light of such amendments or else we are forcing the people to accept the amendments whether they like it or not, we hold them by the neck to go by what we pass in this Parliament, so it is unfair and the Government has the number to pass the Bill. Why are you afraid? You are scared so to couple with the amendment, you are affirming your existence in power. We are all leaders and we are not desperate about changing leaders and Government. If you perform I will be the first one to salute you. Our people need services and that is what we all know and we do not have to decimate the *Constitution* to entrench ourselves.

34/06

Motion – That the question be now put – agreed to.

Motion (by **Mr Peter O’neill**) by leave, put –

That the Proposed Law without amendments be agreed to.

The Proposed Law requiring two-third absolute majority of 74 Members as required by the *Constitution*, Mr Speaker ordered that the bells be rung.

The Parliament voted (the Speaker, **Mr Theo Zurenuoc**) in the Chair –

AYES – 87

NOES – 3

Motion so agreed to.

Bill read a second time.

Ordered – That the third reading and the second required opportunity for debate be adjourned for at least two months as required by the *Constitution*.

CONSTITUTIONAL AMENDMENT (MOTIONS OF NO CONFIDENCE)

LAW 2013

Second Reading

First required opportunity for debate and First Vote (from July 16).

Mr PETER O'NEILL (Ialibu-Pangia – Prime Minister) – Mr Speaker, in accordance with *Standing Order 222b*, I now commence the first opportunity for debate on the Proposed Law on Constitutional Amendment (Motions of No Confidence) Law 2013.

Motion – That the question be now put – agreed to.

In Committee

Bill by leave, taken as a whole.

Mr PETER O'NEILL (Ialibu-Pangia – Prime Minister) – I move-

That the following amendments be made:

Page AGE 2, CLAUSE 2, PARAGRAH (a) and (b)

1. Clause 2, omit words “Paragraph (a)” and substitute “Paragraph (b)”,
2. In paragraph 2(a), omit the words “three months” and substitute “one month” and
3. In paragraph 2(b), omit the words “one third” and substitute “one fifth”.

Amendments agreed to.

Bill as amended, agreed to.

Bill reported with amendments, report adopted.

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

The Bill requiring a two-thirds majority of 74 Members as required by the *Constitution*, Mr Speaker ordered that the bells be rung.

The Parliament voted (the Speaker, **Mr Theodore Zurenuoc**) in Chair –

AYES – 87

NOES – 03

Motion so agreed to.

Bill read a second time.

Ordered – That the third vote and second required opportunity for debate be deferred for two months as required as required by the *Constitution*.

ADJOURNMENT

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

That the Parliament do now adjourn

The Parliament adjourned at 1.50 p.m..