

SIXTH DAY

Wednesday 20 November 2013

DRAFT HANSARD

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SIXTH DAY

Wednesday 20 November 2013

The Speaker (**Mr Theo Zurenuoc**) took the Chair at 10.00.a.m..

There being no quorum present, Mr Speaker suspended the sitting until the ringing of the bells.

The Speaker, again took the Chair at 10.30 a.m., and invited the Member for Sohe, **Honourable Delilah Gore**, to say Prayers:

‘Holy God, Creator of our Universe, we assemble before your merciful throne as leaders of this great nation. We humbly bow before you and seek your presence in this Chamber of this Honourable Parliament. We seek a portion of your wisdom from heaven above as you lead your people in this country.

Thank you God for all the elected leaders in this nation and thank you God that we can all join our voices this morning to recite the Prayer that you have taught us to pray. Amen.’

QUESTIONS

Mr NIXON MANGAPE – Mr Speaker, I direct my question to the Minister for Justice and Attorney General. We have a huge law and order problem in this country and just recently we passed the death penalty law for rapists and murderers.

Can the Minister tell this nation and the Members of Parliament on when that law will become effective?

Mr KERENGA KUA – Mr Speaker, he asked me a question along that line last year and the question he asked gave us the motivation to move towards passing the amendments to the Criminal Code to increase the applicability to death penalty from

three offences to about seven offenses at the moment. After we passed that legislation there was an uproar of protest and petition. And as the Government of the day we have moved forward to deal with each of those petitions from our stakeholders around the country.

I just had a forum with the University of Papua New Guinea students at which this matter was discussed at length and I believe after that forum they accepted that this was the way forward, if we are to reign in the law and order problems we have in the country.

I also attended the seminar on the same subject at the Divine Word University in Madang and it was a very orderly, academically and intellectual dialogue and interchange. I maintained the Government's position that this was a necessary pathway we had to follow about the law and order problems we had in the country but at the same time emphasizing that this was directed to only a minute little group of people.

The mainstream society did not need to be too concerned about the implications of the death penalty, which if it is implemented properly should ass to creating a more orderly and peaceful society, which the majority of the people of our country can enjoy. At the end of the day it was a fairly good seminar and it still remains the law at the end of the day because we have passed that legislation.

02/06

Subsequent to the passage of the amendment, we set out to those countries and states in other parts of the world that do have death penalty in their law book and are implementing it. Our delegation went to Texas in the United States, Bangkok in Thailand, Malaysia and Indonesia to look at the actual mechanics of how they implemented that kind of law in their own country.

A report has now been brought back as a result of those studies and my Department is now reviewing that study, and will be presented to Cabinet for consideration with a view to set up an inter-departmental committee who will be responsible for setting up the requisite infrastructure that is needed to implement this legislation.

Mr Speaker, the commitment remains to implementing the terms of that legislation and we will not waiver from this and it's part of the laws of this country. Just like the upholding, enforcement and application of every other justice and proper legislation of this country, we will give this particular legislation the same sort of respect and treatment.

I would like to conclude by assuring my colleague, Member for Lagaip-Pogera that we remain on course and committed. I will be able to table a status report to this Parliament after the Cabinet's consideration and recommendation.

Mr FRANCIS POTAPE – I want to direct my questions to the Minister for Public Service.

I commend the Government for continuously supporting the schools and health centers and aidpost. But one thing I see is that most of these schools and aid post are run by locals and most of them are rundown.

(1) Do you have any plans to rotate teachers and health workers from one school, health centers and aid posts to another?

Most of them once settled in one place, don't want to go elsewhere and stay there for longer periods.

(2) Do you have any plans to provide incentives to teachers and health workers in the remote areas?

Dr PUKA TEMU – I thank the Honourable Member for Komo for his two questions in relation to deployment of civil servants throughout the country. He is rightly concerned about the provincialisation of the public service in the country rather than the nationalisation.

Unfortunately, there is a big legacy since Independence and various leaders from the provinces to Ministers and Local-level Governments have maintained some of those bad practices, but the Prime Minister did express his concern and instructed me to advise the provincial administrators to liaise with the Governors in the PEC so that public services must be nationalised. And some Governors have taken the initiative; example Governor for New Ireland usually appoints people from other province all the time. And

that's what the Member for Komo is referring to in appointment of administrators for each province. The ball now is within the court of PEC now in terms of the provincial administrators.

03/06

I support the Member because there is no actual policy giving directives to PEC to appoint somebody from outside of the province. No doubt, the appointments are basically merit base at the moment because when the positions are advertised, everybody applies. For instance, in the case of New Ireland, approximately 14 people applied but the PEC selected somebody from outside. That is the direction that we need to go since some of the inefficiencies are related to localisation of the civil service within the province.

Mr Speaker, it's no doubt, there is a movement of civil servants wanting to settle in their own provinces so they are choosing to apply. For example, in the Eastern Highlands, when you look at the total composition of the Eastern Highlands Public Service, the majority of them are from the province because they want to eventually retire and settle in their home province.

I think we are going to look at the District Authority Bill, which the Prime Minister will present to Parliament during this sitting. This means that we will now have to enforce this policy of, first, merit based appointment and where possible, those who have applied from outside the province to go to places like Abau. We should give preference to those who would want to provide services to the people of Abau and linkage to a rotational program.

Some Members have complained about policemen being stationed in one station for 20 years and their children became localised citizens. We need to go back to every three years to move officers from one station to another. However, because of the high cost of movement, we can move officers every five years.

Mr Speaker, I think it is a very good request by the honourable Member and we must seriously address this policy. The Prime Minister has already expressed it and we are relaying those to the PEC and maybe at the PEC level, if we can start next year on the appointment of Provincial Administrators from outside. As for the district administrations, the Open Members need to take the leadership.

Mr Speaker, under the amendment that we will be bringing in, the PEA will consult the Open Member on the shortlist of the district administrators' applications, so, when the authority comes, CEO of the district authority, will then urge all the Open Members whoever is qualified from outside preferably they should be appointed.

In this way, we will begin to re-nationalise the public service and I think it brings its own efficiencies, commitments and professionalism at the end of the day. I believe this is what the honourable Member is asking for.

Mr Speaker, in regard to his second issue concerning salary incentives, I wish to inform this Parliament that there is already inbuilt an hardship allowances provided for health workers and teachers, which is a very good package for them. However, we have not included everybody, for example, accounts in the districts or engineers in the districts but every professional has a domestic market allowance (DMA). So, the professional categories of work have been negotiated through the Union for a certain level of DMA.

Mr Speaker, the reason why we have introduced this overtime is because many professionals are a marketable commodity. They can be picked up like our mining engineers who are now all over the world. Our geologists, doctors, et cetera are marketable commodities and they are working overseas because they gave them better conditions. So, the DMA is also provided for and in the amendment that I will present soon, there are also at the top level, we are also allowing professional DMA at the same time for CEO level et cetera. Thus, there is already a package and with the economy moving, we will be looking at increases but our negotiations have been concluded. We are hoping the we will conclude the negotiation with the PEA; the rest of the Unions have signed up, the teachers and the health workers have signed and the leaders are looking new at awards, and the leaders' increases at 7 percent and 7.5 percent according to the CPI. So, we are moving in the right direction of trying to create some incentives in the process.

Supplementary Question

Mr JOE SUNGI – My question relates to the retirement age of public servants. This is because some of the public servants work beyond the retirement age and some have died while serving in the Public Service or soon after retiring.

Can the Minister clarify as to what is the retirement age of public servants?

Dr PUKA TEMU – The legal age for compulsory retirement for a public servant is 60 years. Under this rule certain services are being affected; for instance, we do not have enough teachers and doctors because they are retiring early. And at this age; some of these people have very good managerial and technical expertise that are still needed.

In the amendment that I will be introducing I am recommending that we increase the compulsory retirement age to 65. This is because our average life expectancy has increased from 52 to 57 and this is increasing as in other developing nations.

And many citizens want to serve as civil servants throughout their life rather than moving to the private sector. And there is a bulk of citizens who would like to give their professional skills until they retire and are awarded with proper retirement benefit packages.

Mr EREMAN TOBAINING JNR – My question is directed to the Minister for Finance but before I ask the question, I would like to on behalf of the people of east New Britain thank this Government for recognising and declaring East New Britain's Kokopo as a tourism hub in Papua New Guinea. And also I would like thank the Government for the recent activities in the province.

I want the Minister for Petroleum and the Prime Minister to take note. It is an outstanding issue that will benefit the people of East New Britain. We have been talking about empowering SMEs in the country but the people of ENB have suffered for the last four years regarding the UBSA signing the LNG project. And there are some outstanding debts to be sorted out as most of the guest houses and hire cars were used.

Can the Minister, inform Parliament and the people of East New Britain when the Government is likely to settle K3 million in outstanding fees to service providers in my province?

Mr JAMES MARAPE –Mr Speaker, the Governor’s question pertaining to the people of his province, particularly those in Kokopo where the UBSA was hosted.

05/06

I know that this issue has been outstanding for some time and when I visited the East New Britain Province a few months back, I was given a letter on that. Let me confirm that we have not paid them yet and if the people of East New Britain are listening, their Governor and Member has what done they could do in relaying the message to us and this is the second or third time that he has asked this question. So let me assure him that before we close this year’s accounts and if we do find some money, we will pay them.

This year, we were operating on a very tight deficit budget and my two colleague Ministers and I at the Vulupindi Haus have been very strict in our expenditures. We have tried as much as possible to spend in line with our appropriations and we have appropriated not to the fully to the Minister for Petroleum’s request last year. We did make some appropriations this year and if they are exhausted then let me assure that that I will allocate K15 million for such programs in next year’s Budget.

But if there are some available funds in line with those appropriations and expenditures before we close accounts this year, we will certainly honour those outstanding commitments.

Mr ANTON YAGAMA – I direct my questions to the Deputy Prime Minister and Minister for Provincial Affairs but seeing that he is not present, I redirect them to the Prime Minister.

(1) Can the Prime Minister inform the people of Madang and Papua New Guinea on whether the Electoral Commissioner has change the law to include the names of eligible voters on more than one Common Roll?

(2) If the Electoral Commissioner has not changed the law then why is he allowing candidates from different electorates who stood in the 2012 Election to contest the current Madang by-election?

(3) If the law requires that you must have your name entered only once in the Common Roll then why are we tolerating candidates who break the law by having their names appear on two separate Common Rolls? They should not be allowed to contest the elections. In fact, they should be arrested and charged.

Mr Speaker, the Electoral Commission must fix this problem now and stop this nonsense immediately otherwise, the country's Common Roll will be grossly abused and candidates would be at liberty to register their names in as many Common Rolls in the electorates. And when they lose in one electorate, they can go and contest in another electorate just like what some of the candidates are now doing in Madang.

Mr PETER O'NEILL – Thank you, Mr Speaker and I thank the Honourable Member for Usino-Bundi for his very good questions. Let me take this opportunity to congratulate him on the many battles that he overcame with people who were hell-bent on trying to get a seat on this honourable House.

Mr Speaker, I know that he is definitely right that no citizens should have his or her name on more than one or different Common Rolls at any given time. I think that it is unfair to many of our citizens who want to seek mandate to the offices that the public is able to allow them to do so and for them to contest in three or four different electorates around the country.

Mr Speaker, I will speak to the Electoral Commissioner and get him to explain.

06/06

The laws of our country are very explicit. You must either be born in that electorate or have lived there for a specified number of years to qualify.

Some people seem to have residences everywhere and seem to qualify everywhere. And we know of some of our brothers who are able to achieve that without making sure that these people are able to have residential qualifications everywhere. That is again questionable.

So, Mr Speaker, I will talk to the Electoral Commissioner and make sure that he clears up all these mess before we go to the 2017 Elections because we seem to be facing the same problems every election. It is important that we clean this mess up so that we have a standard rule for everybody and our people can make the right choices and elect the right leaders to their Parliament.

MR JOHN HICKEY – Mr Speaker my question is directed to the honourable Prime Minister.

Mr Speaker, Papua New Guinea entered into an agreement with Australia for us to accept an unspecified number of asylum seekers. And in particular those who failed to reach Australia by boat and were subsequently captured and transported to PNG, and incarcerated on beautiful Manus Island.

Mr Speaker, by way of a comment, some of us could only dream of being captured and sent to such beautiful place.

Mr Speaker, as part of this agreement we understand there was a firm understanding made for the provision of spin-off benefits to be given to the people of Manus and other providers in PNG, and for the overall construction of facilities and supply of goods and services to this centre to also be provided and constructed by our own people.

(1) Mr Speaker, can the Prime Minister confirm that Australian Government is flying into Manus from Australia all the food and all other requirements such as toilet rolls, soap, water, flour, sugar soap powder et cetera?

(2) Mr Speaker, has our Government allowed and given sole right to one Australian based procurement contractor to purchase all of the centre's requirements from Australia while ignoring suitably qualified business people on Manus and PNG?

Most, if not all items that are flown into PNG to this centre from Australia are manufactured in PNG and can easily be obtained here.

Mr Speaker, I am informed that even drinking water is being flown in from Brisbane to Manus.

(3) Mr Speaker, how could our Government agree to such a shameful arrangement?

(4) Why is the Australian Government given permission to bring into PNG Australian personnel with heavy machinery to do simple road works and site preparation while earth moving contractors on Manus are being ignored as are other suitable contractors in PNG?

(5) Why are our PNG companies and service providers being ignored in favour of Australian companies in this instance?

Mr Speaker, we have many fine construction companies who are adequately qualified and experienced to carry out any building work that may be required at the centre.

(6) Why are our own excellent and experienced service providers being ignored in favour of Australian providers?

07/06

(7) Why is Australian timber being used instead of our world class PNG timber for the construction of this center?

Mr Speaker, related issues were raised on the Floor of Parliament last week and it caused many of us to feel ashamed, belittled and dishonoured. We have once again been betrayed by Australia in our bilateral agreements.

(8) Mr Speaker, will the Prime Minister give this matter his serious consideration? This issue may be sufficiently serious for him to request Parliament to appoint a Special Parliamentary Committee to inquire into the Australian Government's behaviour towards us in this ongoing fiasco.

Mr Speaker, this issue will not go away until it is resolved. Our people are rightfully upset about it. I have personally tried to speak with an Australian official to obtain some background information on this matter. Nevertheless, they simply refuse to speak with us.

(9) Mr Speaker, the Prime Minister can also consider informing the Australian Government to immediately make good their agreement and abide by it in every detail. And if they are not willing to do so, will you advise them to withdraw the Asylum Seeker program from our country forthwith.

Mr PETER O'NEILL – I thank the honourable Member for Bogia for his question.

Once again, I thank him for bringing this matter up again for Parliament to take note, and this also adds to what the Member for Manus stated last week.

Mr Speaker, as a result of the questions raised the Member for Manus, I have written to our Foreign Minister who had returned from Sri Lanka, representing our country at the Commonwealth Heads of Government Meeting. He has taken charge of this matter and he will also be heading a delegation of Ministers to our Annual Ministerial Forum in Canberra. This will be in December and this will be a matter of priority for discussions between the two countries.

The Asylum Agreement that we have with Australia is reviewed every year. Therefore, these issues will be brought to this ministerial forum.

Regarding the procurement and the funds that have been spent on the Asylum Center, these funds have been provided by the Australian Government. Therefore, as a result they are procuring through their own procurement processes, but we have insisted that they must give priority to our local businesses and the employment of our local people at the Center. Only in the cases where they cannot find the capacity in the country, then the Australians can bring in people from the outside.

Nevertheless, all these are not happening and it has been noted that the Members' concern is in line with what we are also finding out. Therefore, I would like to give the opportunity to the Minister for Foreign Affairs to address this matter with his counterpart in Australia and the Australian High Commissioner. This will be done before we make arrangements about a parliamentary delegation that can also have an oversight on this issue.

I think that it is only fair that we allow the Minister to take charge of this and report back to Parliament.

Mr WERA MORI – Thank you, Mr Speaker, it is important that I raise these series of questions. My questions are therefore directed to the Prime Minister.

Mr Speaker, within the last few months the State had acquired Ok Tedi. It was only last night that I had heard through rumors that there is a stock pile of 30 000 tons of copper concentrate sitting at Kiunga because they could not export them because the smelters in Japan could not accept them because of the fluoride concentrate.

08/06

My questions are as follows:

(1) Can OK Tedi Management confirm to the State, that there is a stockpile of 30 000 tonnes of copper concentrate at Kiunga?

(2) If this is confirmed to be true; why did the Management of OK Tedi allowed this to happen when two decades ago, the Japanese smelters refused to accept copper concentrates from OK Tedi because of similar problems?

This problem may not sound significant but I would like to inform Parliament that 30 000 tonnes of copper concentrates represents 20 per cent of current productions at OK Tedi and that reflects about K600 million in revenue to the State. This is important and must be addressed as soon as possible.

Mr PETER O'NEILL – Thank you Mr Speaker. I thank the Member for Chuave for highlighting this issue to me earlier, before we came to Parliament.

Mr Speaker, I have already asked my Office to speak to the management of OK Tedi to verify this particular story.

Mr Speaker, I am not aware that there is stockpiling of copper concentrate in OK Tedi but I know of issues regarding contracts that had to be fulfilled under the copper export arrangements. They needed a clearance from my office and I have given the clearance to satisfy some of the contracts that needed to be satisfied. Some copper exports that has taken place and that I can confirm but stockpiling of this amount of

copper is a significant amount .I will certainly look into the matter and report back to Parliament.

Mr Speaker, just for the information of Parliament, I state earlier to this Honourable House that there is been some flooding at the mine pit because of unprecedented high level of rainfall in the area and as a result there has been substantial expenses to pump the water out of the pit. As a result of that we did not declare dividend for 2013. These are issues that are being addressed but if this is the case, then I will inform the Parliament in due course.

Mr SASINDRAN MUTHUVEL – Thank you, Mr Speaker. I would also like to direct my question to the Prime Minister. My question is in relation to Electoral Commission issues.

(1) When will the Prime Minister direct the Electoral Commissioner to implement the Electoral Boundaries Commission Report?

It has been a constant a struggle for us to get our additional electorates.

Mr PETER O'NEILL - Thank you, Mr Speaker. I thank the Governor again for this question.

Mr Speaker, the Electoral Boundaries Commission established a report in the last term of Parliament but the Parliament rejected that report. As a result we need to constitute a new Electoral Boundaries Commission to carry out that task.

Mr Speaker our officials are now working towards that and I have requested that the Report be made available to us early and not towards the end of this term of Parliament so Parliament can take a position. There is an obvious need that some electorates are too big and they need to be split.

Mr Speaker, as you know since 1975 our population has tripled from two million to well over seven million people. As a result the pressure on the leaders and public servants in the districts that are heavily populated is quite significant.

Mr Speaker, I will again advise the Electoral Commissioner and through the Electoral Boundaries Commission will be established very soon.

Mr BENJAMIN POPONAWA – My question is directed to the Prime Minister and it is in regard to the Electoral Commission. After the 2012 Election results we have seen a lot of misconducts in the election process.

09/06

Is the Government considering electronic voting system because so far we are experiencing anomalies in the elections process?

Mr PETER O'NEILL - I thank the Honourable Member for Tambul-Nebliyer. Mr Speaker, the electronic voting system has being considered for the 2017 elections. Many of our Members know that, through the Department of National Planning, an Electronic ID Program has been roll-out already. Comprehensive awareness is being carried out throughout the country.

Registration process for all citizens will begin in January next year. I think some legislative issues will be surfaced as a result of the registration process but we can rectify those issues before formal registrations take place.

Mr Speaker, with precise data in place, the electronic voting system will take place in an orderly manner. Thank you.

Dr WILLIAM TONGAMP – I would like to direct my question to the Minister for Higher Education. We had a situation at the University of Technology late last year where the: Chancellor and the student and staff had an uprising. This situation came about when the Council decided to terminate Dr Schrappe a professor with the University of Technology.

Mr Speaker, I think the Prime Minister intervened and both the Chancellor and the Vice Chancellor were suspended for investigation. My questions are:

(1) When will the Report be made public?

(2) What is the Minister's position on returning Dr Schrappe from Australia?

As we understand, the University is still paying his accommodation and allowances while residing in Australia.

Mr Speaker, there are a couple of law firms engaged to represent the University of Technology in this matter.

(3) Can the Minister inform the Parliament who is paying those two legal firms?

Earlier this year during question time the Minister advised that he will be tabling in Parliament amended legislation to control the University Council from running down the high institutions. Thank you.

Mr DAVID ARORE – I thank the Governor of Jiwaka for his important question. Firstly, the issues regarding the University of Technology; I wish to inform Parliament that the Report has been completed and is with me. The National Executive Council has already made clearance on that Report and I will make it public soon.

Secondly, on the issues of having the former Vice Chancellor on the Government payroll; I have informed the University of Technology Interim Council that it is illegal because we have upheld the decision of the former Council by upholding his termination from the University.

Mr Speaker, his work permit has expired and he is not allowed into the country unless he applies for a new permit. So, if he is still on the payroll, I will check that out and advise the Parliament accordingly.

10/06

That is illegal and I will deal with that in due course. In regards to the legal fees, as far as I am concerned we had an issue with the former Council and the new Council that has been established. I am not really sure who is representing the former Council but I understand that one of the former Council members is a lawyer himself and he probably might be providing free service for the former Council.

I will have to seek clarification on who is representing the new Council and confirm as to who is paying for the legal fees and inform this Parliament accordingly.

Mr Speaker, on the issue of the amended legislation, I confirm that I brought the amended legislation two weeks ago to the National Executive Council and we had a look at it and there were some issues that the National Executive Council wanted to sort out especially, in regards to research institutions in the country and so they have given me

one month to deal with these issues and bring back the amended legislation before it can be brought to the Floor of Parliament.

Mr RONNY KNIGHT – Mr Speaker, I direct my questions to the honourable Minister for Lands and Physical Planning.

Mr Speaker, there are some confusions in some of our peoples minds regarding State leases. Many landowners are claiming Government blocks in my province and selling these blocks to people who are unaware or don't care that other people have titles to those State lands.

There is a general insinuation that after 99 years lease the land will be given back to the landowners and this is one major obstacle in Manus, and I believe other provinces as well.

Mr Speaker, additionally, agriculture lease-holders, in Los Negros have been selling gravel and coroners stones from blocks in Los Negros to Works and construction companies for road works.

Mr Speaker, also to add to these agricultural blocks they have been used as dumps after the landowners closed down the customary site at Lombrum.

My questions are as follows;

(1) Can the Minister put to rest the erroneous perception regarding the 99 year lease and its reverting to customary land after this time period?

(2) Can the Minister advice the nation and this Parliament whether selling rocks or gravel or any other minerals from a State lease is acceptable in any circumstances?

(3) Some block owners hold plans for agricultural blocks to inland fisheries and under disguise they are selling the gravel and stones so,, is that acceptable?

Mr BENNY ALLEN – Mr Speaker, I thank the Member for Manus for raising those very important questions.

In regards to the 99 year lease on State land, let me make it clear that when a 99 year lease is given to an applicant to lease, it remains with the lease up to 99 years and

when it expires it goes back to the Land Board to be renewed meaning renewed, for the next 99 years and the lease is then given an extension on the same agreement.

Mr Speaker, there are a lot of landowners who are misguided or misinformed on this issue and there are many of them in NCD and all over the country who are claiming that portion of that land which was on a lease agreement after 99 years.

11/06

And that State land is within the 3 per cent that we have. If we give it back to the customary landowners then it reduces the percentage of State land we have in the country.

If an agricultural lease is given to an applicant, that land remains for agricultural lease and should be for agricultural purposes only. But if you know of any customary landowners or any other people doing other activities apart from agricultural purposes, then they should be penalised for that.

Mr Speaker, question time has lapsed but I want to continue and explain.

Mr SPEAKER – That's alright! The Chair grants you leave. You can go ahead and explain.

Mr BENNY ALLAN – I want to explain the transaction that took place with regards to the land at 5-Mile, OTC Oval. I want to provide some clarity and facts from the Departments findings.

The question in relation to Jack Pidick Park or OTC Oval is, that section was under 2191 and title was granted to Telikom sometimes in 2001 because Telikom met all the conditions over Urban Development Lease (UDL) and they applied to do subdivision. So Telikom sub-divided that land in 2001, into three sections; 518, 519 and 529 from that big section 2191.

In 2003 they offered to sell the land and it was advertised in the two daily papers. A number of companies showed their interest and applied and the title was awarded to

PNG Land Limited and the Contract of Sale was effected in 2003. In 2004 there were three court proceedings; one from Post PNG -

12/06

Post PNG, other one was from National Information and Communication Technology Authority (NICTA). The third one was from PNG Land Ltd.

But Post PNG and NICTA took Telikom to court regarding the sale proceedings. They wanted to share the proceedings from the sale of land. NICTA also took the Registrar of Lands Title to Court because they had the case before the Court.

Then there was a concern order given by the Court for PNG Telikom and Post PNG, together with the INCTA to come to a compromise to share the proceeds. However, the transfer of land title never took place until June 2012, which is after eight years.

Mr Speaker, we understand that there was a Ministerial directive to effect that transfer in June 2012. In regard to the sale of the land, during 2003, the value of that was K4 million. However, when you look at the locality of the land, anybody can say that it should not have been sold for K4 million. It should have gone for any amount up to K10 million at that time in the area.

Mr Speaker, what happened was, when Telikom did a sub-division, they divided three sections into allotments totalling up to 101 allotments.

Why did they sale it at that price? We can question the value of the sale of that land, but today, if we were to sell that land it today, the price would have been K 20 million to K30 million.

Mr Speaker, PNG Land Ltd did not have to sub-divide the land because it was already done by Telikom. They simply took the title and now they are selling the land between K1million to K1.4 million per allotment, yet, they have never put in any improvement on that land.

If you calculate 104 allotments by K1million, you are looking at K101 million or if it goes for K1.4 million. They are now making millions and this is serious and this matter must be investigated. I believe we have to get down to the bottom of the sale of the land.

In regard to the question, it was a private deal to sale this land and we were only allowed by law to affect the transfer. It was a private sale but this has to be investigated because you look at someone purchasing the land for K4 million and making K141 million.

13/06

This is daylight robbery which has to be investigated. I want to support the call made by the Prime Minister to investigate this.

POSTPONEMENT OF BUSINESS

Ordered – That Notice No. 94 be postponed.

HARBOURS (AMENDMENT) BILL 2013

First Reading

Bill presented by **Mr Ano Pala** and read a first time.

Second Reading

Leave granted to move the second reading forthwith.

Mr ANO PALA (Rigo – Minister for Transport) – I move –

That the Bill be now read a second time.

Mr Speaker, as part of the process of reforms and improvements for the transport sector, which includes land, air and sea, we have to make improvements to our

legislations. Our job as the lead agent for the overall transport sector is to ensure all Government systems under our laws are fine-tuned and continuously improved.

This proposed amendment intends to be part of that process as the ports are a vital part of the national transport system and to ensure that the ports operate efficiently, effectively and safely we need to have a modern and up to date port regulation to ensure our port regulators and managers have sufficient powers to establish appropriate standards and rules for the effective, safe and secure operations of the ports.

Mr Speaker, this amendment has two sections; we are proposing to amend section 51 which deals with penalties. Under the existing penalties the maximum penalties are K10 000 and K250. We want to increase from K10 000 to K100 000 and K250 to K2 500. We feel this will be a sufficient deterrent for the port managers and operators to impose.

The second amendment which is section 51(2) relates to amendments made under the regulations. As you know only this Parliament can make laws, however, regulations are made by the Departments and approved by the Governor-General outside of this Parliament must be within the powers authorised within the law.

14/06

Mr Speaker, we feel that some of the powers exercised under the regulations made outside of this Parliament have gone beyond their powers. So in order to avoid any litigations, we want to extend their authority under the principle law so that they can make decisions relating to administration and operations which are too detailed and need not come to us.

Mr Speaker, the second part of the regulation is important; it is aimed at adjusting the laws so that we avoid questions raised outside of the Parliament and we also retain our authority to make laws because we have delegated our powers to the departments and the Governor-General's order of the Government of the day to make legislations outside of this Parliament. We are now reminding them that whatever powers they exercise must be within the laws.

So basically, that is what we are doing by increasing the penalties and authorising the extension of the powers of administrators under the *Act*.

With those explanations, I commend the Bill to Parliament.

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

Motion (by **Mr Ano Pala**) – agreed to.

That the Bill be now read a second time.

Bill read a second time.

Third Reading

Leave granted to move the third reading forthwith.

Motion (by **Mr Ano Pala**) proposed –

That the Bill be now read a third time.

Mr KELLY NARU (Morobe) – Mr Speaker, I realised that the amendment brought by the Minister for Transport relates to penalty which will increase in terms of administrative officers having the power to penalise. It is in fact a money bill that the Minister is introducing and I understand that in terms of money bills of this nature, the *Standing Order* requires the consent from the Governor-General so I am inquiring whether that has been obtained for the Minister to move these amendments.

Mr KERENGA KUA (Sinasina-Yonggamugl) – Minister for Justice and Attorney-General) – Mr Speaker, let me try and explain the Bill while the Clerk advises you. I think there is a difference that the Bill that the Minister is putting forward proposes to empower the administrators to impose some penalties which will happen at some later point in time and that is the point in which the permission from the Head of State will be sought but at this stage, the Minister is simply asking for the power to impose the penalty. So that is that stage that we will come to later but I think the Bill is in order.

Mr ANO PALA (Rigo – Minister for Transport) – Mr Speaker, let me thank the Attorney-General for his assist to the Chair. I agree with him. This is actually not raising funding but raising the maximum penalty that can be imposed.

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A Money Bill is when you are authorizing the raising of funds under the Constitution and this is not raising of funds but it is just setting the maximum penalty which can be imposed.

Mr Speaker, by way of assistance, it is also being cleared by the advisors that this is not a Money Bill.

Mr SPEAKER – That is in order.

Motion – That the question be put – agreed to.

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

Bill read a third time.

**INCLUSIVE EDUCATION FOR NATIONAL DEVELOPMENT
FOR COMMUNITY EDUCATION ACT 2008
(REPEAL) BILL 2013**

First Reading

Bill presented by **Mr James Marape** and read a first time.

Second Reading

Mr JAMES MARAPE (Tari-Pori – Minister for Acting Education) – I Move –

That the bill be now read a second time.

Mr Speaker, this Bill is to completely repeal the *Inclusive Education for National Development for Community Education Act 2008*.

Mr Speaker, in 2008 we brought in this law to introduce an educational format called Community Colleges and as we brought it in we also planned to bring in 15 pilot project community colleges.

It is a school system that was envisaged to accept and embrace those young children, boys and girls who have come out of our school system and were basically doing nothing in their communities.

The Community College concept was introduced by the then Prime Minister Grand Chief Sir Michael Somare to give hope to those who felt that the system has thrown them out of classes.

Mr Speaker, it was tailored in such a way that it was going to become self-sufficient in terms of funding and that it will operate at arms length from Education Department and also to ensure that it grows to become strong.

It was a concept modeled out of a community college programme run in India which I visited and saw how successful that grassroots based education structure that gave basic life skills to young men and women in society without skills for sustenance and personal health.

The intention was to have 15 schools set up and for it to be self-sustaining and running and in that process community college became the recipient of a loan from EXIM Bank in 2010.

Since then, because it had been operating outside the education structure the recurrent expenditure and the maintenance of the programme was totally reliant on, 10, the revenue that it generated as intended in the *IENDCE Act*. However there were many loopholes in it.

The O'Neill-Dion Government feels it is necessary to embrace that structure within the education system instead of having a parallel programme that serves a similar purpose to the TVET programme.

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In the wisdom of this Government we felt that we will repeal the Act completely and embrace the entire intention of the Community College set up within our TVET structure and in the Education Sector.

Mr Speaker, what we done is elevated the TVET Division in education to senior division where it will have a deputy secretary that will look after TVET. Now that the Community College has been embraced by the Education Department we are in the process of renaming all the vocational schools across the country to become Community Colleges.

This is because you have stigmas attached to our vocational schools where many parents and citizens think that vocation schools are not priorities and that we are just reclassifying them to Community Colleges based in every districts across the country to give the opportunity and second chance to our students who come out of our school system at Grades 8, 10 and 12.

Mr Speaker, this Bill is not to completely abandoned the intention of the Community College and the reasons for their set up. Therefore, we are now embracing it within the education structure given the recurrent expenditure coverage for the education Department and embracing the development aspects of the Community College focus through the Education Department.

Mr Speaker, I therefore present this Bill before us to have it repealed in its entirety the *Inclusive Education for National Development for Community College Act 2008*.

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

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

That the Bill be now read a second time.

Bill read a second time.

Third Reading

Leave granted to move the third reading forthwith.

Motion (by **Mr James Marape**) proposed –

That the Bill be now read a third time

Motion – That the question be put – agreed to.

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

Bill read a third time.

Sitting suspended from 12 p.m. to 2 p.m..

ADJOURNMENT

Motion (by **Mr Jimmy Miringtoro**) agreed to –

That the Parliament do now adjourn

The Parliament adjourned at 2.05 p.m..