

SECOND DAY

Friday 22 July 2016

DRAFT HANSARD

Subject:

Page No.:

ISSUE AND RETURN TO WRIT – STATEMENT BY THE SPEAKER	2
BROADCASTING OF PARLIAMENTARY PROCEEDINGS – STATEMENT BY THE SPEAKER	2
MOTION OF VOTE OF NO CONFIDENCE – SUPREME COURT ORDER – STATEMENT BY THE SPEAKER	2
MOTION OF VOTE OF NO CONFIDENCE.....	4
SPECIAL ADJOURNMENT.....	37
ADJOURNMENT.....	37

SECOND DAY

Friday 22 July 2016

The Parliament met at 10 a.m., in accordance with the Terms of Resolution of 15th July 2016.

The Speaker (**Mr Theo Zurenuoc**) took the Chair and read Prayers:

‘Lord, God Almighty, maker and creator of all things seen and unseen. We thank you this morning as we take our place in this Parliament. We know that there is none amongst us who is righteous, for we all have fallen short of your glory. And as such, we come before your Holy presence in this assembly of your people to seek your forgiveness of our sins and your acceptance of us as your children. Cleanse of you the Blood of Jesus and make us acceptable in your sight, O Lord.

Father, we declare that Jesus Christ is our Lord and we give your honour and praise and glory as we stand here in this assembly in your Holy presence. Father, you are Holy and loving, you are merciful and gracious and from eternity to eternity you remain. We are grateful that amongst many in this nation you have allowed a few to be here, and therefore, we stand before your Holy presence and declare that there is no other gods besides you.

Lord, today marks a very important day in the history of our blessed nation. As we come before you in this assembly of your people, Father, we seek your will for this nation. Lord, we submit ourselves as men and women appointed by your grace to stand here on behalf of your people to decide on their behalf.

Lord, without you we cannot do anything. Even without you our efforts would be in vain and as such, Lord, we submit ourselves to you. We need your direction, Lord, and as our people look upon us, we look to you Lord for your direction.

Omni important, omni signs and omni presence, God, even before we started dealing with this motion you have already known the end. For you are the God that knows the end from the beginning. We, therefore, invoke your Holy presence and that the power of your Holy Spirit to fill each and every man and woman in this Parliament. And, Lord, I pray for your peace and direction and wisdom.

Lord, we also take time to lift our people to you and we pray that you release your peace into the hearts and minds of our people. Increase their faith to trust in you, O Lord. And, Lord, we raise the banner of Jesus Christ your son in this Parliament and over this nation. And we declare that Jesus Christ is Lord over us, Lord over this Parliament and Lord of our nation. Let your kingdom come and let your will be done in this Parliament and in this nation. Amen.’

**ISSUE AND RETURN TO WRIT –
STATEMENT BY THE SPEAKER**

Mr SPEAKER – Honourable Members, I have to inform Parliament that His Excellency the Governor-General issued a writ on the 26th of May, 2016 for a bi-election to fill the vacant office of the Member for South Bougainville, and that by the endorsement on the writ, it is certified that, Mr Timothy Masiu was duly elected as the Member for South Bougainville Open Electorate.

The Honourable Member was sworn into office at the National Parliament State Dining Room on Thursday 21st July where he made his declaration of loyalty and declaration of office before me.

I welcome the Honourable Member to Parliament.

(Members applauding)

**BROADCASTING OF PARLIAMENTARY PROCEEDINGS –
STATEMENT BY THE SPEAKER**

Mr SPEAKER – Honourable Members of Parliament that the Permanent Parliamentary Committee on Broadcasting of Parliament Proceedings met today and resolved that the *National Broadcasting Corporation (NBC)* and *Em TV* will be allowed to record and broadcast and telecast live this special Parliament sitting for news purposes.

02/02

**MOTION OF VOTE OF NO CONFIDENCE – SUPREME COURT ORDER –
STATEMENT BY THE SPEAKER**

Mr SPEAKER – Honourable Members, this sitting is a continuation of the Supreme Court ordered sitting of Friday 15 July 2016. The only item of business for the House in today's sitting will be the debate and vote upon the Vote of No Confidence moved by Hon. Sam Basil, seconded by the Grand Chief Sir Michael Somare and nominating Honourable Don Polye as the alternate Prime Minister.

Honourable Members, the Chair has followed and will continue to follow the ancillary order given by the Supreme Court on Friday 15th July 2016.

The Chair reminds Honourable Members of that ancillary order which read:

(1) Parliament meet today at 2:00pm to comply with Standing Orders NO.7 and 8 for Parliament to introduce the Motion; and, to adjourn for one (1) week to Friday 22 July 2016, for the Motion to be moved, debated and voted on in accordance with Section 145(1)(b) of the *Constitution*.

(2) These orders take effect forthwith.

Honourable Members, the requirements of the first part of that order were met *last* Friday with the introduction of the Motion for a Vote of No Confidence and it has followed that the period of seven (7) days, as required by Section 145(1)(b) of the *Constitution* for notice has been complied with. This only leaves the latter part of the order whereby debate and the vote on the Motion shall be the next and only order of business today.

Honourable Members, the Chair intends to follow the orders of the Supreme Court completely and without deviation. The orders of the Supreme Court are explicit in that this matter must be dealt with today and there can be no further adjournment for any reason. Similarly, the Chair has formed the opinion that any attempt at changing or altering the terms of the Motion will amount to a breach of the Supreme Court's intentions and orders. Any attempt to change the Nominee under Section 145(3) of the *Constitution* will amount to a deviation of the Supreme Court's ruling and will not be entertained. The Honourable Members, at this juncture the Chair would like to make some preliminary remarks.

The Supreme Court has clearly and unequivocally stated that a Motion of No Confidence is not an ordinary Motion of the House. This Motion, including its introduction, form, the information required to be contained in it, the signatures required in support of it, the notice period required to be give are all cemented in law.

It sets a clear and defined path, if unsuccessful, it fails, however if it is successful, then it effectively removes one Prime Minister and replaces him with another Prime Minister who has been nominated within the Motion pursuant to Section 145 of the *Constitution*. Honourable Members, this is a serious matter for the House to consider as it has wide ranging implications not only for the House but for the Nation itself.

This is not a trivial matter but a matter of National Importance as quite rightly stated by the Supreme Court. In previous instances where the procedure for a Motion of No

Confidence has been invoked, this has led to vote buying, horse trading and other conduct unbecoming of elected Leaders of the House.

Honourable Members, the Chair does not need to remind you that your decisions on the Floor have greater impact upon the Nation as a whole rather than to satisfy individual wants and needs.

It is the Chair's desire to see and hear reasonable and constructive debate on this matter with the participation of as many Members as possible and not just the key players. It is also the Chair's desire to see Honourable Members vote with their conscience and with conviction according to Christian principles for the greater good of their people.

Honourable Members, as this is a matter of National Importance I will ask that you refrain from provoking each other during debate but instead ask that you concentrate on presenting your side of your argument with reasonable clarity and demeanour. The Chair will be very hesitant in entertaining Points of Order from Members especially where they are designed to obstruct or curtail the debate on the matter.

03/02

Honourable Members, today is not a normal day but a day when the Nation is at a crossroads and should be treated as such. The Chair sounds a clear warning to those persons seated in the Galleries that the Chair will not tolerate any intrusions or interjections from them and advises that the attendants and security personnel have been advised to remove any rowdy or disruptive persons. With that Honourable Members, we shall proceed with the only item of business today, debate and vote on the Motion of No Confidence in the Prime Minister, Hon. Peter O'Neill.

Thank you.

MOTION OF VOTE OF NO CONFIDENCE

Mr SAM BASIL (Bulolo – Deputy Leader of the Opposition) – I move –

That this Parliament has no confidence in the Prime Minister, Honourable Peter O'Neill and nominates the Member for Kandep, Honourable Don Polye to be elected as the next Prime Minister of the Independent State of Papua New Guinea.

Mr Speaker, why Parliament should not have no confidence in honourable Peter O'Neill as the Prime Minister of Papua New Guinea?

Mr Speaker, We members of Parliament represent our people. We should be able to do so without interference. We have a moral duty as leaders to contribute to the sustainable future of our people. Our values, our experience tell us the biggest contribution we can now make for our people is to move that this Parliament has No Confidence in Peter O'Neill as PNG's Prime Minister.

Mr Speaker, there are many reasons why Members should have No Confidence in Peter O'Neill as Prime Minister and I will start with the work Parliament.

Mr Speaker, honourable Peter O'Neill limits meetings of Parliament, Parliament cannot undertake key functions and he also does not allow Parliament to debate national policies and issues.

This present motion of a Vote of No Confidence is an example. The Supreme Court decision ordered this meeting because the Executive blocked Votes of No Confidence four times there was no bipartisan in the Private Members Business Committee.

We could have won any one of those votes of No Confidence. But we were never given a genuine chance to bring the vote to this floor. The key issue is O'Neill blocked moves by Parliament to use its constitutional powers.

The Prime Minister refused debate on the 2016 National Budget. He forced through the national budget. He forced through that money plan with disastrous consequences. We did not see a Supplementary Budget so that a new strategy for all the deficit spending could be revealed and approved by this Parliament.

Mr Speaker, we need to ask the Prime Minister how many children and mothers have died because the Government has not adequately funded church health agencies.

We need to ask how many public servants who have given many years of service have not been paid their full pensions.

We need to ask how radical underfunding of the Electoral Commission might corrupt the 2017 National Parliamentary Elections.

The Prime Minister refuses or fears debate on these issues including establishment of Office of the ICAC.

Mr Speaker, our parliament can have no confidence in O'Neill who as Prime Minister is destroying our Parliaments right of debate, right of decision-making, and right to keep the Prime Minister accountable.

Mr Speaker, Prime Minister O'Neill is accused of multiple criminal offences and breaches of the leadership code. National protest continues because Prime Minister O'Neill blocks Court, Tribunal and Police enquiries into:

- His alleged role in illegal payments to a law firm;
- His failure to justify his obtaining Union Bank of Switzerland loan with Parliament's prior approval;
- His obtaining a loan from Credit Suisse at high cost and despite extended evidence of Credit Suisse's corrupt dealings
- His purchase of dysfunctional generators from Israel at high cost;
- His failing to convene a meeting to appoint a Chief Ombudsman; and
- His Commissioner of Police intervening against members of the Police Fraud Squad as they seek to interview him.
- We do not know whether O'Neill is guilty as alleged but evidence suggests a few questions must be answered in keeping with the basics of justice. We do know that enquiries are blocked. A Taskforce is disbanded when it finds evidence that O'Neill may have authorized illegal payments. A Commission of Inquiry set up to investigate State payments to law firms has never been reported. A Police Fraud Squad is suspended when it enquired about payments allegedly made by O'Neill. Ombudsman Commission tribunals meet court challenges
- We cannot say whether O'Neill is guilty of any of these offences. We can say that O'Neill avoids any chance to prove himself innocent or for others to show him guilty.

04/02

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Sadly, and Members of Parliament know, Papua New Guinea comes very high on International Corruption Indices. Citizens learn corruption from corrupt leaders.

In other countries, politicians resign because they accept a bottle of wine or misuse travel privileges. O’Neill persists despite massive allegations.

Mr Speaker, the Prime Minister treats our citizens like criminals. The Prime Minister attacks personally anyone who criticizes his actions. He is incapable of discussing issues.

And so, doctors, pilots, lawyers, maritime workers, students and others openly demand change. Our best educated youth, our highest professionals protest. They may be right to protest.

Police use guns to deny these Constitutional Rights for Citizens to express their views and assemble. They shot unarmed and peaceful students.

This armed suppression of protest caused more tension and discord. It closed the universities.

The Prime Minister should have overseen the response. Instead he went to China and France paid by taxpayers.

Parliament should have guided the response. The Prime Minister closed Parliament. Parliament had no opportunity to discuss this issue of national importance.

Lack of Parliament debate on the student unrest made sure that there is no constructive answer. The Government blocked Parliament’s discussion of:

- Our people’s right to public assembly and free speech – by armed police using their guns on students;
- Traditional ways to negotiate the unrest in a manner which would have kept our universities open.

Mr. Speaker, I congratulate Provincial Police Commanders who combined public order and respect for our citizens' right of free assembly. Thank you! However, the attack on citizens' rights in Port Moresby was blatant and indefensible. Our citizens and our country need to be independent and free. Our citizens and our Parliament should not have confidence in a Prime Minister who suppresses citizens' rights.

Mr. Speaker, the prime minister is ruining our economy. The Prime Minister boasts of 9% annual GDP growth in G1aman. Papua New Guinea's annual GDP growth is not 9%. Because they are not transparent with our economic figures it is difficult to truly measure the exponential decline in growth since he took office. O'Neill inherited a strong economy, growing by 11.1 % in 2011, 8% in 2012 and 5% in 2013. Since 2014, the Prime Minister's short-sighted and reckless fiscal practices have destroyed that growth.

Papua New Guinea has nothing to show from the riches flowing from the start of production of PNG LNG, apart from unproductive showpiece or status projects in Port Moresby, and lavish hosting of international conferences attracting people like Zimbabwean dictator, Robert Mugabe. Analysis of the latest official numbers from the Bank of Papua New Guinea and National Statistics Office shows we are in recession. Papua New Guineans' standard of living has been falling since 2014.

05/02

Papua New Guineans are poorer today than they were at the start of 2014 because of the Prime Minister's corruption and mismanagement and unilateral decision-making. Real GDP growth – adjusted for inflation for 2014 and 2015 is minus 1.3%.

Consequences are disastrous for Papua New Guineans. Consequences include:

- A major fall in employment of 7% over the past two years;
- A decline in business sales from 16% between September 2014 to September 2015, creating more unemployment and no more jobs;
- A fall in lending to the private sector, undermining investment. If investors are scared they will pack up and leave and they will take PNG jobs away creating more unemployment.

Mr Speaker, the Prime Minister's decision to lock up LNG revenue as collateral for expensive overseas loans has taken its full toll. Papua New Guinea has almost nothing to

show from the start of production of PNG LNG. Shipments of gas are still leaving our ports but the revenue is not reaching PNG shores.

The nation is deeper in debt than ever, service delivery is declining and public institutions including all State Owned Enterprises - are struggling.

Public servants are not being paid their full entitlements. Businesses are not paid debts owed by the Government, and are laying-off staff. This is the Government of Peter O'Neill I am talking about.

(Government Members interjecting)

Mr SPEAKER – Order! Honourable Member for Bulolo, please address the Chair.

Mr SAM BASIL – Lack of foreign exchange cripples businesses. A backlog for foreign exchange orders by businesses amounts to billions of kina. Businesses operate on goodwill of their overseas suppliers who are owed massive arrears.

Mr Speaker, the National Statistical Office and Bank of PNG official figures indicate declines in employment of 7%, business sales of 16%, private sector lending of 4% and non-resource Gross Domestic Product of 1.3%. Papua New Guinea needs a well-planned economic and financial rescue plan that is properly funded, has support of the people and is backed by Papua New Guinea's international friends and multilateral partners.

The nation cannot be kept alive by more raids on state-owned enterprises or by random, high-cost borrowing.

Mr Speaker, the Prime Minister's sudden excursion to Alotau illustrates the problem. The excursion is government funded – suddenly. The Prime Minister continuously disproves his claims that the excursion is to review the Alotau Concord by constantly claiming that the camp shows the numbers in his Government.

O'Neill is ruining our economy. He is destroying our country's economic base.

Mr. Speaker, Parliament should not have confidence in this Prime Minister's ability to manage our economy.

Mr Speaker, the Prime Minister is destroy our government's finance.

Mr Speaker, the Prime Minister has spent billions of kina on unproductive showpiece infrastructure in Port Moresby and thank you to Justin Tkachhenko.

Mr Justin Tkachencho – Oh thank you.

Mr SAM BASIL – Debt repayments of K3 billion a year about double spending in each of Health, Education and Transport services.

Mr Speaker, the Prime Minister is serial raider of public institutions. His history is littered with wreckage of his raids – National Provident Fund, PNG Banking Corporation, Nambawan Super Finance, Finance Pacific, Resource and Investment Finance Ltd, and State Owned Enterprises.

Mr Speaker, national debt has exploded under Prime Minister O’Neill. It is over 50% of GDP, a long way above the 30% limit imposed by the *Fiscal Responsibility Act*. Growth in foreign debt is largely due to O’Neill’s borrowing overseas.

Foreign exchange reserves are less than half of what they were when O’Neill became Prime Minister. Value of the kina has plummeted – to about half of what it was when he became Prime Minister.

Mr. Speaker, Papua New Guinea awaits financial disaster – if Peter O’Neill remains Prime Minister. Parliament should have no confidence in him.

Mr Speaker, the Prime Minister does not pay Bougainville promised funds. Peter O’Neill had broken our Government’s promise of funding restoration of services in Bougainville. This solemn agreement was in recognition of Bougainville’s long term contribution to national finances, the sad destruction during the Bougainville emergency, the long suffering.

I believe Members of Parliament wishes to see Bougainville prosper again. They wish the people of Bougainville to be able to trust the Government of Papua New Guinea.

Mr Speaker, Prime Minister Peter O’Neill has not made the promised payments.

Mr Speaker, promised meetings between representatives of the Bougainville and Papua New Guinea government has not taken place.

Mr Speaker, this Parliament cannot have confidence in a Prime Minister who breaks solemn provinces to a part of Papua New Guinea, which has suffered and wants to rebuild.

06/02

The Prime Minister has not controlled corruption in the Forestry Industry.

Mr Speaker, persuasive reports from a Commission of Inquiry on government and public service showed massive corruption in the forestry sector. Loggers through improper

contracts are alleged to have dispossessed inhabitants of about 11% of our country of their land.

The abuses included theft of garden land and forests, loss of cultural identity as peoples lost their land, church agencies dispossessed of health centers and schools.

The Prime Minister promised to correct the abuses. He promised this House that, “We will no longer watch on as foreign owned companies come in and con our landowners, chop down our forests and then take the proceeds offshore.”

Mr Speaker, the Prime Minister has done almost nothing. Instead, the abuses in the forestry industry have grown worse. The many subsidiaries of a major overseas logging company have never declared a profit. They pay minimum taxes. Instead, they use transfer pricing, low prices in PNG and high prices overseas to send their profits overseas.

There are descriptions of police being paid by the logging companies to enforce these logging leases. Landowners have been assaulted and locked up.

Mr Speaker, this Parliament should have no confidence in Peter O’Neill when he becomes either incapable of correcting these massive abuses or becomes willing accessory to our people’s loss of their land.

The Prime Minister misuses the Prime Minister’s Office.

Mr Speaker, the Budget is what the Prime Minister decides each day. He decides allocation of funds to agencies, independent of what Parliament has approved. He often decides who gets government contracts. He decides what businesses get foreign currency.

The Prime Minister’s Office is the highest in PNG. It belongs to nation and people. It does not belong to the Prime Minister.

Mr Speaker, the Prime Minister most recently misused his position as Prime Minister to suddenly fund this large-scale excursion to Alotau.

Mr Speaker, this Parliament should have no confidence in an unaccountable Prime Minister.

Thank you.

Mr KELLY NARU (Morobe) – Mr Speaker, thank you for giving me the opportunity to debate this motion. Before I proceed to my speech I want to quote from the Bible a statement which I believe is very instructive to all of us in the situation now we are

faced with. It is from the Book of Job. Job 36:15 "*In our suffering God teaches us. In our distress God opens our eyes*".

What is the lesson in the suffering that we are going through that God is trying to teach us? What is the distress that we are faced with that God is trying to open our eyes to see? I trust my speech will assist this House and Honorable Members to seriously and critically analyze the crises and the situation we are faced with to make better informed judgments for the good of our beloved Nation.

Mr Speaker, Parliament has been ordered to reconvene by the Supreme Court to deal with the Motion filed by Hon. Sam Basil, Member for Bulolo for a Vote of No Confidence against the Prime Minister Honourable Peter O'Neill, the Member for Ialibu-Pangia.

Mr Speaker, this situation now forced on Parliament raises a number of serious Constitutional issues, principal amongst which is the notion of the principle of 'Separation of Powers'. Under our *Constitution, Section 99(2)* provides for the three principal arms of Government, namely;

- a) the National Parliament
- b) the National Executive
- c) the National Judicial System comprising our Courts

07/02

Under *Section 99(3)* of the *Constitution* it is stated: "In Principle, the respective powers and function of the three arms shall be kept separate from each other". This is the Constitutional basis and the source of the principle of separation of powers by the three arms of Government. Under the principle of Separation of Powers there is a requirement and need for mutual respect to be maintained at all times between the three arms of the Government and in our situation between the Judiciary and the National Parliament.

In this respect, Parliament has no right to interfere with the functioning of the Courts in the discharge of their judicial function to dispense justice.

Likewise the Courts have no power to interfere with the way in which Parliament goes about to conduct its businesses. The only qualification imposed on these two arms of Government in the discharge of their respective powers and functions is that both arms of Government must act within the requirement of the *Constitution*.

Mr Speaker, in my humble submission and view, recent events and orders emanating from the Supreme Court has brought to light the need for proper judicial interpretation to be

given to the principle of Separation of Powers. Some pertinent issues that need judicial interpretation are as follows;

a) Can the Supreme Court issue declaratory orders and directions to Parliament to get Parliament to conduct its business in a particular day, according to a certain agenda and within a specified period of time?

b) Are the nature and extent of the orders of the Supreme Court ordering the reconvening of Parliament for this special sitting a violation of the principle of Separation of Powers in that it is an interference with the way in which Parliament is supposed to manage and conduct its business?

c) Can the Supreme Court issue supplementary orders that are not the subject of a declaratory order sought in the Supreme Court Reference?

d) Can the internal proceedings, procedures and processes of Parliament which are supposed to be "non justiciable" or not subject to scrutiny by the Courts under *Section 115 of the Constitution* be in fact subjected to the scrutiny of the Court such as in this case and subject to the issuing of declaratory orders and additional supplementary orders such as the case here?

e) What are the exact ambit, limit and extent of the mutual co-existence, respect and operation of the principle of Separation of Power between Parliament and the Courts in our Constitutional democracy which we must embrace and follow?

These and other pertinent and relevant constitutional issues must be the subject of a Constitutional Reference by Parliament to the Supreme Court to get judicial clarity on the demarcation and mutual co-existence and functioning of the principle of separation of powers between Parliament and the Judiciary.

Mr Speaker, A number of issues have been raised in the Motion on the Vote of No Confidence against the

Prime Minister.

They include;

- Excessive payments of Government funds to a law firm, Paul Paraka Lawyers
- The borrowing of the K3b UBS LOAN
- The purchase of the Israeli generators.
- The general down turn in the state of the Nation's economy

Most of these issues have also been raised by University students, NGOs, Civil Society Groups and some concerned professionals and their Unions.

The general call was that based on these allegations of wrong doing in office the Prime Minister must step down or step aside and submit himself to the law (police) for questioning in relation to these allegations. The call was that under the law the Prime Minister has to do that. There were even calls for the Prime Minister to resign over these allegations.

08/02

The call was that under the law the Prime Minister has to do that. There were even calls for the Prime Minister to resign over these allegations. A warrant of arrest was even issued by a Magistrate for the arrest of the Prime Minister for questioning in relation to these allegations.

Mr Speaker, the Prime Minister refused to step aside and in his defense the Prime Minister responded to the allegations made against him and even took out full page newspaper replies in relation to the allegations. The Prime Minister even went to Court to seek protection of the law over the manner and way in which the allegations were made against him and even challenged the warrant of arrest issued against him in Court.

Mr Speaker, on the one hand we have allegations being leveled against the Prime Minister to step down and submit himself to questioning according to the law and on the other hand the Prime Minister is refusing to step down and is calling on the protection of the law in relation to the allegations leveled against him.

Mr Speaker, in this situation who is right and who is wrong? What does the law say on this situation?

Mr Speaker, under *Section 37 (1)* of our *Constitution*, every person including the Prime Minister has the right to the full protection of the law.

Mr Speaker, under our *Constitution* and laws no one can be held liable for an offence or found guilty of an offence unless he is first charged, processed and found guilty according to law. A person is presumed to be innocent until found guilty according to the law. These are the requirements found under *Section 37* of the *Constitution*.

Mr Speaker, in relation to the issue of dispensation of justice according to law, *Section 155* of the *Constitution* provides that only the National Judicial System which comprises of the Courts is the appropriately prescribed and qualified body to dispense justice. No other person or body outside of the National Judiciary is authorized to dispense justice unless empowered to do so by the law.

Mr Speaker, in relation to the allegations against the Prime Minister and the Prime Minister's counter claim to seek the protection of the law in relation to these allegations, all or most of these claims and issues are now before the Courts and because of the fact that these issues are now before the Courts, we will need to wait for the Courts to dispense justice.

Mr Speaker, the wheels of justice has been set in motion, we must allow justice to take its course and we must exercise restraint and be patient. However, long it takes justice must and will prevail in the end.

Based on the requirement of legal justice according to law, the Prime Minister must be given the benefit of the doubt. He is innocent until proven guilty according to the law.

Mr Speaker, I must say something on the exercise of our Constitutional Rights and Freedom.

Mr Speaker, our *Constitution* gives our people a number of important rights and freedom which they are entitled to exercise.

Section 46 – Freedom of Expression

Section 47 – Freedom of Assembly and Association

Section 51 – Right to Freedom of Information

Section 52 – Right to Freedom of Movement

Section 55 – Equality of Citizen (all citizens enjoy the same rights and freedom)

Section 56 – Special rights of Citizen to vote in election and to hold public office.

Mr Speaker, it must be remembered that all these rights referred to are not absolute rights but qualified rights. They are not absolute in the sense that you can exercise those rights in any way, manner and form you see fit. No! They are qualified rights in the sense that we are called upon to exercise those rights and freedoms with restraint and responsibility. We are obligated to ensure that the exercise of those rights and freedoms does not interfere with, violate or infringe on the rights of our fellow citizens who also have the right to exercise their rights and freedoms under the law.

Regrettably and unfortunately in recent times, we have witnessed the exercise of those rights and freedoms going beyond the reasonable bounds of the exercise of those rights and freedoms.

09/02

Mr Speaker, under the disguise of the exercise of those rights and freedoms certain segments of society have seen fit to advocate extreme measures beyond the reasonable

exercise of those rights and freedoms by violating, interfering with and infringing on the rights of other members of our communities by causing, issuing and actioning threats, undue influence, intimidation, harassment, injuries to persons and properties, destruction and even death.

Mr Speaker, these violations are not only caused by those supporting the call for the Prime Minister to step down but also allegedly by the Police against the students and also by the students against themselves. Even professional people in our society are calling for the shutdown of essential public services and the withdrawal of labor as a means to an end.

Mr Speaker, this is an unacceptable conduct. Industrial avenues are available to channel industrial grievances. The use of unlawful means such as the call to withdraw labor to disrupt essential services to our people is improper and unlawful and the proponents of this strategy must be held accountable and dealt with according to the law.

Additionally to the extent that breaches of the peace have occurred coupled with injuries to persons and properties resulting in death and destruction, the full force of the law must be brought to bear on those responsible. These people are domestic terrorists and insurgents who must not escape. They must face the full force of the law.

Mr Speaker, this country is governed by the rule of law. We cannot allow the rule of law to deteriorate at the pleasure of those hell bent on abusing the rights and freedoms given to us by our *Constitution* and those who are hell bent on causing death and destruction to pursue their cause. This is unacceptable conduct and behavior. It is wrong morally, ethically and legally. We are all subjected to one law and justice according to this one law must be allowed to prevail.

Mr Speaker, in terms of my position on behalf of my people, province and the Christian Democratic Party I say these, based on the foregoing reasons that I have expressed I am of the respectful view that;

a) Under our *Constitution* and laws we must exercise restraint, be patient and allow justice according to law to prevail on the case involving the Prime Minister. The Prime Minister remains innocent until proven guilty according to law.

b) The sacred mandate and will of the people bestowed on the Government and the Prime Minister should not be easily and lightly interfered with unless there is cogent and convincing reasons to do so, or unless exceptional circumstances exist to overturn the mandate and will of the people.

c) We are only 9 months away from the General Election. If the performance of the Government or the Prime Minister is wanting, it is for the people to make that call for change. At this point of time what will the alternative Government achieve within a short time frame? It is not a viable option to change Government based on allegations leveled against the Government which are yet to be proven and moreover, it is wrong to change Government through the use of unlawful means resulting in disruption to services, injuries to persons and properties and destruction and death.

d) People want peace and justice to prevail. Let patient, peace and justice prevail.

e) In my respectful view I am not convinced that at this point in time cogent and convincing reasons have been given or exceptional circumstance exist to warrant a change in Government. This is because justice according to law is yet to be delivered and political justice expressing the will of the people that has been expressed in the Government and the Prime Minister must be allowed to prevail until the people themselves decide otherwise.

In my view political justice by this Parliament at this time must be dispensed properly and correctly and assisted by the dispensation of legal justice. Whilst legal justice is yet to be conclusively dispensed, it is my view that this Parliament cannot prematurely dispense political justice based on allegations which are still subject to judicial scrutiny. It may be a disrespectful thing to do and may even be in violation of the principle of Separation of Powers that we are talking about.

10/02

It is in my view that Parliament cannot prematurely dispense political justice based on allegations which are still subject to judicial scrutiny. It may even be a disrespectful thing to do and may even be a violation of the principal of separation of powers that we are talking about.

Mr Speaker, in conclusion, in answer to the Gospel I quotes earlier from the Book of Job, it would become abundantly clear that this country is now called upon to collectively exercise one of the simple but yet greatest virtues of human nature, and that is quote, '*patience*', end of quote. *Yumi stap isi na weit.*

Mr Speaker, there is a saying, good things come to those who patiently wait.

Mr Speaker, a Chinese proverb affirms this. It says, '*patience is power, with time and patience the mulberry leaf turns into silk*', end of quote.

Mr Speaker, this is the lesson God is trying to teach us in our suffering and distress, and that is to exercise restraint and patience. Patience will attract peace. Peace will propagate harmony and order in our country. It is not God's will to advocate the use of unlawful means to change the government and the Rule of Law does not allow a change.

For the foregoing reasons and considerations, I decline to support the Vote of No Confidence against the Prime Minister.

Thank you, Mr Speaker.

Mr BEN MICAH (Kavieng) – Thank you, Mr Speaker, for giving me time to debate on this motion and I would like to also commend you, Mr Speaker, for allowing the Members of Parliament to debate on this important issue.

I believe, Mr Speaker, and Members of Parliament that this is a first time that any Speaker in the history of our 40 years of Independence for an opportunity has been allowed for Members to debate this issue before a vote is taken. Therefore, I would like to congratulate you, Mr Speaker.

In our parliamentary system, which follows the system of the Westminster system of government. We are representatives as mandated by our people to give voice for all the electorates in this country which has a population of 7 or 8 million.

Mr Speaker, we are here to voice the concerns of our people here in Parliament.

Mr Speaker, you must not – all of us including me, must not conclude that we have all the wisdom and all the knowledge and all the insights as to what is necessary to run our country.

Mr Speaker, we must not underestimate our people who mandated us to be here.

Mr Speaker, this is because we are only custodians. We are only mandated to represent that right by them.

Mr Speaker, when we come after a general election we elect a Prime Minister who is only a first among equals.

Mr SPEAKER – Order, honourable Member for Aitape-Lumi and Member for Bulolo.–

Mr BEN MICAH – He only becomes one above everyone here who are equally representing the people they have been elected to represent.

(Government Members interjecting)

Mr BEN MICAH – Relax, relax, *yu sigarap ah?*

Mr Speaker, I need to drink some drink some water first before I continue.

(Government and Opposition Members interjecting)

Mr BEN MICAH – Relax.

(Laughter in the Public Gallery)

Mr SPEAKER – The Chair has given warning to the people in the Public Gallery.

Mr BEN MICAH – Therefore, We all come together and agree that we will give this one individual this one additional power to head the Executive.

Mr SPEAKER – Address the Chair, Honourable Member.

Mr BEN MICAH – Mr Speaker, we give him this one additional power that makes him the first amongst all equal Members here.

When Sir Michael Somare became Prime Minister during Independence and after, he did not go to a school for Prime Ministers because there is no such school. Being a Prime Minister is learnt as we go along on the job.

11/02

When Sir Julius Chan became Prime Minister, he was not Prime Minister before becoming Prime Minister. Same with Paias Wingti, same with Sir Mekere and Bill Skate and same with our current Prime Minister Mr Speaker. So when it comes to us to choose the Prime Minister, we should not underestimate anybody. Anybody here can be a Prime Minister. So the current Prime Minister came in when majority made him Prime Minister in 2011 and after election, we made him become Prime Minister because he received that majority support from everyone. So from the Oppositions motion, I know many of you are

saying that Don Polye is not fit (to become the Prime Minister), he is this and that, but I do not believe we have the right to point fingers because when we go like this, one is going that way and three are coming back this way.

(Laughter in the chamber)

Mr BEN MICAH – When you are going like this, three fingers are coming back. Relax! what did I do to you, did I put some snakes under your house?

Mr SPEAKER – Member for Kavieng, do remove those unparliamentarily words.

Mr BEN MICAH – I'm coming now to the important point which is about the truth. Mr Speaker, I apologise and I'll get to the point. The issue of truth. What is the truth? I know that what I'm saying will be a waste of time and will not influence anybody because the normal process of lobbying to form government, we don't look at the truth and make out decisions. We don't consider the truth and make out decisions. Other things are influencing our decisions and then we come and sit here and tell lies, Mr Speaker.

We are always lying. I do not want to point fingers at anybody Mr Speaker. If we talk about the wrongs that have happened in the government and the symptoms and impacts that are taking place where our people are talking about, it will take too long to talk about here.

What I just want to raise today, Mr Speaker, is that all of us here in the front bench, back-bench, the governors and those of us here, we all know about what is wrong but we are avoiding the truth, Mr Speaker for whatever reasons known to us, why are we not telling the truth and why are we not discussing the truth.

My final short point is this, Mr Speaker, when I'm trying to address my point, they take my mind into areas to act unparliamentarily so can you also tell them to listen just quietly and calmly to what I am trying to say.

12/02

I have no issues with the Prime Ministers personality, his management capacity and his ability because his own track record is there to prove that he is a capable manager and a capable man.

My vote today is not about challenging him as a manager, but I left that Seat as on that side is because of this very simple thing.

Mr Prime Minister you must examine your conscience and you must let the people of God go.

Mr SPEAKER – Member for Kavieng address the Chair, you cannot talk directly to the Prime Minister.

Mr BEN MICAH (Kavieng) – Mr Speaker, there is a situation that has developed in our country –

(Members interjecting)

Mr BEN MICAH (Kavieng) – Lets not point fingers on this Floor on who started it or who did it.

(Members interjecting)

Mr BEN MICAH (Kavieng) – Mr Speaker this situation has developed and is now escalating beyond control.

We cannot say that the pilots are stupid people, the doctors are not stupid people, the nurses are not stupid people.

Mr William Powi – Point of Order! Mr Speaker, those issues that the Member is raising are not issues that will set the benchmark for the future. Prime Ministers are replaced or changed by the people through General Elections and are voted out of Office through a Motion of Vote of No Confidence.

Mr SPEAKER – Honourable Governor please resume your seat and allow the Member for Kavieng to continue.

Mr BEN MICAH – Mr Speaker, he can have his say but I just don't know what will cause us to feel some form of remorse for our very own people. To fell sorry for our people.

The stubborn, insensitive attitude that makes a sometimes become insular, so protective that we do not consider the cries and the pain that the people out there are feeling making Governments become oblivious, arrogant, insensitive to what our real responsibilities should be.

If there are quarrels and fights in our communities we cannot go and say I don't have to involve myself because I didn't start all this, what kind of a leader would that be? When a house is burning we must act to put the fire out and rescue the people.

When our children are fighting we must stop them and act decisively to stop the fight because it is our responsibility.

Mr Speaker it is the responsibility of the Prime Minister to be sensitive and to listen to the cries of his people and make decisions that will calm the situation of our people.

Then we can deal with the issue the Southern Highlands Governor is talking about.\

Right now there is fire burning across the nation and we don't have to point fingers at each other on who started the fire.

(Member interjecting)

Mr BEN MICAH (Kavieng) – Mr Speaker, what is your evidence in pointing your fingers at me? You are all telling lies to yourselves. What evidence have you got that I am involved? You bunch of liars!

(Members interjecting)

Mr SPEAKER – Honourable Member, I will ask you to withdraw that statement.

Mr BEN MICAH (Kavieng) – When we go to camps, those are the lies you tell yourselves just to avoid reality. Everything thing around you is falling apart and you avoid and ignore those facts. Yet you have to be responsible because you are the Head of this country, Mr Prime Minister.

13/02

Mr SPEAKER – Member for Kavieng, I have been continuously reminding you to address the Chair and not to point fingers, it is unparliamentarily, observe the rules of the *Standing Order*

(Opposition Members – Tell them not to provoke)

Mr BEN MICAH – Mr Speaker, I respectfully submit to your decision, but they are provoking me.

(Laughter in the Chamber)

Mr BEN MICAH – The point I am making to the Prime Minister is to be sensitive and to act decisively and I think it is about time that we stop using Government, we stop using our numbers, we stop using our muscles,

(Members interjecting)

Mr BEN MICAH – We stop using the system of Government to run away and hide from the reality, of the problems that are inside this Government, and problems that are inside this Government and the problems that are outside among our people. Let us not run away because we are not going to run away for long, Mr Speaker. Today, you can have the numbers and you can try to shut me down but you cannot run away from the truth that your Government is not going to last long, it is going to collapse.

(Members interjecting)

Mr BEN MICAH – You know why it is going to collapse, because it is full of men and women who are not telling the truth Mr Speaker. Thankyou Mr Speaker.

Mr JAMES MARAPE – Thank you Mr Speaker, for giving me the opportunity to speak on behalf of the Government.

Mr Speaker, emotions aside, it seems that the modus operandi for our friends in the Opposition is to cause chaos, confusion, strife, disorder, and emotion in society let alone in this Parliament.

Mr Speaker, talk about causing strife to the nation. My brother, the honourable, Ben Micah forgets that he had opportunity four years as the Minister responsible for PNG Power, and he has not in one instant in the four years made an intervention to decrease the cost of PNG Power in the country.

Mr Speaker, I ask this honest question.

(Members interjecting)

Mr Ben Micah – Point of Order!

Mr SPEAKER – We have a point of order!

Mr Ben Micah – This is not an issue about Ben Micah and PNG Power, he should debate the Motion about why Peter O’Neill should remain as the Prime Minister.

Mr SPEAKER – You were given the opportunity, your Point of Order is out of Order.

Mr JAMES MARAPE – Mr Speaker, my good leader of PPP made mention on the performance of Prime Minister. The Prime Minister, is the Prime Minister amongst equal, he dispenses the responsibilities to Ministers who carry out work programs and I just put a casing point. He made mention that the country is suffering. Now amongst many suffering we go through, you don’t have to be a rocket scientist to understand what suffering we go through, as I mentioned, the highest cost of electricity among the region and he had the opportunity.

Mr Ben Micah – Point of Order!

(Members interjecting)

Mr SPEKER – There’s a Point of Order.

Mr Ben Micah – My Point of Order is, this is not an opportunity to debate about PNG Power, and this is not an election between PNG Power and Ben Micah. He should stick to why he is sitting there and telling lies to himself.

Mr SPEAKER – Honourable Leader, I would rule that your point of order is out of order. It is part of his debate, you have been given the opportunity so allow him to finish his debate.

Mr JAMES MARAPE – Mr Speaker, having said these, I would assume he is speaking on behalf of former members on the other side too.

Mr Speaker, we have before us today a motion that is totally hallow in substance Mr Speaker, the motion has nothing to do with the advancement of our country, but has everything to do with the ugly side, the lustful side of an attempt to grab power, period! Nothing else.

14/02

Mr Speaker, we have a motion that again harmed Papua New Guineas international image and has confused the very people who want to invest in our economy and create jobs. What hypocrisy when you talk about creating jobs when you are creating harm to the country's image. The headlines you grab every time both in formal media and in social media.

Mr Speaker, the headlines we generate goes and has direct impact on the image that our country portrays and it reverses, mind you we need to attract foreign investors, they sit and they read the headlines and I don't need to go through every detail of the sort of headlines that has been propagated by our friends on the our side.

We have a motion that seeks to replace the most successful prime minister in the development history of our country on record, the honourable Peter O'Neill and the attempt to replace him with the honourable Don Polye. The only purpose of such a malicious motion is an attempt to create instability.

Mr Speaker, this is not the first time, this is the fourth attempt for the vote of no confidence by the opposition, and the previous three were rejected by the House Committee. Change of government under *Section 145* is the most serious business in the House. The

mandate you get to run government secured directly by *Section 51* of the Constitution from the people at elections.

So, for you as elected voice representing your people to change government you don't play monkey business when you submit Section 145 notice. You must comply to the strictest sense of the requirements –

Mr Sam Basil – Point of Order!

Mr SPEAKER – What is the Point of Order?

Mr Sam Basil – I would like to correct the statement he has made regarding the House Committee rejecting the motion four times. It is the responsibility that the House Committee is bi-partitioned, the House Committee is made up of Southern Highlands and Hela Members and it is partitioned, it is not bi-partitioned it is made up of all PNC Members that is why they did not allow it to go through.

Mr SPEAKER – Honourable Member, I think you are arguing outside the issue we are supposed to be focussing on, that is out of order

Mr JAMES MARAPE – Mr Speaker, in case the honourable Deputy Opposition Leader thinks that the Member for Kabum is in Hela and Southern highlands he is totally wrong because he is a member for this committee.

Mr Speaker, the honourable Aide Ganasi is a member for that committee. Least he forget that we appointed this committee by Parliamentary motion not because the Prime Minister on his own made the appointments. It was appointed in July 2012, in case he forgot.

Mr Speaker, the purpose of such a motion is malicious, it is an attempt to create instability, and this is the fourth attempt. The first time you submitted it was defeated on technical grounds, the second time you submitted you forged, you totally did it Mr Basil you ask the honourable Kelly Naru, he in writing says you did not secure his latest signature.

Mr Speaker, this is a serious issue, you do not come to this House to fool this members of parliament elected by their people. You don't collect the signatures and put it in the archives of your draw only to come back later and get it out and present it to the committee.

Mr Speaker, coming back to this you went to Court and we are here respecting the Order of the Court as people who respect Court Orders. Court has made its ruling we came back last week and we are here again, our country is a democratic country, we are governed by a Constitution, the Court has its own clear demarcation of powers and responsibilities, they have in their own wisdom directed us and we as government in our appropriate time we will file our view that we feel that it is respectably not correct for them to intervene on Parliamentary Business but there is something that belongs to the other matter. Right now we are here respecting the Court Order before us whether it is right or wrong.

15/02

Mr Speaker, we also reserve a right for judicial review at an appropriate time but for now we will say no more on this matter.

We will honour specific instructions made by the court as we have done last week Friday and we will now go through the motion that is before us, but before we do that, I must remind us that the Government of a nation is elected by Members of this Parliament who are mandated by the people of Papua New Guinea.

I scored 67 per cent of voters in my electorate to be given this mandate to speak and sit in this House. Our Prime Minister secured 87 per cent to be sitting right here.

(Mr Belden Namah interjecting)

Mr JAMES MARAPE – I know you struggled to win and I will make sure you will struggle more to win again.

(Members interjecting)

Mr Sam Basil – Point of Order! The Honorable Minister said that, he will make sure honourable Belden Namah will struggle to win again. Is that a clear indication that you have already manipulated the Electoral Commission?

(Members Cheering in the Chamber)

Mr JAMES MARAPE – Mr Speaker, in case the Deputy Opposition Leader forgets, it is only nine months before the next General Election. And like my good brother, Mr Namah, when he came to Tari to campaign against me, I never went to Vanimo, this time I will go to Vanimo.

Mr Speaker, the Government of a nation is elected by the Members of Parliament. And the Members of Parliament, by our current laws represent the majority of the people of this country. 51 per cent of our people voted each of us to be sitting on both sides of this House. It is not the Unions, the students or anyone else for that matter. They are of course citizens with a qualified right to speak.

Yes, Mr former lawyer, you do not have to break laws.

(Mr Kerenga Kua interjecting.)

Mr JAMES MARAPE – Please do not end up breaking laws here to make ends meet. This is a fact, that has been seen on the good members on the opposite side who seem to have lost direction to think and can use any means under the sun to remove a sitting Prime Minister. We have seen all kinds of allegations from both within and outside Parliament all desperately aimed at bringing one person Mr Peter O'Neill down, who happens to be occupying the seat as the Prime Minister of this country. There are no serious allegations against any of us except the Prime Minister, isn't that funny?

Every allegation is levelled at one man, for goodness sake. We have seen claims at the economies in troubled times, accompanied by false figures, lies and deceptions. And the Members of the Opposition continue to talk down on the state of the economy and shamelessly try to scare away our investors.

Mr Speaker, we are facing the toughest global economy in many years and our commodity prices are falling, the economy of our largest trading partner China is not doing too well, we all know these very well but I ask a honest question; who amongst us will be the saviour of this country to bring the oil price back to where it was before?

To be honest, I do not have the ability. Who amongst us will increase the price of our major commodity export that we have in our country.

16/02

Mr Ken Fairweather – Point of Order! Minister for Finance is telling us that the commodity prices are all flat is actually not true. Coffees are at reasonable price, cocoas are at a high price, gold is at a very high price and oil is at a very good price historically. It was only one short period of time when it was over a hundred and now back to fifty.

(Members interjecting)

Mr JAMES MARAPE – I'm sure the Member for Sumkar is the man who would look at prices and appreciate the fact that we live in an environment that you are dependent on the global market out there. Mr Speaker, you know it, the market price going up and down in reality. The price of oil for instance, oil that contribute towards 60 per cent of our country's economy and revenue dropped in the last instance by 70 per cent Mr Speaker.

Mr Mark Maipakai – Point of Order – Mr Brother Minister undertook in Parliament that he had a forward fix contract. Irrespective of oil prices or whatever price appreciation, it does not affect the oil price. That's the message he delivered, now he is telling us another story. He is telling us lies here.

(Members interjecting)

Mr SPEAKER – Honorable Member, I would rule that your point of order is out of order.

Mr JAMES MARAPE – Mr Speaker, the price of gas and the forward contract we solve is fixed. But it is paced against the price of oil in the global oil market, in case he doesn't know, let me place it on record.

Nations who are totally dependent on oil prices like Venezuela for instance, today Venezuela is predicted will be at 10 per cent inflation by the end of this year, Mr Speaker. Inflation at 700 per cent is projected. Today they are running to the food house because there is no food. I'm using that as an example. We are not doing too bad as a country but our brothers from the other side continue to paint a negative picture, Mr Speaker.

It's about time we paint a good image of our country Mr Speaker. Today this nation is at a verge –

Mr Richard Mendani – Point of Order – I think our Minister for Finance is misleading Parliament. If you can remember on the eve of December last year, K800 million worth of cheques were written by the Department of Finance, only K200 million was cleared, K600 million was dishonoured. That is why Minister for Finance put a notice in the paper that all the cheques to be returned. So the Minister for Finance is not telling the truth to the Parliament and the people of Papua New Guinea.

Mr JAMES MARAPE – Mr Speaker, if he wants more cheques to be cleared, it's about time we create a political stable environment. That is the proposal of this side of the House. You don't grow the economy by creating instability all the time. All you have to do is not to look far. You ask the former Prime Ministers amongst us and even very clearly early in this term of parliament, the Right honourable Paias Wingti made mention that he has nine months or eighteen months to run government. You can't achieve much in nine months or eighteen months? If he from experience struggled to run government is nine months or eighteen months, what will we do in the remaining nine months right in the face of the national elections? Papua New Guinea must rally up and leaders on this side of the House knows the importance of political stability right in the face of attracting Papua LNG, we are committed in providing that stability. That second LNG project is a K18 billion project Mr Speaker. Will create 13 000 new jobs you ask for because that goes directly in ensuring economic growth. The reality is our Government led by Peter O'Neill is managing the economy.

17/02

We have reduced spending and talking about stopping cheques and that is not a secret thing to do. It is a tool of governance to reduce spending on non-essential areas.

(Mr Kerenga Kua interjecting)

Mr JAMES MARAPE – Our economy is advancing against economy headwinds and we must through these tough times. We in Government are insulted by words and

insinuations that we was branding us by such as being locked up, being in-camp, and being bribed. This are learned leaders sitting here and they have valued the total leadership ability of every one of us especially those of you who are crying to be Prime Ministers.

(Members interjecting)

Mr JAMES MARAPE – You cannot hide they know what kind of leader we all are.

(Mr Ken Fairweather interjecting)

Mr JAMES MARAPE – Through the leadership of our current Prime Minister, we in the Government are making decisions in a very sensible manner. We do not rush through decisions. Ask the former ministers, has the Prime Minister rushed to decisions. The former minister for Petroleum, you do bring a lot of submissions to Cabinet.

Mr Speaker, when our Government was elected into office, we came into office and swore on four simple policies. We went to Alotau on this four simple policies and they still remain still fixed today.

We promised on free and increased education, we promised on health, we promised on infrastructure and economic growth for our country yet you seem to run against us all the time. When we returned to review the Alotau Accord our public servants came to us and told us that 90 per cent of the Alotau Accord has been achieved.

Mr Speaker, you only need to ask leaders in Government why they are sticking with this Government. It is because 90 per cent of the Alotau Accord have been achieved. One million children are in classes today.

(Members interjecting)

Motion (by **Mr Patrick Pruaitch**) agreed to –

That the question be now put.

(Members interjecting)

Mr Belden Namah – Point of Order! Mr Speaker, there is a Court Order and you prayed this morning and made it very clear and we have to debate. Give me an opportunity to debate.

(Government Members interjecting)

Mr SPEAKER – I will make a ruling –

Mr Belden Namah – Its not about the Chair making a ruling. This is what we are talking about.

Mr SPEAKER – I am trying to make a ruling to your point.

Mr Belden Namah – Mr Speaker you continue to hijack –

Mr SPEAKER – With the greatest respect honourable leader, it was the Parliament that-

(Mr Belden Namah interjecting)

Mr Kerenga Kua – We are still waiting

Mr Belden Namah – Give us a chance to debate.

(Government Members interjecting)

Mr Belden Namah – At the end of the day you have got the numbers to win but let us debate properly.

(Government Members interjecting)

Mr Belden Namah – Mr Speaker I will not sit down until I debate because it is very important that we debate national issues on the Floor of Parliament. Mr Speaker, this is un-parliamentary.

(Members interjecting)

Mr SPEAKER – Honourable leader, I think I have given enough time for debate.

(Mr Belden Namah interjecting)

Mr SPEAKER – I have made a ruling according to what the Parliament has agreed on. A question was put honourable leader.

(Members interjecting)

Mr SPEAKER – Order! Order!

18/02

(Uproar in the Chamber)

Mr SPEAKER – Order! Order!

(Opposition Members interjecting)

Mr SPEAKER – Honourable Leader, if you have followed carefully I will not entertain any more Point of Orders unfortunately because a question has been put and the Parliament agreed that we move on to the motion.

(Opposition Members interjecting)

Mr SPEAKER – Yes, and that was done. I cannot change the rules here, Honourable Leaders the question was put and the Parliament was entertained.

Mr Belden Namah – You have broken rules

Mr SPEAKER – How have I broken rules?

(Uproar in the Chamber)

Mr SPEAKER – Honourable Leader, I do not want to warn you.

(Opposition Members interjecting)

Mr SPEAKER – I warn you, honourable Member, resume your sit.

(Opposition Members interjecting)

Mr SPEAKER – Order! Order!

(Opposition Members interjecting)

Mr SPEAKER – Honourable Members, let's have some order in this Chamber. Parliament has spoken and I will not allow any more Points of Orders.

Mr Kerenga Kua – I move that the vote be –

Mr SPEAKER – No, you cannot do that

(Uproar in the Chamber)

Mr SPEAKER – Honourable Members, we have taken direction from the Courts and this matter is to be dealt with and completed today.

(Opposition Members interjecting)

Mr SPEAKER – Question has been put –

Mr Don Polye – The Court Order says debate.

Mr SPEAKER – Question has been put –

Mr Kerenga Kua – I have a motion that –

(Uproar in the Chamber)

Mr SPEAKER – I will not take that Honourable Member.

Mr KERENGA KUA – You said, Mr Speaker that we will debate –

Mr SPEAKER – I said that and I have allowed for debate already.

(Opposition Members interjecting)

Mr SPEAKER – Sit down Honourable Leader. You don't –

(Opposition Members interjecting)

Mr SPEAKER – Order! Order!

(Opposition Members interjecting)

Mr SPEAKER – Honourable Leaders, can I have order!

(Opposition Members interjecting)

Mr SPEAKER – Honourable Members, I want you to understand the *Standing Orders*. I must remind you of the *Standing Orders*, when the Speaker rises everybody should sit.

There should be no more talking in this Parliament and everybody should be silent.

Now the Question was put, honourable Members and this Parliament has agreed that the motion be moved. I hope that you respect what this Parliament has resolved and that is, the question was put and the House agreed that the question be put. The motion was very clear with a loud Ayes and a limited Noes. That is why the Speaker has ruled that we must proceed.

(Opposition Members interjecting)

Mr SPEAKER – I will now call on the Clerk.

Mr Don Polye – Point of Order!

Mr SPEAKER – I will not have any point of orders.

(Opposition Members interjecting)

Mr SPEAKER – Okay, what is your Point of Order?

Mr Don Polye – It looks very unusual here when you have got a Prime Minister who has allegations against him and he has the right to defend and clear himself to the people and this House. I am also nominated as an alternative to the post so I have the right to speak. So cannot make a malicious motion to adjourn the Parliament or to stop the debate. We must be given the opportunity that all of us who represent our people debate on this issue.

Mr Speaker, I think that the House should that and we should not maliciously stop debate, the debate should go on and a decision will take place and the Prime Minister must have a right to defend himself on the Floor and I have the right to talk about myself on the floor. That is the normal right thing to do.

19/02

Mr SPEAKER – Honourable leader, I take note of your Point of Order but the Parliament has already made a decision so we have to proceed to another stage.

(Mr Don Polye interjecting)

Mr SPEAKER – You will be given the time to express your choice so the Parliament will now vote. Those who support Honourable Don Polye move to the left and those who support honourable Peter O’Neill, move to the right.

Motion – That the this Parliament has no confidence in the Prime Minister, honourable Peter O’Neill and nominates the Member for Kandep honourable, Don Polye to be elected as the next Prime Minister of the Independent State of Papua New Guinea – put.

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

AYES – 21

NOES – 85

Motion negatived.

SPECIAL ADJOURNMENT

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

That the Parliament at its rising, adjourn until Tuesday 9 August 2016 at 2 p.m..

ADJOURNMENT

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

That the Parliament do now adjourn.

The Parliament adjourned at 12.12 p.m..