

SECOND DAY

Wednesday 7 May 2014

DRAFT HANSARD

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PARLIAMENTARY DEBATES

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Sarufa M. Haro
Principal Parliamentary Reporter

SECOND DAY

Wednesday 7th May, 2014

The Speaker, **Mr Theo Zurenuoc** took the Chair at 10. 00 a.m..

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

Sitting suspended at 10.03 a.m..

The Speaker, again took the Chair at 10.05 a.m. and invited the Member for Usino-Bundi, **Mr Anton Yagama**, to say Prayers:

‘Papa God, yu strongpela God bilong dispela kantri, Papua New Guinea. Yu bin blesim dispel kantri wantaim planti ol gutpela samting.

Long dispel moning, mi kisim olgeta maus bilong olgeta Memba yusait em stap insait long dispel honorobol Haus ikam bifo long yu.

Wanem samting mipela toktok long dispela dei Papa God, givim gutpela tingting long olgeta Memba insait long dispela Chemba na ol pipol bilong yu tu husait stap long pablik galari na bai mipela gen wokabaut, toktok na tingting olsem pasin bilong yu yet.

Olsem tasol long dispel dei mi komitim mipela olgeta kam long yu. Amen.’

BROADCASTING OF PARLIAMENT PROCEEDINGS – STATEMENT BY THE SPEAKER

Mr SPEAKER – Honourable Members, I have to inform Parliament that the Parliamentary Committee on Broadcasting of Parliamentary Proceedings met today and resolved that *EMTV* will be allowed to film questions without notice for news purposes only.

QUESTIONS

Mr JIM KAS – Thank you, Mr Speaker, for giving me the chance to open today's session with the first question.

I would like to direct my questions to the Minister for Justice and Attorney-General and for the Minister for Community Development to take note. I would also like to appeal to Parliament to take note of this issue that I am about to raise.

02/02

On Easter Sunday, I was with my wife in the provincial government official car and an abusive language was used at me by the young people knowing fully well who I was as I emerged from the vehicle. For them to shout certain abusive language at me as the leader of Madang was very offensive.

I would like to seek leave of Parliament to use the exact words that were –

Mr SPEAKER – Honourable Governor for Madang, I don't think that is necessary, please ask your questions.

Mr JIM KAS – Can we introduce legislation to ban the use of that particular kind of abusive phrase? That is why I am asking Parliament to allow me to talk about it so that you will hear how abusive these words are.

I believe that similar incident happened in West New Britain on Monday to the PPC and as a result, the police burnt down a settlement. Therefore, I wish to ask the Parliament if it could allow me to say the exact abusive words with due respect to the women and sisters here so that we can legislate to ban the use of this word. If we can say that we are a Christian country, we have to make this –

Mr SPEAKER – Honourable Governor, you are debating this issue so, I cannot allow you to do that. You can write to the Minister and seek some clarification on this issue. Please ask your questions only.

Mr JIM KAS – Can the Minister introduce legislation in this Parliament to ban the use of this abusive word in Papua New Guinea? It is a very abusive word that has become a

normal phrase in Papua New Guinea. If we say we are a Christian country but, keep on using this abusive word then we do not have any respect for our mothers and sisters and I think it requires a legislation to stop the usage of this word.

Mr KERENGA KUA – Mr Speaker, I apologise and I do not know whether I will answer this question or the colleague Minister for Religion, Youth and Community Development should but I will try and respond to the Governor's question.

There are sufficient laws already in place to deal with abusive words and words that tend to incite disorder in society under the Summary Offences Act. Those words have been used against the Governor and that he has been abused in that manner so it is really a Police matter because we already have those laws in place. If the Police have not taken any actions then the Minister for Police would be the appropriate person to answer the question but I would like to assure the Governor of Madang that the laws are already there and if he is to take the matter up with the Police in Madang, I am sure they will provide all the assistance that he needs.

Supplementary Question

Mr JOE SUNGI – I direct my question to the Attorney-General. I want to know why the judges remove the number of –

Mr SPEAKER – Honourable Member, I believe you are trying to raise a new question. It does not relate to the previous question so I will ask you to take your seat and you will have the opportunity later to raise your questions.

Mr TITUS PHILEMON – Thank you Mr Speaker for recognising me and the people of Milne Bay. Before I direct my series of questions to the Minister for Fisheries, I would like to on behalf of the victims of Cyclone Ita, take this opportunity to thank the Parliament, Prime Minister and the Government of Papua New Guinea, all the business houses within the country and also the people of Papua New Guinea for your contributions and assistance to my people in their time of need.

03/02

My questions to the Minister for Fisheries will not be a new one, it has been repeated so often here in regarding the moratorium. As you would be aware beech-de-mere has been the main source of cash income for the people of these islands for some years and since the closure of the industry, the people have suffered and following the onslaught of tropical cyclone Ita, which swept through parts of the province especially, the island communities in Eliamba, Lousiade and Bwanabwana in the Samarai Murua Electorate and also Suau in the Alotau Open electorate.

Much damage and destruction to food gardens, homes and public infrastructure such as classrooms, aid posts and teachers houses and the churches and the cost is in millions of kina but more seriously the lives of over 12, 000 people are endangered because of the destruction to the food gardens. Without food gardens the people would have naturally turned to their cash income through copra, however, this coconut trees have either been knocked down or damaged. Our people in the areas mentioned are in a dire need of help as I have recently visited the worst affected places to prove for myself the extent of the damages caused.

Everywhere I went the demanded that the Government must give an option or an alternative to copra for them to be able to earn an income to rebuild their lives as they don't want to hang onto a dependency syndrome that seems to be the case after natural or other forms of disaster strikes.

My questions are; (1) Can the Government consider reviewing the Moratorium on beech-de- mere with a special consideration given to the situation faced by the islands of Milne Bay?

(2) Can the Minister responsible direct the National Fisheries Board and the National Fisheries Authority to immediately undertake a new study to determine the beech-de-mere stocks around the country and particularly in Milne Bay province?

Because when I visited these areas I found that a lot of the beech -de-mere were destroyed and were found in the mangroves rotting away. I want a survey done to determine whether the stocks have come back again or not.

(3) How long does it take for the stock to replenish and is this period of replenishing the same for all the coastal or island areas where the beech-de-mere thrive?

For us in Milne Bay we have reached our quota and most of the island provinces did not reach their quota and on that basis the moratorium was imposed and because other

provinces have over harvested Milne Bay should not be victimised for their actions. We should be left alone and allowed to continue to harvest the beech-de-mere.

(4) If the lifting of the Moratorium is not possible, can the Government come up with alternatives and options that can be put in place immediately to address the need of my people as those that have been greatly affected by the cyclone do not want to continuously rely on relief supplies?

04/02

They do not want dependency syndrome, they want to do it themselves and they can only do it themselves through their resources.

Mr MAO ZEMING – Mr Speaker, I wish to thank our good Governor for Milne Bay Province for asking those four questions.

Firstly, I wish to say sorry and that the government's heartfelt sympathy the people of Milne Bay for the disaster that affected including and other Pacific Islanders.

I want to say that your government has understood the predicament that you are in and has made some commitments. The Prime Minister has told me to announce that he has allocated K6 million to the National Disaster Office to carry out work on the aftermath of Cyclone Ita's damage of the Milne Bay Province. So, Governor, the good news is that K6 million is already parked at the National Disaster Office so liaise with them so that you can have access to it.

Coming back to the question on beche-de-mer, now that the Governor has asked the question I will call upon the National Beche-De-Mer Management Committee within the National Fisheries Authority to meet as soon as possible and inform us of the status of this commodity.

Mr Speaker, this Government cannot make an independent decision to lift the moratorium because it is based on scientific issues. The law within the National Fisheries Authority has mandated us to make sure that we manage the resources sustainably.

So in the last government we made the decision to impose that moratorium to stopping the export of beche-de-mer for up to six years. I did apologise to the people and five years is a long time but they have survived and we have only next year to go.

But, today since the Governor for Milne Bay has asked, this committee will meet and decide as to whether we can lift the moratorium only in Milne Bay and if not I will reply in writing to the Governor.

He also asked the National Fisheries Board to meet quickly and see if there is any way we can make some donations to our people of Milne Bay.

Mr Speaker, the issue of beche-der-mer is one that is affecting many of our people in this country but the problem is that this creature does not produce itself quickly. It takes a huge area within the sea for that creature to mate and create young and when they multiply they do not do it at a close range but they remain where they are and spray their eggs into the sea and if by chance two eggs meet, fertilization occurs.

And if humans see that and go and harvest because they are driven by money then the volume of those creators decrease rapidly.

If the Milne Bay Provincial Governor is saying that they are meeting the quota it means that they are also harvesting premature ones too. So we must follow the advice of our experts and I think the best advice can only come from the concerned government agency.

So, I as a politician cannot stand here and say I know all about fish and I have no right to make a decision independently so I want the country to be at peace. We are very tolerant people and have already endured five years of non-harvest, there is only one year left before we will impose the lift but as a special case this consideration will be done in a short time.

Supplementary Question

Mr GORDON WESLEY – Can the Minister confirm or deny that Milne Bay Province has the highest quota in the country?

(1) Can the Minister confirm or deny that Milne Bay Province has always reached its quota or over fifth to 200 tones?

(2) What does that mean compared to the other provinces who have lower quotas that don't even reach their quota?

(3) Why should Milne Bay Province be penalized?

Mr MAO ZEMING – Mr Speaker, I think I have already answered the question. As I have said, if you continue to remain in that quota it means that you may be harvesting both matured and premature but it is best for the government to stay in its decision.

05/02

If it continues to remain at the same level then that means that both the matured and young are being harvested but we are not too sure of that but it is based on the decisions of the experts and that is why we have agencies in place to provide the best advice. I think I have answered that question.

Mr EREMAN TOBAINING JNR – Thankyou Mr Speaker for recognising the people of Kokopo and also the people of East New Britain.

Mr Speaker, my series of questions are supposed to be directed to the Minister responsible for Disaster and Inter-Government Relations and our Deputy Prime Minister but he is not here, therefore, I direct them to the Prime Minister. But before I do so I would like to remind us of some of the experiences of fire consuming our properties and belongings in some of the main centres in the country.

A year ago we lost properties to fire in Lae, Goroka and Port Moresby. At the beginning of this year my province also lost two iconic buildings to fire and those are the popular Tropicana Supermarket and the Central Mart that houses Lings Freezer and SVS Supermarket and the Big Rooster restaurant at the waterfront in Kokopo. These properties were assets of the province and were the lifeline of the people of East New Britain, New Ireland and Bougainville and also the visitors to East New Britain.

Mr Speaker, this recent event brings me to question, how effective and responsive is our Fire Service Department in the province and in the country as a whole in responding to any fire outbreak in any centre in the country?

Mr Speaker, I believe that the current status of our fire service has outlined its usefulness and therefore need immediate attention for the National Government to increase its manpower and financial resources and replace to each ageing fleet of vehicles.

(1) Can the Minister or Prime Minister tell the people of this country, if there is any strategic plan in place to improve the current status of the Fire Service throughout the country?

If not we will continue to lose more valuable properties to our worst enemy, the fire.

(2) If there is already a plan in place, how soon will the plan be implemented?

Mr PETER O'NEILL – Thank you, Mr Speaker, and I thank the honourable Governor for East New Britain for his question about the state of Fire Service in our country. I want to inform this honourable House that the Minister responsible and Deputy Prime Minister is attending the Pacific Islands Forum Leaders Meeting in Cook Islands on our behalf and we wish him well there.

I will bring it up to his attention when he returns but I want to assure the honourable Governor that Fire Service is an important function of Government for emergency work throughout the country that is an organisation that we depend on. I want to inform this honourable House that our Government through the 2014 Budget has allocated quite a substantial amount of resource and funding into rebuilding this organisation. Mr Speaker, we have noticed that the Fire Service needed increased capacity and equipment of the ageing fire fighting trucks in that organisation.

Mr Speaker, our Government will continue to provide that resource and support to that division and I am happy that the rebuilding exercise is starting to show. You will see that in many instances, Fire Service men and women are now turning to the emergencies that are being called upon by our people for them to attend to. It is an indication that things are improving in that organisation but, I assure him that I will inform the Deputy Prime Minister to reply to him in writing regarding the instances that he mentioned for Kokopo and East New Britain as a province.

06/02

Mr SASINDRAN MUTHUVEL – Mr Speaker, I direct my questions to the Minister for Public Enterprises but since he is not present in the Chamber, I will ask the Prime Minister to shed some light.

Mr Speaker, as you know, there has been a lot of power outages in this country, especially the industrialized centers like Lae, Port Moresby and even in West New Britain where business and investments have been greatly affected.

As a businessman in my own province, more than two or three generators had to be replaced because the equipments damaged through power overloads.

(1) As a responsible Government, what measures can be taken to resolve this power outage problem?

This issue should not be left alone for IPBC to focus on. The Government should also take a holistic approach in addressing this problem.

My other question relates to some provinces such as Rabaul and Talasea, where there is abundance of geothermal resources that can produce large scale electricity.

Mr Speaker, as a country, we do not have a policy in place that can address these geothermal energy. It is not clear whether geothermal comes under minerals or energy.

(2) I understand that the Department is drafting a policy, therefore, can the Prime Minister and the Government bring that policy to Parliament so that we can also tap into the geothermal energy and its potential to solve some of these issues?

Mr PETER O'NEILL – Mr Speaker I thank the honourable Governor of West New Britain for his questions on PNG Power and the challenges we continue to face in this country. As our economy grows faster we are seeing that there is more and more demand for energy in our country. We seem to be falling behind.

Mr Speaker, the constant power blackouts that are happening to many of the centers in Port Moresby, Lae, Madang, Mt Hagen and Kimbe and all over this country is because of lack of capacity and shortage of quantity or megawatts of power that is produced by our existing facilities in the country.

Mr Speaker, let me assure this Parliament and the people of this nation that we have now taken ownership of some of the issues of PNG Power. The Board and the management has been stabilized and they are now putting together a long term plan to address the key issues regarding shortage of power in the major centers.

Mr Speaker, recently, our Government has made a deliberate decision to encourage independent power producers to come and enter the energy supply market in this country. We feel that PNG Power and the Government lacks the capacity to build large infrastructures that cost hundreds of millions of kina like hydro and all the other energy supply infrastructure. We are encouraging our local investors like the Super Funds to invest in those infrastructures so that our people can also own and sell the power energy to PNG Power so that we can distribute to the consumers throughout the country.

Mr Speaker, I am happy to state that some of these discussions are very positive and we are looking at producing biomass in Markham in the Morobe Province that should be able to produce 25 – 30 megawatts. That is almost concluding with PNG Power to do so.

Mr Speaker, we have also reached an understanding with ExxonMobil. Rather than exporting all our gas from Hides and all the other fields in the country for export market, we

have now convinced them that they must sell some gas back to PNG Power so that we can use gas to generate power for our people in the country.

Mr Speaker, I am thankful to ExxonMobil and the partners in the LNG Project for their understanding and agreement for them to provide all this. As we speak there has been detailed discussion going on with some of the technical people to make sure that this happens.

07/02

Mr Speaker, in terms of gas, we have been holding talks with Oil Search and Barrick about expanding the field in power generation at the Hides area.

With that, I would like to also thank the Member for Koroba-Lake Kopiago for taking leadership in this matter. He has been fighting for many years in trying to get power generation for our people in Hela Province, Southern Highlands and Enga, not only to the project sites of Barrick and Porgera, which has been the case for many years.

Mr Speaker, our people up there have been waiting for far too long to have access to power. They have already big power transmission lines in place but they are still living with no power supply. This is very unfair and our government is taking a positive approach to address this matter and I am thankful to Barrick and Oil Search for agreeing in putting up additional power generation capacity at Hides. This is so that we can power up those provinces within the region.

Mr Speaker, in Kutubu where we are also producing oil fields we are now re-gassing the gas back into the ground to utilise that to generate power. We have been advised that we can generate up to 30 MW of power there, which can be able to supply Western Highlands, Simbu and Eastern Highlands. Once again, Oil Search is taking the lead with the government and PNG Power Limited by establishing a facility there.

Mr Speaker, we are trying to encourage competition in the power supply market just like the competition that is happening in the telecommunications market. This is good for the customer, it is good for reliability of supply and it is good that we can build our economy around this.

When we introduced Digicel into the telecommunications market, our economy and GDP grew by 1 percent and this is only with one industry. Therefore, the capabilities of energy generation in growing our economy is there as well.

Mr Speaker, we are now encouraging that.

Mr Speaker, in Port Moresby and Lae, our government has taken a deliberate decision to buy two new generators from our friends in Israel who have negotiated that purchase for us. I know that the good Leader of Opposition has been questioning this particular aspect of the purchase.

Mr Speaker, there was nothing to hide regarding this transaction. Questions have been raised why Cabinet was not informed about this decision.

Mr Speaker, it was Cabinet that authorised this purchase and it was not by one person.

Mr Speaker, I know that some of our friends on the other side of the Floor do not worry about blackouts because they have gen-sets and when the rest of us experience blackouts they do not.

Mr Speaker, many of our people cannot afford generators and therefore, we should be realistic. It is the government's responsibility to fix this issue urgently.

Mr Speaker, there is a misconception that there is some kind of deal going on with an Israeli company. The government is buying these generators from the company owned 100 percent by the Israeli Government. We are not buying it from some street corner vendor. We are buying from a government that is responsible and is helping Papua New Guinea meeting the challenges we have regarding power generation by PNG Power –

Mr Sam Basil – Point of Order! Can the Prime Minister just answer the question that was asked instead of explaining the purchase of the generators?

Mr SPEAKER – The Chair rules that your point of order is out of order as it is part of his response.

Mr Prime Minister you may continue.

Mr PETER O'NEILL – Mr Speaker, sometimes my good friend the Deputy Leader of Opposition does not get the details of issues before going out with emotional outbursts.

I am trying to explain for his benefit as well so that he understands that we have a responsibility to provide this energy to our nation. Who else is going to do it for you, I ask him, Mr Speaker? Nobody out there is going to do it for us. We have to take ownership of these issues.

Mr Speaker, the Israeli electrical company is owned 100 percent by the Israeli Government whom is also the biggest customer by any country for General Electrical.

General Electrical is a big US company listed in the stock exchange in New York and many stock exchanges around the world. It is one of the biggest companies in the world.

08/02

It is one of the biggest companies in the world and they are selling us these generators from United States. As we speak, those two generators are on the ship en route to Port Moresby and Lae.

Mr Speaker, that will solve our immediate power blackout problems but it won't fix our long-term problem. That is why our Government is working very hard to build a hydro-power plant down at Brown River in Port Moresby so that we can increase capacity that can cater for the whole capital city. At the same time, we are continuing with the repairs and maintenance work that is at Rouna so that we can also increase power supply.

Mr Speaker, this Government is doing all it can. At the same time in Lae, we are well advanced in increasing capacity in Yonki so that there will be capacity in the Momase and Highlands regions.

Mr Speaker, this is good for the country. I edge the good Opposition Leader and his team to come and work together and make a difference for our country.

Mr Speaker, our aim is by 2017, when we go to the General Elections we want the power price to be reduced. At the moment we are paying 70 toea per megawatt hour, which is the highest in the world. Sadly, it is paid by ordinary Papua New Guineans.

Mr Speaker, ordinary Papua New Guineans are paying this high cost for our mistakes. We have not been able to do the right thing for our country and for our people and that is why they are paying the highest prices in the world.

Mr Speaker, our responsibility as a Government is to increase efficiency in the power generation in the country, reduce prices so that our people can get cheaper power.

Mr Allan Marat – Point of Order! Mr Speaker, the Prime Minister has not said anything about geothermal resources. That was part of the question.

Mr SPEAKER – Your point of order is in order. Mr Prime Minister please shed some light.

Mr PETER O'NEILL – Mr Speaker, I want to thank the Honourable Member for Rabaul, for his concerns regarding geothermal power generation in the country. I know that his electorate is one of the key areas which has the potential for this resource to be fully developed.

Mr Speaker, I know that the Member for Rabaul has explored this possibilities with potential power producers from Iceland and many other places that he has encouraged discussions with.

Mr Speaker, we are formulating legislation that will be brought to this Parliament and I look forward to the Honourable Member supporting this legislation that will manage geothermal power generation in the country.

Supplementary Question

Mr JOE KOMUN – Mr Speaker, Inter-Oil has been on a tax holiday for a good number of years.

Can the Prime Minister explain whether that term has expired and if there are avenues where competitors can come in so that the fuel prices to go down?

Mr PETER O'NEILL – Mr Speaker, I thank the Honourable Member for Anglimp South Waghi for this question.

Mr Speaker, I know that there is an agreement between the State and InterOil to have exclusive right on the supply of fuel in the country. That was given some 20-30 years ago not by this Government, but that is still in place and it's only another 3 or 4 years to go before it expires.

Mr Speaker, because of the market conditions, there are others who are already starting to import fuel into the country and are supplying it. Recently, it was reported in the Papers that *Total* the new developer for Gulf Gas is advertising that they are selling fuel and other by products of fuel in many of their retail outlets throughout the country. Exxon Mobil through Esso Highlands are doing the same.

Mr Speaker, we are staring to encouraging competition in the market place to try and bring the price of fuel down as well for our people.

Mr GARRY JUFFA – I direct my questions to the Minister for Inter Government Relations but he is not in the Chamber so I will ask the Prime Minister, since he is on a roll he can provide those answers appropriately.

09/02

Since he is on the role he can provide these answers appropriately. As a preamble, Papua New Guinea is a disaster prone country and we all know this. Certain provinces are especially more prone to disasters than others. Every year there are always floods cyclones and others, and my questions are related to disasters.

Mr Prime Minister, sometime ago we had an issue in Oro province that was very similar to a disaster, it was not defined as one but houses and food gardens were washed away and some lives were lost. You made a pledge of K5 million which we are very grateful for but we were able to access K3 million and the K2 million remains inaccessible.

Numerous attempts have been made to obtain those funds from the Department of Provincial Affairs but are falling on deaf ears as petty bureaucrats are playing with the lives of human beings and failing to release these funds. These disasters have come and gone, but there was a recent one in Tufi and again people's livelihood have been destroyed and our ability to respond was fortunate only because the provincial government had put aside some funds but the K2 million would have come in very handy as we were intending to use that for preparedness.

(1) Can we have a more simplified mechanism in place to respond to disasters in a timely manner?

(2) What is the Provincial Affairs Department doing to ensure that every province has a disaster management policy and a disaster management centre in place to respond in a timely manner?

My other question relates to the Governors' Conferences that are supposed to be held regularly. We have so far had only one and this is supposed to be a forum through which we the Governors can express our grievances collectively.

(3) Can the Department consider establishing a secretariat that works and is funded so that we are able to have these meetings and voice the concerns of our people collectively?

Mr PETER O'NEILL – Mr Speaker, I want to inform the honourable Governor that I will get my office to track down the K2 million that was meant for disaster management of

the province and I agree that like many other departments, we are slowly rebuilding them over many years of neglect and lack of capacity that has seen many not performing.

And through the leadership of the Public Service Minister and his department, we are putting additional resources and rebuilding. After a lengthy Court case, the government is able to take possession of the Institute of Public Administration where Admin College used to be to try and train all our Public Servants.

Mr Speaker, while I agree with the Governor, we seem to be spending more time fighting our people than doing the work that our country needs. We are going to court every day. Thank you to my brother in the Opposition for dragging me to Court every morning and I'm quite happy to do that but, our employees, the public servants are taking the Government to court every day.

We are not able to sometimes appoint the right people and build capacity and train the right people so generally there is a lack of discipline and breakdown everywhere. So with the recent *Public Service Management Act* that was passed, the Public Service Minister is bringing in a tribunal system that was working during the 1960's and 1970's.

If you have a dispute as a public servant, you do not have to go to the Courts, you are sent to the tribunal to determine whether you have a case or not. And these are some of the improvements and I want to assure the Governor, especially on the National Disaster Management office.

And I agree that we must have an operational manual, with policies and frameworks put in place. I will get the Chief Secretary to work closely with the Disaster office to try and address some of those issues.

10/02

The third issue is on the Governors' Conference and yes, I agree, we need a secretariat and I will encourage the department to set up a secretariat to manage the affairs of the governors and their queries in relation to many issues that they have.

But on the issue of Governors' Conference the last one was last year in 2013 and the next one is due for this year. I will encourage our Deputy Prime Minister to set the date quickly so that the Governors can have that conference.

Mr MALAKAI TABAR – Thank you, Mr Speaker. These questions are directed to the Minister for Education.

Firstly, I wish to congratulate him on his appointment as the Minister for Education. It is an important area in government.

There is some concern about the distribution of monies to schools and I have approached him on that already to discuss this.

The children in some of the schools in my district have been sent home with the excuse that subsidy or money has not come.

(1) Can the Minister clarify whether the money was distributed to the schools?

Basically every day the news media reports on fights in schools, yes, Education is a decentralized function but I think the National Department of Education must have some responsibility in doing research and finding out how we can address and look after the children in schools. Even the schools and their administration have not addressed this where our children are fighting and not studying. They seem to be spending their time gathering in gangs and fighting on the streets.

(2) What can the Education Department do to try and address some of these issues?

Mr NICK KUMAN – Thank you for the good questions from the Member for Gazelle.

Firstly on the question of TFF, I wish to respond in this manner. In the beginning of the year, the Treasury Department released K300 million for the whole country.

The money has already gone to the Central Bank and this money has been channeled through all the commercial banks that we have an arrangement with for the disbursement of the money to all the schools in the country.

The unpaid monies supposed to go to the schools have been held back in a holding trust account. Those schools who have not received their money in time have reasons for the scenario. One may be that the signatures have changed in the beginning of the year when there is a change in the boards or principals of the schools. The second being that the acquittals for the TFF for 2013 have not reached the Department. These are the two major reasons why the TFF has not been paid.

The third reason is census, or the basic baseline information on the school. The school has got the responsibility to ensure that twice every year they have to furnish the census forms. And I want all the Members of Parliament to know that this is a requirement.

Your schools cannot be paid unless the basic databases are supplied to the Department of Education. The Education Department has to know the total number of enrolments for the

year and the number of teachers in each school, and these are prerequisites. You have to provide these information.

And the fourth point is this; we have a lot of reports and we have an audit that did a random check on all the schools right throughout the country and the report just came in about two weeks ago and it is very alarming.

We want to see the performances of those accounts in these schools and the banks have been tasked to tell us exactly what the performances of those accounts have been. When the money goes in, somebody decides that we should take everything out of that account.

Where do they put that money? How are those monies being used?

11/02

Secondly, if you have weekly bank transactions of only withdrawals and no deposits from the account, that is very suspicious because these are the monies given to the schools by the Government under this Free Education Policy, so now it becomes a management issue in each school throughout the country. Some of these school funds have been used to pay for bride prices and even cars. This is reality, so we have to make sure that we manage those things. When I took over the Ministry, I made some deliberate decisions to ensure that money that is going to the schools must be managed properly. These monies will bring about quality education for the children of our country.

Two weeks ago, I issued directives and the Secretary has also issued a circular that for the second part of the payment of K3 million to all the schools in this country that there will be changes to the signatories to the accounts. All the district administrators and treasurers will become compulsory signatories to every account. We want to make sure that the Provincial Treasurer and Administrator become compulsory signatories to all colleges, technical and vocational schools and community colleges right throughout the country. There must be some level of accountability by the schools so that the money is used to educate the students of this country.

With regards to our schools in the Gazelle area, I want inform the Member that two of those schools, Malabung and Utanai have received full payments for this year. The only issues that we have are the George Brown School and the St Mary Vuvu secondary schools. Those two schools are using the 2012 database, so basically they only received two-thirds of the tuition fee money but the balance will be paid when those census forms reach the department. So the money is in the trust account at the bank and won't be used for any other

purposes . It will go to your school. I want the schools to give their census forms through the district education offices to ensure they are paid what is due to them

With regards to your second question, the Education Department is the most over decentralized function in this country. It is good for the country. The Enga Provincial Government has come on board and the Chimbu Provincial Government likewise are making sure that education is a priority in this country. Every other province in this country should do likewise and I think we are moving into the right direction. The only issues we have management problems in the provinces with regards to provincial education board , provincial education advisors , principles of high schools and secondary schools . Those are the major issues that we are now confronted with. I am going to make a deliberate decision and announce in the next couple of days when I present my ministerial statement that the Government will take control of some of the functions in the provinces so that we have control in the education system right throughout the country.

MOTION BY LEAVE

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

Leave granted

12/02

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 Notices Nos 135 and 126 being called on forthwith.

**INDEPENDENT CONSUMER AND COMPETITION
(AMENDMENT) BILL 2014**

First Reading

Bill presented by **Mr Patrick Pruaitch** and read a first time

Second Reading

Leave granted to move the second reading forthwith.

Mr PATRICK PRUAITCH (Aitape – Lumi – Minister for Treasury) – I move –
That the Bill be now read a second time.

Mr Speaker, I am honoured to present a Bill to amend Section 12 of the *Independent Commission and Competition (ICCC) Act 2002*. The purpose of the Bill is to correct a very serious and glaring anomaly in the *ICCC Act* relating to qualifications from holding public office in the Commission, where the Commissioner and his two associate commissioners are concern.

Mr Speaker for the information of the honourable house what Section 12 of the *ICCC Act* stipulates is the automatic dismissal from office of the Chief Executive Officer – the Commissioner, and the two associate commissioners if found guilty of any offence at all under the *Leadership Code*. For the occupants of these three positions in the ICCC, it is a one way street for them if found guilty or convicted of any offence whatsoever, be it trivial, unintended or otherwise. It is unlike CEOs or Secretaries in government departments and agencies because the *ICCC Act* gives them no leeway and does not accord them the same opportunity to seek lesser penalties or redressers stipulated under Section 28 (1) (a) of the *Constitution* and Section 27 (5) (b) of the *Organic Law on Duties and Responsibilities of Leadership*.

Mr Speaker, under the *Leadership Code*, leaders who are subject to its provisions do not necessarily lose their offices automatically but can be fines as opposed to being recommended for dismissal. For example; precedents set from leadership tribunals relating to failure of or late lodgement of annual returns results in a fine and not dismissal from positions

or office. This is consistent with Section 28 (1) (a) of the Constitution and Section 27 (5) (b) of the Leadership Code. Both these provisions allow for other lesser penalties provided for by the law to be recommended by the leadership tribunal instead of automatic dismissal from office where the finds that there was no serious culpability on the part of a person found guilty of misconduct in office and public policy and public good do not require dismissal.

Mr Speaker, for the Commission the situation is entirely different in that if a member of the Commission is found guilty of any misconduct in office under the *Leadership Code*, the member automatically loses his position in an office, even if the penalty imposed was a fine and not dismissal from office, he or she will lose the position in office by operation of the ICCA Act thus the provision in question is clearly inconsistent and contrary to the provisions of the Constitution and the Leadership Code.

Mr Speaker, let me emphasise clearly and in no uncertain terms here that I am not for once advocating that our public officials should not be held accountable for serious misconduct and other unlawful actions they are found guilty of. The law is for everyone.

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The official should not be held accountable for three years misconduct and other unlawful actions they are found guilty. The law is for everyone.

The Amendment sought here is for *ICCA Act 2002* (Independence Consumer and Competition Commission) to be consistent with the *Constitution* and the *Organic Law on the Duties and the Responsibilities of Leadership* relating to leadership issues and for related purposes.

Mr Speaker, without the required amendment, the members of the Commission will be unfairly treated compared with other leaders to a fine but are not recommended for dismissal from officer under the Leadership Code.

Mr Speaker, all legal requirements have been taken including approval from NEC and the drafting of the propose changes by the Office of the Legislative Council of which I now seek Members of this Parliament and commend the Bill to the Parliament.

Thank you.

Third Reading

Leave granted to move the third reading forthwith.

Motion (by **Mr Patrick Pruaitch**) proposed –

That the Bill be now read a third time.

Sir PUKA TEMU (Abau – Minister for Public Services) – Mr Speaker, I wish to make a short comment in supporting the Minister for Treasury in this very important undertaking. I just want to highlight that such an inconsistency with regard to the other provisions of law and the *Constitution* and the *Organic Law on the Duties and Responsibilities of Leadership*, in this case, for instance, reality that, for example, when the certificate of necessity or the clearance is given by the various authorities, we find that there are still errors within certain legislation that this Parliament passed it. In this regard, Mr Speaker, I am a loner in advocating for a bicameral system.

Mr Speaker, I think it is about time that the Parliament re-look at the structure because I believe an Upper House would be the best place for such issues could be properly debated. I leave this to this honourable Parliament to consider.

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

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

14/02

ADJOURNMENT

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

That the Parliament do now adjourn.

The Parliament adjourned at 2.32 p.m..