

THIRD DAY

Thursday 26 January 2017

DRAFT HANSARD

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THIRD DAY

Thursday 26 January 2017

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

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

Sitting suspended.

Mr Speaker again took the Chair at 10.55a.m., and invited the Member for Pomio, **Honourable Elias Kapavore** to say Prayers:

“Let us pray, Heavenly Father we thank you today, God of Abraham, Isaac and Jacob, We declare you the God of Papua New Guinea, our people and this Parliament. We humbly come before your presence today and we commit all our discussions to you today. Lord, we thank you for our Prime Minister, the Opposition Leader, all the great Members of the Parliament and all our people in this country scattered across our nation, we commit them all unto you today. Lord, we pray that the discussions of today in this Parliament will be guided by your wisdom and direction. We thank you for the Leaders in this Parliament and the opportunity that you have given us to represent our people. Thank you Lord, we ask you to enter the discussions of this day.

Let us all pray the prayer that the Lord, thought us; Our Father hello be your Name. Thy Kingdom come, thy will be done on earth as it is in heaven. Give us this day our daily breath and forgive us our trespasses as we forgive those who have trespassed against us. Lead us not into temptation but deliver us from evil. For thy is the Kingdom, the power and the Glory, for ever and ever, Amen!”

DEATH OF FORMER MEMBER (MR TOM PAIS) – STATEMENT BY THE SPEAKER

Mr SPEAKER – Honourable Members, I have to inform Parliament of the death of Mr Tom Pius, a former member for the Madang Provincial. He was first elected to the Third

National Parliament for Madang Provincial Seat from 1982 to 1987. He was appointed Minister for Civil Aviation from 1983 to 1985. He was re-elected to the Fourth National Parliament for the same seat from 1987 to 1992. He lost the seat temporarily to Mr Melchior Kasap and regained the seat by Order of the Court of Disputed Returns on 25 March, 1988, then relinquished to Mr Kasap again by the Supreme Court Order on 24 May, 1989. He retained the seat again after a recount on the 24 November, 1989 and was appointed Minister for Agriculture and Livestock from 1991 to 1992.

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

All Members stood in their places in silence as a mark of respect for the late gentleman.

Mr SPEAKER – I thank the Parliament.

QUESTIONS

Defence purchase of land to relocate wharf

Ms LOUJAYA KOUZA – Thank you, Mr Speaker, and thank you for this opportunity to direct my question to the Minister for Public Enterprise but he is not here so I would like to re-direct my question to the Defence Minister, if he can answer.

There is a confusing information on PNG Blog about a K61 million paid by Kumul Consolidated Holdings for land portion 406 Milinge Arua Manu, Central Province, Manumanu Land for the Defence Force Wharf to move to that location so that the Kumul Consolidation Holdings can develop the wharf.

(1)What is the exact amount paid for the land? Is it K61 million or K50 million?

(2)What is the exact size of the land?

(3)Who has the title for the land? Has the Defence Force attained it yet? For the interest of our people.

Mr FABIAN POK – Thank you, Mr Speaker. I would like to thank the Member for Lae, for the questions. I will answer these questions in totality so that Parliament will be aware of what is happening in the Defence Force.

The O'Neill-Dion Government has made a decision to move Lancron Base out of the current site as well as Taurama out of the current site because Taurama in the previous context it was seen as outside in the rural area or outside the city but now the city has moved out and Taurama does not have a shooting range and other training areas. The same will be done for the Engineers Battalion to be moved out of Lae because now it is taken over by Joint Service Collages.

We were looking for land so the Government allocated K50 million for us to buy land to move these institutions out of the city.

02/03

As you are all aware, Defence Force sometimes puts notices out asking land owners interested in leasing their land to bring in their land titles to Defence so Defence can exercise its right to see which land it will buy. As you all know, all State land in this country has not been bought by Defence Force or any other institution except the Lands Department so everything has been dealt with in conjunction with Lands Department.

We have bought the first portion of land which is 300 hectares by compulsory acquisition and the evaluation was done by Valuer General's Office at Lands Department. And there were two other portions, both were 800 hectares. Of these two, the first portion which was near the sea, because the lease expired the CEO was given to defence and the third portion is on the front near the road.

So NEC in its decision decided to allow IPBC to purchase the land that the Defence Force wants and to help develop this land. So I brought in a submission and approved up to K800 million which we are yet to implement because we were looking for land. So now we have three portions of land totalling 2000 hectares which stretches right down to the sea.

The Department of Defence is ready to implement the decision of NEC. The figure we are discussing here is from a state institution, the Valuer General's Office. The valuing was not done by me, IPBC or anybody. There was a collaboration between IPBC, Land Department and Defence to ensure we get all these land in order to develop the institutions, like moving the Warf across and moving Taurama across.

When my department saw the land, we realised it was the type of land we needed because it had a big reserve area of forest which could be utilised for the training purposes which was something that could not be done at Taurama which is a fighting battalion that is why they are causing problems in the city. So the decision to buy this land and the valuations

is done by a state institution and not a private valuer and it is done in conjunction with State Solicitors office and the Department of Defence and IPBC. NEC has given its approval on the IPBC work plan to proceed in helping Defence purchase the land and develop it. I also brought in a submission for K800 million to move these three projects and we are also looking for land in Lae to move out Igam Barracks.

Supplementary Question

Engineering Battalion Headquarters – Re-location

Mr JIM KAS – I wanted to ask this question as a form of a supplementary question but thank you Mr Speaker.

My question to the Defence Minister is, if the Minister is looking for land, can the Minister move the Engineering Battalion headquarters to Daigul in Madang Province? The Daigul land is a state lease and is available for the Defence Force.

The Madang provincial government is serious in assisting the Defence Force and we have made available a million kina to making that move possible.

Mr FABIAN POK – Thankyou Mr Speaker, I thank the Governor of Madang. Yes, we have discussed this. There are few options available, the first one is to move to Yangoru in East Sepik, or to Madang and the third is to move to one of the highlands region.

03/03

As we have discussed so many times, and I will now get the Defence Force Commander, and my people to look at the land and their sizes. I would also like to thank you for making available K1 million to help develop these land. I will make it my business to talk to the commander to send engineers across to assess the land.

What we are trying to do with Engineering Battalion is that instead of having one battalion, we are trying to put four units throughout the regions to help with road building and bridges and maintenance programmes.

The Defence Force Engineering Battalion is one of the most underutilize organisations in this country but we have very experienced people who can build roads and build bridges. Many people including us Members of Parliament are not utilised them and they are just sitting there.

We are trying to build four regional bases like one in Singorok Barracks in the Jiwaka Province. We will build one in West New Britain province. For the Southern region, it is going to be in Port Moresby. We will build one more in the Momase region whether it will be Madang, Wewak or Lae.

Sir Michael Somare – Point of order! Yangoru definitely, no. It should be Madang because we already have the Second Royal Regimental Battalion in Wewak.

Mr FABIN POK – Thank you, Governor of East Sepik, on your point of order. It is a good one and will be taken into consideration, thank you.

Supplementary Question

Army post at Green River

Mr AMKAT MAI – Mr Speaker, as one of Governors from the border province, I want to tell this Parliament, that our border security is paramount.

I have information and I have talked with the OC of the commanding force in Vanimo. I've been told that guns are being smuggled through the Bewani area. The Member for Vanimo-Green is not here but through his electoral a lot of guns and drugs are being smuggled there.

What I want to say to Parliament is that, it is paramount that we need to secure our borders whether it be Western Province or the West Sepik. We have the APEC coming up so we need to have a post at Green River. Thank you.

Mr SPEAKER – You not supposed to make supplementary statements, we are in Question Time.

Mr AMKAT MAI – My question is, could the Minister establish an army post at Green River so that we secure our border?

Mr FABIAN POK – Thank you Governor for West Sepik, I think the army is already at the border. There is a base in Vanimo. I don't know if we should move the base in Vanimo to the border or leave it there. I will find out about that but the battalion people from

Wewak always make rounds and they are always stationed at our border in Sandaun Province. I'm not too sure whether you want us to move from where we are at the moment to a different location? It is not very clear but I will talk to the commander and they will find out what the real problem is.

Foreigners in PNG

Mr JOE SUNGI – My questions are directed to the Minister for Foreign and Affairs. Yesterday, a lot of questions were related to the influx of foreigners into our country. There is a big influx of Chinese, the Bangladeshi and Indians into to our country.

Mr Speaker, I would like to give some background to some operations that took place in West Sepik when I was the Provincial Administrator there. This is to help the Minister use this experience when making some of his decisions.

Mr Speaker, we have a very serious problem at hand. If you go into any shops now, you will see foreigners working there.

04/03

Mr Speaker, they have taken over the jobs which are supposed to be done by our people especially the youths of this country. Today, our youths are searching for jobs and this is happening throughout the provinces in this country.

Mr Speaker, my questions are:

(1) Do we have a system in place to check work permits and visas before a foreigner can be allowed to come into the country? Because if you go to Singapore, Brisbane, Manila or Indonesia you will not find a Papua New Guinean working in a shop there. This is a very serious problem and we need to address it.

(2) Can the Minister inform Parliament whether there are plans in place to bring in a similar operation of 2010 in Vanimo namely the Sunset Marona?

When I was working as the Provincial Administrator with the provincial government in my previous job, the national government deployed a team from the national departments comprising of foreigner affairs officers, migration officers and labour officers, the PNG Defence Force personnel and Customs officers. The police commander was the commander of the operation. It was successfully conducted in Vanimo. I think it is also viewed on the *TV Wan* program.

Since this was very successful, I urge the Minister to consider such operations and upscale it. Through this operation we can check all the work permit documentation presented by foreigners. We can carry out this operation throughout the country reaching out as far as the district levels. English language should be a pre-requisite too.

So can the Minister assure this Parliament and our people especially the youths who are unemployed because of such nature?

I urge the Minister in collaboration with the Minister for Labour and Industrial Relations to put in place control systems with the assistance of the departments of Police and Defence. We can duplicate the operations of Sunset Marona in Port Moresby so that we can clean up the system and the citizens can enjoy what rightfully belongs to them. Thank you.

Mr RIMBINK PATO – Thank you, Mr Speaker. I thank the Member for Nuku for asking these very important questions. The questions asked are of great concern for all of us leaders on both sides of the House. I think it is a concern that we should address it.

I am not sure as to what has happened to the task force that was established to enquire into those matters. I will get appropriate advice.

It is not the Department of Foreign Affairs or the Immigration and Citizenship Authority of Papua New Guinea who is promoting the influx of people into our country without following proper procedures and process.

I have ensured during my term as the Minister to make sure that all process provided by law are complied with and I am sure that is not the case.

Under the law, an entry permit or visa are issued from the Papua New Guinea missions in the countries where we have high commissions, embassies or consulates, only if a work permit is issued in the first instance.

So there is a need for collaboration between the Departments of Labour and Industrial Relation, Foreign Affairs and Immigration, the Defence and the Police and the Ministry of Trade Commerce and Industry so that collaborative steps can be taken to ensure that we deliver this to our people. This is a matter of serious concern and I think at some point in time there was a legislation that restricted business activities to our citizens only but for some reason that is not seen at its end. That is no longer in operation and we can see so many people and so many businesses which should be operated by our citizens but are falling in the hands of the foreigners.

05/03

It is a matter of concern to me and I believe that our Minister for Commerce and Industry will bring a legislation which will require all of us to support it 100 per cent so that we do the right thing for our people; this is so that the very issue that you have raised is addressed in terms of employment for our people and at the same time we need to see whether we should start the task force immediately to well as see what kind of programs that should be put in place.

I believe that it may be necessary at this time and I will discuss with the Minister for Employment and Industrial Relations, whether the two activities of visa issuance and work permits should be merged so that in that way we have a one-stop-shop so that we can specifically address this matter of concern for our people. I welcome this opportunity and I will look into it immediately.

Acquisition of Manumanu Land

Mr PETER ISOAIMO –Thank you Mr Speaker, for giving me the opportunity to represent the people of Kairuku-Hiri.

My question is to the Minister for Defence and I want the Minister for Lands to take note. This question is similar to what the Member for Lae asked this morning. I want to know if the Department of Defence had done an exhaustive consultation to obtain the land in my electorate for military purposes. During one of my visits accompanying the Governor to Manumanu village, I was handed a petition to present to the Government to stop that process of land grabbing.

They do not want it to proceed because the land area is too big and we need it for agricultural use and also because we do not conduct proper consultations with our people on such matters. The people in Gabadi and towards Manumanu are not happy about this project. We are hiding behind the law and grabbing land like this is not good for the people. This particular land has been earmarked for agriculture and not for military purposes.

How was this particular land obtained?

Mr FABIAN POK – The most important thing is that Defence was looking for a land with title and that is why we acquired this land, which has a title. Because customary land only creates a lot of problems. That is why we could not consult with the landowners because

the land had a title to it, so they obtained it from the Department of Lands after an evaluation was done.

It is not a customary land, it had a clear title to it.

Mr Peter Isoaimo – Point Of Order! There are villages within this land area that we are talking about.

Mr FABIAN POK –With due respect to the Member for Kairuku-Hiri, I do not want to argue with him. It was state land, there was a clear title to it that is why we went through the department of lands and obtained it. We can look into issues like the occupants of the land later if the Defence Force decides to move in and have a look at these issues. I have been put in a very awkward position because the Government has asked me to purchase land for this institution.

06/03

Let me put it in perspective. When the Defence Force looks at places like Manumanu, it is of strategic importance to the nation because it is very close to the pipeline coming from the Papua LNG and is also close to most of the assets of the country from which all of us benefit from. Those are some of the reasons why a decision was reached for us to acquire that land.

If for some reasons there is a problem we can all sit down and work through it again. But the most important thing is that these lands have titles to them. If people are living on land then they are illegally living on land owned by somebody else according to Papua New Guinea Law. But these are issues that can be worked out with the Member and others to ensure we come up with some amicable solutions.

The most important thing is that when military personnel move there, apart from the troubles they cause, they are going to help boost the economy of the area. You are looking at hundreds of millions of kina going into their salaries every week.

I have seen this myself when only 10 or 20 people moved in to Singirok Barrack. There was a huge spinoff benefits and the economy grew so it is also good for the Electorate of Kairuku-Hiri that such developments take place. But if the Member has a problem, we can sit down and talk about it because we are only looking at State land.

Mr Ken Fairweather – I'm a bit confused. It would be normal for Defence barracks and training grounds to be on non-agriculture areas. That's what happens all over the world.

The land we are talking about here, I know that land. I wish I owned some of it. That's excellent farming land. I can't quite get it.

And secondly, Mr Speaker, I can't understand. If it is State land, who are we paying the K50 million or the K60 million to? I'm totally lost here, could you explain please, Minister?

Mr FABIAN POK – What I am saying is that there are people who have title to the land.

Mr Peter Isoaimo – Who are those people?

Mr FABIAN POK – I don't know because I wasn't involved. You have to ask the people in Lands Department, in Department of Defence and IPBC who worked on this. Why are you asking me?

Mr Ken Fairweather – You should know.

Mr FABIAN POK – No, seriously, why are you asking me? Do you think I was involved from the start? These are Defence Force matters.

(Mr Ken Fairweather Interjecting)

Mr SPEAKER – Member for Sumkar, resume your seat and Minister for Defence, address the Chair.

Mr Ken Fairweather – You answer the question, what's wrong with you?

Mr FABIAN POK – Nothing's wrong with me.

Mr Peter Isoaimo – How did you pay K50 million, just answer.

Mr SPEAKER – If Members keep interjecting I will suspend Parliament. If you keep quite, the Minister can answer the questions.

Mr FABIAN POK – I told you already, I did not do the valuation.

Mr SPEAKER – Minister, address the Chair.

Mr FABIAN POK – Sorry, Mr Speaker, I told you already. I did not do the valuation. I am saying for all three portions of land, I did not do the valuation. We went through the proper process. And that is for the Valuer-Generals Office of the Lands Department to value the land according to the valuation standards. What have I done wrong?

Re-location of OPIC Office

Mr SASSINDRAN MUTHUVEL – Thank you Mr Speaker. I wish to direct this question to the Minister for Agriculture.

Mr Speaker, you all know that West New Britain is the capital of oil palm and our farmers contribute to an organisation called OPIC. I wish to ask the Minister what is the reason for keeping this organisation in Port Moresby?

Can the Minister consider shifting this office to Navio where OPIC's Kimbe office is currently located so that it can serve its core purpose?

Mr TOMMY TOMSCOLL – Mr Speaker, thank you for recognising me and giving me time through the questions raised by the Governor of West New Britain. The question is short so even though the answer is long, I will shorten it.

Mr Speaker, why the OPIC head office is located in Port Moresby is something that even I don't know too. This office was set up a long time ago and it has been operating out of here. But, I will look at it and see if relocation can be justified and then we will relocate.

This is the same as what we are trying to do with KIK, which is the Kokonas Industri Koporasan. This office is also located in Down Town Port Moresby but we would also want to separate it.

If the move is not justified, OPIC is owned by growers so we will consult with the growers and relocated to where the growers think it is and would be strategically located to serve them best.

Safety of Asylum Seekers

Mr CHARLIE BENJAMIN – Thank you, Mr Speaker. My question is directed to the Minister for Foreign Affairs and it is to do with the Asylum Seekers.

I also take this time to thank the Member for Rabaul for asking some very good questions in the last meeting regarding this issue.

07/03

I will not say much because I do not want to go through the emotions of this issue but we are all aware that these people from the asylum seeker centre have caused a lot of problems for the people of my province.

My question is a short one and it goes like this. The PEC made a decision last year that the detainees at the centre would not be allowed to come out of the centre after 6 p.m.. Nevertheless, when we consulted the people from the Immigration Office, they informed us that the law did not allow us to stop the detainees from coming out and leaving the centre.

Now, the only two reasons these asylum seekers come out of the centre is to look for women and drugs, and home brew. This only means that these detainees do not have any good reasons to come out of the centre. Regardless of this, the Supreme Court has stated that the detainees cannot be forced to stay within the confines of the centre and, thus, this has created problems.

Mr Minister, are there any other avenues or laws that we can pursue to stop this detainees from coming out of the centre?

Therefore, I would like to inform the Minister, the Australian Government and the international media that as the Governor of Manus, I cannot guarantee the safety of these detainees as of today. The people of Manus Province have been patient long enough being good hosts to these detainees and we have had enough already. I am pretty sure if this occurred in any other provinces, these detainees would have been assaulted already or even killed.

With that, if any of these detainees cause any more problems as of today, my people will therefore reprimand them in any way they see fit.

Thank you.

Mr RIMBINK PATO – Thank you, Mr Speaker.

I would like to thank the Honourable Governor of Manus for his question. I think what is of concern to the Honourable Governor and the people of Manus is also equally of concern to us. And I did say and answer the question from the member for Rabaul that I would bring detailed answers to those questions, and I have those answers with me now.

Mr Speaker, with your leave, if I could answer those questions then the concerns of the Governor would also be addressed in this way, but what I have done this morning, which I have also explained to the Governor as he was coming into the Chamber was that the Chief Migration Officer will be travelling to Manus this week. If not, then early next week to make an assessment of the situation and to establish whether or not and to what extent we are complying with the court orders. Whether people who should be in the centre and not moving on and about are in breach of any orders or directions that the Government has given or the Papua New Guinea Citizenship and Immigration Authority has delivered to them.

Nevertheless, in overall we have to act in the spirit of partnership. We have to act in the spirit of the agreement that we have with the Australian Government and which agreement has international implications. We have to remember that we are a member State of the United Nations and we must have respect for the international community in which we live in. This is because we are part and parcel of the international community and globally speaking, we are leaders in this region.

Therefore, all of these things have to be considered in their proper contexts so that we will act appropriately. Having said that, there were obviously some concerns, which raised a similar concern of the Governor in the editorial of the *National Newspaper* today.

With that, I have the answers which will deal with all of those concerned for us the Members of Parliament as well as our citizens.

Mr SPEAKER – I will allow you after Question Time to give your answers to those questions and concerns that we have in this Parliament.

Tax Credit Scheme Funding for Kerema CIS

Mr MARK MAIPAKAI – Thank you, Mr Speaker.

Mr Prime Minister, firstly, let me thank you for the funding that you have channelled through the Gulf Administration in terms of infrastructure in the Gulf, especially Kerema alone such as the airstrip, roads, the new office complex, hospital and et cetera.

As to the outcome of the success to these projects, I cannot respond as I do not have the capacity to do so as this is not in my jurisdiction.

08/03

I am getting old and my question is very simple with regard to correctional services in my province.

Mr Prime Minister, since independence, the Gulf province has never had a correctional service establishment. I would have liked to ask my question to the Minister but I'm sure, I will receive the same answers.

Under your Prime Ministership and on record, so much money has been spent outside in terms of tax credit scheme within the project range such as the Pineapple Building upgrading scheme which cost around K70 million. But nothing has come to my people.

Can you guarantee my people and the Parliament and make an undertaking to fund the Kerema Correctional Service under the tax credit scheme? I host two important infrastructures; the gas and oil pipeline and also I am the sponsor of the new gas funds in Elk Antelope.

Mr PETER O'NEILL – I thank the Member for Kikori for his question. I do not know when was the last time he was in Kerema and Kikori for that matter. I was there a few months back for the hospital opening in Kerema town. The infrastructure is certainly improving in that town given what we inherited in 2012. The roads are being sealed and today you can almost drive from Port Moresby to Kerema on a sealed road. There are sections of the highway with potholes we need to fix but we have taken some interventions with the tax credit schemes.

We have invested heavily on the TB programme and the rebuilding of wards in the Kerema hospital. We have rebuilt Kerema Airport and reopened the bank that was closed many months ago and many other things.

Mr Speaker, I think credit should be given to the Government for focusing on Kerema. We are not doing it without consulting him or being urged by him. With our MRDC agency we opened a BSP Bank in Kikori. We are also working on our Kikori Airport and when it is completed, I will invite him to come there.

(Laughter in Chamber)

Mr PETER O'NEILL – We are also working on the Simbriki-Kikori Road. It is almost completed and almost connected to Erave. You can now drive from Kikori all the way up to Mt Hagen. Therefore there are many big projects going on that part of the country and I urge the Member to utilise some of his DSIP. I know that he has been buying boats and whether some of them are working or not is questionable but we need some of his DSIP to rollout some of those projects and we look forward to working with him.

Mr Mark Maipakai – Point of Order! He has not responded to my question about the CIS being funded under the tax credit scheme.

Mr PETER O'NEILL – I agree with him that CIS or rural lock-up is a priority. The Department of CS and the Minister for CS are rolling out the rural lock up programme throughout the country and I am very certain that Kerema is on the priority list.

I cannot give you an exact time frame but like all other projects that I have delivered in Kerema and Kikori in this term of Parliament, I can guarantee that we will deliver the CS lock up.

Justify printing of ballot papers overseas

Mr DON POLYE – I direct my questions to the Prime Minister and it is in regard to some of the decisions of the Electoral Commission and the Electoral Commissioner. The questions are in regard to the printing of ballot papers in Indonesia and the continuous change in the dates of the filing in of the bio-data of candidates from 15th December to 17th January to 28th February later. Also in regard to some announcements made by the Electoral Commission as to the change of the 2017 election dates and which do not have a legal binding. For example, the issuing of writs was moved from the 20th April to 20th May, 2017. I think this is an announcement that does not have a legal basis.

My questions are:

(1) Can the Prime Minister tell the people of Papua New Guinea and the Parliament, who is the agent in PNG for the Indonesian company that got the contract for printing our ballot papers?

09/03

(2) Can the Prime Minister confirm or deny if Treid Print was finally awarded the contract to print ballot papers, who then sub-contracted to Kuda Print Group of printing company in Indonesia?

(3) Can the Prime Minister also deny or confirm if the bidding contract for printing ballot papers for the 2017 election was a closed door or secretive tender process rather than an open bidding like it has always been?

(4) Can the Prime Minister confirm if Treid Print is the same company that was awarded the contract to deliver Educational Kit Products to Papua New Guinean Institutions but failed miserably and if the Prime Minister could kindly inform this House and the people of this country who owns Treid Print?

The costing excuse to print ballot papers outside of Papua New Guinea given by the Electoral Commission has been clearly rebutted by the Government Printers, the former and current Printers.

(5) Can the Prime Minister give a clarification as to why there is discrepancy in the costing by these two very important institutions? The Electoral Commissioner who gives excuse that he awarded and outsourced the printing to an overseas company whilst the Government Printer maintains the fact that it is very cheap and confident that it has always printed ballot papers over the last 40 years?

In the explanations that the Electoral Commissioner gave, he implied that Papua New Guinea Printers are incompetent, they don't have the business acumen, they cannot do it properly, they are too expensive, they are all over the place and therefore, he had to go overseas to print.

So that means that the Government's own SME Policy that you announced recently and you answered some questions on it is almost useless because the Electoral Commissioner does not have any confidence or trust in Papua New Guinea Business that he is giving a K12 million contract overseas. The Prime Minister has spent so much money in so many uneconomical projects like the fly-over infrastructure where millions and millions of kina were paid to foreign investors. But just to give K12 million to Papua New Guinean SME Printers is a big problem to the Government and therefore, they are trying to deprive the SME's of this Nation.

(6) Can the Prime Minister confirm that the erratic behaviour from the Electoral Commissioner is a sign of weakness and can be manipulated by outside influence or rogue elements in an election process?

(7) What will the Prime Minister do to strengthen the Electoral Commission so that a free and fair democratic election is realised in 2017?

(8) Can the Prime Minister confirm that your Government is manipulating and influencing the Electoral Commission to act in this erratic manner?

Thank you, Mr Speaker.

Mr PETER O'NEILL – Thank you, Mr Speaker, and I thank the Opposition Leader for his questions.

Let me start by answering his last question leading from other issues.

Mr Speaker, it is a constitution office and we are talking by a person who has very distinguished public service record of many years of service to this country without any bad record whatsoever, no political affiliation whatsoever who was appointed by a committee which included the whole lot of us when we appointed him.

10/03

Mr Speaker, it was not a political appointment, it went through a process where it is bi-partisan and with other members of the community including the judicial members. We all appointed this person to run the elections and run the Electoral Commission. We must support him and not engage in a political debate with him.

Mr Speaker, yes, through Ministerial responsibility, I have carriage over the Electoral Commission and the other constitutional offices through the Prime Minister's Office but I did not give him directions which has not been done by any other Prime Minister before because he cannot be directed and secondly he does not report to me. He reports to Cabinet through writing and I table it in Parliament.

Mr Speaker, on Tuesday I received a report from the Electoral Commissioner and this afternoon, Cabinet will look through it and endorse it for me to present it. I will present it early next week as soon as Cabinet clears it and that is the process that is followed to have the Electoral Commissioner accountable to the people.

Mr Speaker, as far as I know, Form 29 as the leader of Opposition has alluded to, it has been extended because they are trying to give candidates more time to update their bio data.

It indicated in the last dead line, a lot of candidates rushed to the Electoral Commissioner's office putting added pressure so he has extended it to give more candidates time to put in their biodata which will be included in the printing of the ballot papers for the voting to take place. As far as I know, the dates on the issue of writs has not changed, I am yet to be informed of that, the report that I received from the Electoral Commissioner still indicates that the writs will be issued on the April 28, so that is news to me, I will reconfirm that and ask the Electoral Commissioner to write to the Opposition Leader.

In terms of printing of the Ballot Papers, I am not aware whether Trade Pacific is an agent for the Indonesian company here in PNG. As I said on Tuesday, this particular contract did not come to Cabinet, it was not advertised by Cabinet and agencies of government, it was done by the Electoral Commissioner himself and the Electoral Commission.

Mr Speaker, the bidding process, how it was conducted, I don't know, but I am told and the reports that I received is that the printing is done overseas because of security measures. Some of the printing requirements that the ballot papers require cannot be provided by the Government printing and secondly on the pricing. The quotes that the Electoral Commissioner has received is well over K20 million and the printing in Indonesia is K6.5 million. He has gone publically in the media saying this Trade Printing has some relationship to PNC. We have had a caucus meeting and I have asked every member of our party if they had any association with that company and there was not one single association. Yes, they have done some business with the Government in the past but, today, I can assure the House that Trade Pacific is not involved in the TFF rollout for material in the country. That contract has been awarded to another bidder and that was done through the process.

Mr Speaker, I will ask the Electoral Commissioner to inform the Opposition Leader directly informing him of the process of the tender that he has conducted and who is the agent of the company here in PNG so that he can be satisfied of the process that he has followed. But as far as NEC and Government is concerned and as I have indicated on Tuesday, we have no visibility, zero visibility on the contracts, that includes security and all the other arrangements that the Electoral Commissioner does. We have no visibility or no say in who he appoints. Thankyou Mr Speaker.

Supplementary Question

Confirm Date of Issuing of Writs

Mr KERENGA KUA – Thankyou Mr Speaker. The question on the date of the issue of the writs is a very important question. A lot of candidates throughout Papua New Guinea including us here in Parliament are still in limbo about exactly when the writs will be issued because the proposition made by the Electoral Commissioner was to defer the election to May by one month.

We need to resolve that question immediately because it is not wise to leave the question hanging in the air and so many of us affected in our preparations towards that particular point.

11/03

Therefore, could the Prime Minister as Minister responsible talk to the Electoral Commissioner and give us a definite answer immediately so that nobody is in a state of limbo about the exact date of the issue of Writs?

Mr PETER O'NEILL – Mr Speaker, I thank the Member for Sinasina-Yonggamugl for his Supplementary Question.

Mr Speaker, the date that the Electoral Commissioner has published is that the issuing of Writs will be on 20 April 2017, and that has not changed. It will be issued on that day as far as I am concerned but the only issue that is before us is the nomination fee and the delaying council elections by 12 months because all our councillors throughout many districts in the country are saying that they do wish to serve five years in a term and not four. So they want the council elections to be deferred by 12 months.

That is the issue that is on the Notice Paper here on the Floor and Parliament will deliberate on it. Right after the Question time, I will be referring back to the Constitutional Laws Committee for them to deliberate on it before it comes to Parliament.

Mr Speaker, so as far as I am concerned, the Writs will be issued on 20 April 2017 and the number of weeks for the campaign which is prescribed for eight weeks, we are requesting that it be reduced and that is at the administrative discretion of the Electoral Commissioner. That is the only area that I see some changes will occur; on the number of weeks in which the campaign can take place either four, five or eight weeks. And this is at the discretion of the Electoral Commissioner himself.

But in terms of the legislation, we have the issues about nomination fees and the extending of the LLG elections by 12 months which is before the Parliament.

Mr Kerenga Kua – Point of Order! Mr Speaker, the nominations and the campaigns begin immediately upon the issue of the Writs. Therefore, the campaign cannot be delayed by four weeks after the issue of the Writs. That is why we need to know exactly what point is the Writ going to be issued and that is the question. The Prime Minister may not be aware but the Electoral Commissioner himself has come out publicly already indicating that he will consult with the Cabinet with the view to delaying the issue of the Writs by about one month and he is on record for saying that. So we need clarity and that is the question.

Mr PETER O'NEILL – Thank you Mr Speaker, I understand the question and the point which honourable Member is referring to but I have not received any correspondence, report or request from the Electoral Commissioner to the Government or Cabinet stating that they want to extend or defer the issuing of Writs to date. So I am unable to give him that answer saying that the issuing of Writs will be deferred any time. As far as the Government and I know the date that he has set already which is 20 April 2017 is still there. And that is that date as far as our planning is concerned and it will be the date when the Writs will be issued.

In terms of the number of the campaign weeks, it is entirely up to the Electoral Commissioner and one thing that we have to know in this honourable House is that many times, our elections gets delayed and the Writs are returned late. Normally the previous Parliamentary calendar is from July to after five years July but we have always returned the Writs in August. So this particular shortening of the campaign period also gives us an opportunity to get the Parliamentary back in order, and that is from July to July after five years rather than July and August or beyond that.

Mr Speaker, let us be guided by the Electoral Commissioner and let's make some decisions on nomination fee and the extension of the LLGs elections by 12 months. This will guide him to making those decisions that we are asking him for but as far as we are concerned, we will be urging the Electoral Commissioner to he stick to the April 20, 2017 date. He has set. We don't want any extensions or delay, we want to start on time so that the people can make their decision.

Sir Michael Somare – Point of Order! Since the Prime Minister is talking about the issuing of Writs on 20 April 2017, how long will it take for him to be able to introduce that legislation? When you introduce this legislation on constitutional changes to have K10 000 nomination fees, it means only Members of Parliament will be qualified to nominate themselves because they can afford it.

12/03

So I am asking him a question whether he is going ahead to bring in the amendment to the law to change the *Constitution*?

Mr PETER O'NEILL – Thank you, Mr Speaker and I thank the Governor of East Sepik for his supplementary question.

The notice has already been given so it is on the notice paper and we will deal with it right after this question time. So the process has already started.

Not everybody in the country is to go for elections. Some of our people are sick and tire of politics. Only those of us interested will be faced with K10 000 nomination fee which is fair enough. Why would average tax payer and average voter bear all our costs of running the elections? We should pay for it ourselves. That is why we are proposing for it. If the people do not want to increase the nomination fee, fair enough we can keep it at K1 000.

As I have said earlier the cost of elections is rising every year. For this particular election, the Electoral Commissions budget is close to K600 million. This is a huge amount of money and I know that we are now going to spend nearly K350 million. That is still too high for a population of K8 million voters. So we have to share the cost to some certain degree.

So the Bill is before Parliament and let us consider it. If we have to defer it for the next elections I am quite happy with it too. This is not because Don Polye cannot afford it, he affords it all the time.

Mr Don Polye – Point of Order! Mr Speaker, the Prime Minister is starting to call my name but let me just tell him this, that increase from K1 000 to K10 000 is unjust and it is not right. So just stop it.

Mr SPEAKER – Honourable Members, question time has lapsed, I will allow the Minister for Foreign Affairs to give answers to the questions that were raised earlier by the Member for Rabaul.

ANSWERS TO PREVIOUS QUESTIONS

Mr RIMBINK PATO – I wish to respond to the questions raised on the 24 of January by the Member for Rabaul. There are series of questions so bear with me as I go through with them as briefly as possible. Before answering those questions I want to thank the Honourable Governor of Manus and the people of Manus for taking responsibility to look after the asylum seekers most of them we have determined as genuine refugees for the purpose of resettlement or resettlement in third countries.

In response to the first question, the current legal status if any of the refugee processing facility in Manus, the Papua New Guinea Citizenship Service Authority is provided with support from the Australian Government to implement the resettlement of refugee's arrangement which includes the provision of services provided to residents accommodated at the Manus regional processing centre.

The regional processing centre is located at Lombrum Naval Base, property of the Papua New Guinea Defence Force and the centre is gazetted under statute as the location centre under Section 15b of the Migration Act 1978 for which the Deputy Chief Migration Officer of the Refugee division is administratively responsible and that officer is appointed under section 15d of the Papua New Guinea Migration Act 1978.

Mr Speaker, in response to the second question, what are the legal consequences of the Supreme Court Ruling that the facilities are unconstitutional and illegal a year ago, the Supreme Court Ruling on the 26 of April 2016 in the matter of Supreme Court ACA no. 84 of 2013 found that the detention of transferees from Australia at the Refugee processing centre was contrary to their rights and freedom under the PNG *Constitution* including the right of personal liberty.

To rectify the unconstitutionality of the detention, the transferees were provided that constitutional rights and freedom by having them the ability to leave the refugee processing centre at will and like all persons in Papua New Guinea, continue to be the subject of the laws of our country.

13/03

The Supreme Court ruling does not take anything away from the consequences faced by a person who has committed an offence under Papua New Guinea law. The usual legal process is triggered by the conduct of the act of the person regardless of whether they are Papua New Guinean citizens, asylum seeker, refugee or a non-refugee.

Mr Speaker, in response to the third question, if the facility is illegal, why is it still operating and it is your continual operation of the facility a direct contempt of the Supreme Court ruling. I answered this question in part last week. The centre itself was not declared to be illegal, it was the detention of the persons accommodated there, that were found by the Courts to be unconstitutional. As this is being addressed there is no actual or perceived contempt with the Supreme Court Orders. In the matter, the subject of the constitutional reference SCA24/2013.

In response to the fourth question, what is the legal status of the refugees under the *Migration Act* and what sort of Visa do they currently hold to continue to remain in Papua New Guinea? The refugee determination process is conducted pursuant to *Section 15a* of the *Migration Act* and *Section 14 and 15* of the Migration Regulation. Persons whom I have determined to be refugees will apply for a refugee entry permit which is a valid one for multiple entries into and outside of PNG for an indefinite period. This is provided for under *Section 4* of the *Migration Act* and *Section 2 Sub Section 5* of the Migration Regulations, the Immigration & Citizenship Authority has procured a refugees trivial document to enable freedom of movement of refugees consistent with the 1951 Convention relating to the status of refugees which has been the subject of many discussions by me in this Parliament.

Mr Speaker, on the fifth question, asking if they do not have a valid visa why they are allowed to roam freely on Manus Island. Transferees from Australia who do not hold a refugee entry permit are exempted from having an entry permit in PNG under the *Migration Act*, which provides them with lawful status in PNG. This exemption is made pursuant to *Section 20* of the *Migration Act* and non-refugees are liable for detention that is why in the earlier questions on dispatching the Chief Migration Officer to Manus as soon as possible, if not this week, it would be early next week.

In response to the sixth question, whether we have a plan to round them up as illegal aliens and place them under the custody of the Police and Correctional Services until they are deported. Non –refugees are currently accommodated separately from the refugees and asylum seekers and have their conditions befitting of that status. They are not in a primitive

detention sense and are not under the custody of the police or CS. Immigration & Citizenship services authority is working hand in hand with the Australian authorities are working very hard to secure. Travel documents from respective countries of origin to facilitate their return whether voluntarily or in-voluntarily of this non refugee. I can report to this Parliament that on a recent trip to Australia by the Acting Chief Migration officer, there was a positive response from many of the foreign countries from home origin of the asylum seekers and the refugees, for their return to those countries. We are working through with them on this one.

Mr Speaker, as to how many refugees have been re-settled in PNG, at present there are 24 refugees in the settlement locations outside of Manus Island, including Lae, Port Moresby, Rabaul and Goroka. In response to the success rate of the resettlement, it is obvious from the response given earlier that there had been various successes in resettlement in PNG. There is the highly skilled and unskilled.

Trained refugees are currently contributing to the greater a PNG society where they are located but the lack of access to a network of support like the wantok system continues to be a huge barrier to the successful resettlement of refugees in PNG. Therefore, consistent with the National Refugee Policy, refugees under the Refugee Re-settlement Arrangement are not supported out of any public resources that are provided by the PNG Government.

They are however receiving an initial settlement package funded by the Australian Government to assist them to integrate into PNG communities. And this support will be phased out as refugees become self-reliant.

14/03

In response to the question asking whether it is true that many of these resettled refugees are already actively seeking means and ways to enter into a third country such as the United States; all persons who were transferred from Australia and who have subsequently been found to be genuine refugees by PNG are able to express their interest in the US Settlement Deal struck by Australia.

Refugees, like other persons in PNG and like PNG citizens, have the right to their own freedom of movement inside and outside of PNG subject to their ability to secure entry into a third country and that's why the Chief Migration Officer was in Australia last month.

Mr Speaker, in response to the question of whether this makes the entire proposal to resettle refugees in PNG a farce and unnecessary, the answer to that is no, it does not make the entire proposal a farce.

In fact, PNG has demonstrated its standing as a regional leader by ensuring that human smuggling and transnational crimes and related networks in this region are combatted and innocent lives lost at sea through these schemes are addressed and channelled. And this was the subject of an address I gave to the UN on our behalf recently.

Mr Speaker, in response to the question asking, what are your plans to bring back the Australians and New Zealanders who are allegedly involved in the murder of a refugee when Papua New Guineans who were involved have already been dismissed from their jobs, arrested, charged and brought before the courts, all persons in PNG are subject to the laws of this country regardless of whether they be Australians, New Zealanders, or citizens of any other nationalities. Australia has been cooperating with the PNG Government to ensure that PNG legal processes are complied with and further details of other police investigations into these matters is a matter for the Police Minister and the Department of police to deal with.

In response to the question on how would you describe the level of legal compliance of the Australian Authorities when it comes to bringing their citizens to Papua New Guinean courts on matters of criminal offences committed in this country by their citizens, are you suggesting that there are two sets of laws, one for Papua New Guineans and the other one for Australians? Well, the answer should be obvious to my learned friend.

However, after the earlier riots of 2014 the Papua New Guinea Immigration and Citizenship Services Authority Management and the Manus Regional Processing Centre has since been very compliant in ensuring that all persons accused of committing crimes within PNG are brought before the law and the Immigration and Citizenships Authority and established a very strong working relationship with the police and other agencies and stakeholders in Manus. And therefore all criminal matters are immediately reported to the police for their investigation and to be further dealt with.

Therefore, as I have said, all persons, whether they be Papua New Guinean citizens or non-citizens are subject to the laws of our country and they should be dealt with according to the laws.

Thank you, Mr Speaker for giving me the opportunity to answer these questions.

MOTION BY LEAVE

Mr CHARLES ABEL (Alotau – Minister for National Planning and Monitoring) – I ask leave of the Parliament to move a motion without notice.

Leave granted.

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

Motion (by **Mr Charles Abel**) agreed to –

That so much of the *Standing Orders* be suspended as would prevent Notice Nos. 362, 363, 364, 365, 366, 367, 368, 369 and 370 of Government Business being called on forthwith.

CONSTITUTIONAL (AMENDMENT) LAW 2017

First Reading

Proposed law presented by **Mr Peter O’Neill** and read a first time.

Ordered – That the Proposed Law stands referred to the Permanent Parliamentary Committee on Constitutional Laws, Acts and Subordinate Legislation.

15/03

**ORGANIC LAW ON PROVINCIAL AND LOCAL-LEVEL
GOVERNMENTS (AMENDMENT) LAW 2017**

First Reading

Bill presented by **Mr Peter O’Neill** and read a first time.

Ordered – That in accordance with *Standing Order 222A* and the practice of Parliament, the Proposed Law now stands referred to the Permanent Parliamentary Committee on Constitutional Laws and Acts and Subordinate Legislation.

**ORGANIC LAW ON NATIONAL AND LOCAL-LEVEL
GOVERNMENT ELECTIONS (AMENDMENT) LAW 2017**

First Reading

Bill presented by **Mr Peter O'Neill** and read a first time.

Ordered – That in accordance with *Standing Order 222A* and the practice of Parliament the proposed law now stands referred to the Permanent Parliamentary Committee on Constitutional Laws and Acts and Subordinate Legislation.

ROAD TRAFFIC (AMENDMENT) BILL 2017

First Reading

Bill presented by **Mr Malakai Tabar** and read a first time.

Second Reading

Leave granted to move the Second Reading forthwith.

Mr MALAKAI TABAR (Gazelle – Minister for Transport and Infrastructure) – I move –

That the Bill be now read a second time.

Thank you, Mr Speaker and Members of this Honourable Parliament, it gives me great pleasure this morning to introduce a package of six road traffic related bills designed to improve the effectiveness of licensing and policing of traffic laws in Papua New Guinea.

Mr Speaker, under this reform all matters relating to road traffic, all road transport will now come under the administration of only one entity which is the Road Traffic Authority (RTA), unlike in the past where we had different entities dealing with different matters or duplicating each other's role and responsibilities in relating to road transport.

Mr Speaker, the following Acts will be repealed in their entirety and their powers and functions will be transferred to the Road Traffic Authority established under the *Road Traffic Act 2014*. They are the Land Transport Board Repeal Bill 2016, Licensing of Heavy Vehicles Repeal Bill 2016, the Motor Traffic Repeal Bill 2016 and the National Roads Safety Council Repeal Bill 2016.

Mr Speaker, the Motor Car Dealers (Amendment) Bill 2016 is basically mending the Motor Car Dealers Act 1976 to allow the board of the Road Traffic Authority to take charge of the powers and function of the Land Transport Board. This is because the Act that created the Land Transport Board is repealed.

Mr Speaker, with this amendment there will only be one entity responsible for all road transport activities in Papua New Guinea.

With that, Mr Speaker, I, now, commend this package of six road traffic related bills to this Honourable Parliament.

Thank you, Mr Speaker.

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

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

Bill read a second time.

Third Reading

Leave granted to move the Third Reading forthwith.

Motion (by **Mr Malakai Tabar**) proposed –

That the Bill be now read a third time.

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

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

Bill read a third time.

16/03

MOTOR CAR DEALERS (AMENDMENT) BILL 2017

First Reading

Bill presented by **Mr Malakai Tabar** and read a first time.

Second Reading

Leave granted to move the second reading forthwith.

Mr MALAKAI TABAR (Gazelle- Minister for Transport) – I move –

That the Bill be now read a second time.

Mr Speaker, I have already covered my speech in my statement.

Sir PUKA TEMU (Abau – Minister for Public Service) – I stand to support the bill and wish to make a short statement on this amendment.

Mr Speaker, I wish to emphasise a point that today in our country, there are so many second-hand cars on the roads at the moment. Many of them are imports from other countries especially Japan. This is going to be a problem especially in Port Moresby in the coming years. We are going to face a lot of traffic jams and air pollution problems in the carbon monoxides that these cars are producing.

Mr Speaker, I hope that this particular amendment will emphasise the need to limit the age of vehicles coming in and their ability to emit carbon dioxide and carbon monoxide in the country. We do not have to be a dumping ground for vehicles that are already useless elsewhere in the world.

The other issue that we have to look is the issue of parts. Many of these second-hand vehicles do not have their spare parts in the country. I therefore strongly recommend that, we need to limit the number of second-hand cars coming into our country. This is an area where NISIT as an institution was established. They must rise up from their hibernation and look at all these issues including the type of toys, clothing and everything else. You buy a bicycle for your child now and before he or she rides it, the wheel is gone. The quality of the imports cars are my argument here. Thank you.

Sir MICHAEL SOMARE – We have seen from our towns that most of our second-hand cars are imported from outside. They are imported because there are Papua New Guineans that cannot afford a brand new car. As Members of Parliament with our entitlements we can afford a new car but people in the villages are not that privileged.

Our people in our villages who own cars are probably faced with the problem of getting spare parts for their vehicles every time it breaks down. This is an issue we should consider if we are going to legislate about motor cars coming in.

The vehicles that we import must have their spare parts in the country. We must not import vehicles that do not have parts in the country. We must make sure that our imports are done according to the time and age of that particular vehicle meaning that it has parts in the country.

I am concerned about the poor and average Papua New Guineans who have to struggle to purchase cars.

17/03

When you go up to 1975 or 1976, they are old cars so get rid of them unless they are model from 1991 or 1992 cars. Minister, when in issuing licenses, you must also look at spare parts are very important.

Thank you, Mr Speaker.

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

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

Bill read a second time.

Third Reading

Leave granted to move the Third Reading forthwith.

Motion (by **Mr Malakai Tabar**) proposed –

That the Bill be now read a third time.

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

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

Bill read a third time.

MOTOR TRAFFIC (AMENDMENT) BILL 2017

First Reading

Bill presented by **Mr Malakai Tabar** and read a first time.

Second Reading

Leave granted to move the Second Reading forthwith.

Mr MALAKAI TABAR (Gazelle –Minister for Transport) – I move –
That the Bill be now read a second time.

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

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

Bill read a second time.

Third Reading

Leave granted to move the third reading forthwith.

Motion (by **Malakai Tabar**) proposed –
That the Bill be now read a third time.

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

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

Bill read a third time.

LAND TRANSPORT BOARD (AMENDMENT) BILL 2017

First Reading

Bill presented by **Mr Malakai Tabar** and read a first time.

Second Reading

Leave granted to move the Second Reading forthwith.

Mr MALAKAI TABAR (Gazelle – Minister for Transport) – I move –

That the Bill be now read a second time.

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

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

Bill read a second time.

Third Reading

Leave granted to move the Third Reading forthwith.

Motion (**by Mr Malakai Tabar**) proposed –

That the Bill be now read a third time.

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

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

Bill be read a third time

18/03

NATIONAL ROAD SAFETY COUNCIL (AMENDMENT) BILL 2017

First Reading

Bill presented by **Mr Malakai Tabar** and read a first time.

Second Reading

Leave granted to move the Second Reading forthwith.

Mr MALAKAI TABAR (Gazelle Open – Transport and Infrastructure) – I move –
That the Bill be now read a Second time.

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

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

Bill read a second time.

Third Reading

Leave granted to move the Third Reading forthwith.

Motion (by **Malakai Tabar**) proposed –
That the Bill be now read a third time.

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

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

Bill read a third time.

LICENSING OF HEAVY VEHICLES (AMENDMENT) BILL 2017

First Reading

Bill presented by **Mr Malakai Tabar** and read a first time.

Second Reading

Leave granted to move the Second Reading forthwith.

Mr MALAKAI TABAR (Gazelle Open – Transport and Infrastructure) – I move –
That the Bill be now read a Second time.

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

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

Bill read a second time.

Third Reading

Leave granted to move the Third Reading forthwith.

Motion (by **Malakai Tabar**) proposed –
That the Bill be now read a third time.

Mr TOBIAS KULANG (Kundiawa-Gembogl – Minister for Tourism, Arts and Culture) – Thankyou Mr Speaker, these are very important Bills that the Minister has brought to Parliament and I commend him for that, however, there are some important issues relating

to tourism that will come under these Bills and thus I have to speak on that now that these important legislations have been brought to Parliament.

Mr Speaker, tourism is now faced with challenges which we need to address for tourism to expand in this country. This sector is growing rapidly and internationally it is one of the serious contributors of economic development contributing around 10 per cent of GDP globally. In our country, tourism sector can grow but there are many areas that need attention and one of the key areas is transport. I want to start with NCD. I have talked with our good Governor of NCD regarding the infrastructure and transport system in NCD. We can see that the transport system in Port Moresby is too old to support the growth of tourism sector in Papua New Guinea. NCD is the entry point for the tourism sector but the arrangements for public transport is ancient. In any place in the world, public transport such as taxi services and bus services in terms of quality and safety is very important in supporting the growth of tourism. In Port Moresby, we have a big challenge because the current public transport cannot work together with tourism sector. We have major events like the APEC Meeting and lately our country has scored well in attracting international gathering here.

19/03

We say that we have two or three authorities policing this area but there is no cooperation there to address these critical issues which can set a platform for the growth of tourism industry in the country, and it will also have impact on businesses and commerce.

So I want to believe that all these legislation that we are introducing will bring to light the urgent need for us to work in a synchronised manner. The departments responsible for these critical issues must work together and understand the urgency of the national needs and for the national good. So we all need to urgently work together and respect the good work that NCDC is doing to address this issue of public transport system.

Firstly, on taxi services, I respect the hard work of our people who are involved in this industry but we must regulate properly so there is quality. They must have meter system and predictability.

Secondly on bus services, first of all we must have quality and secondly, we must have timing system. I reside at Boroko and I have seen many buses staying idle on the roadsides. They are busy during the afternoon but during the day, there is no work for them. There is no reason why we should not create a false hope where people buy buses, we give them licences when there is no work.

I believe that this legislation will create a platform where we will exercise authority and control to bring some meaning into this industry, and at the same time bring some control, quality and efficiency where we manage the growth of tourism industry, other businesses as well as the work of our public servants and the public commuting to and from work. Port Moresby is a modern city and it will continue to grow so the public transport system will become a major critical aspect of how best we manage our city. From the tourism perspective, I am putting a strong request because right now, it is not conducive for the growth of tourism in the country.

My second point is on land transport and as I am from the Highlands, I drive up and down the Highlands Highway. I see that we need to make obvious intervention, for instance, quality. When we drive from Lae up to the Highlands, there are no facilities along the Highway where we can stop to rest and relieve ourselves as human beings. We stop somewhere along the highway and go behind the bushes to relieve ourselves. We are in the 21st century so we must do things that have respectability because we are not the only one who will be using these roads, tourists will also be using our public transport system and travel these highways. So if they want to relieve themselves, it is not proper and acceptable for them to go and squat behind the bushes.

So, our road designers and management in such public transport system using the current proposed law need to integrate this critical aspect. In other foreign countries, they have these facilities in place in every 24-hour service stations at two or three hour intervals along their highways; they have toilets, bathrooms and a place to get a proper meal. The other thing that I see about our main highways is that we must have predictable and manageable public transport system now.

My other concern is, where are our Traffic Officers? When there is an accident or a landslide, there is no clear indication of an authority there on the spot to manage the situation. So I want to suggest here that some of our main highways which the commuters use every now and then, we must establish quality management system, for instance, let's say a bus takes off on time, it has predictability. We are in modern era now so people can plan their time when to catch a bus and what time they should arrive at their destination. These are some of the initiatives that complements well with the tourism industry, businesses and it is also good for our country and the economy.

20/03

We can organise these things properly with the Department of Transport. I am pleased with the remarks made by the Culture and Tourism Minister that we have not really improved or streamlined the transport issues within the city in these five years.

People may think that I am responsible for PMVs and Taxis or the traffic management in the city but I am not. I thank the Minister for taking action now although it is a bit late in this term but I hope we can continue into the next term.

As mentioned by the Member for Sinasina-Yonggamugl, there are different agencies within the Department of Transport. We have the National Road Safety Council which will be abolished soon. We have the National Roads Authority which I am not sure of its purpose. What do they do with the moneys they collect? Are they assisting the department of works, the cities and the towns or are they assisting the provincial government?

Is the National Land Transport Board still existing? The National Land Transport Board is responsible for PMVs as well as taxis in the city. We all can see that these services are very poor and outdated. They do not reflect a growing modernized and expanded city and an expanding economy with big population. The services do not provide an attractive atmosphere for business to come in and function as well. It's all out dated. They have done their best but in order for us to look forward to the future, we need efficient, reliable and affordable services.

Mr Speaker, I cannot see anything coming from the Department of Transport especially the National Lands Transport Board. Are they sleeping? Just the basic things like getting the PMV's to complete their route, they cannot do it. Whether the taxis and PMV's are decent or are charging right fares, they cannot do it. During lunch hours they are parked at Hohola bus stop but nobody is going there to chase them out.

Mr Speaker, NCDC builds roads only and not responsible for traffic management nor clearing out the bus stops and checking whether the PMV's are running on time or not.

We tried putting in our proposal by buying the big buses to complement them. But guess what, Mr Speaker, they refused to give us PMV license so we had no choice but to provide free services only at peak hours. We did not buy the buses to take over the PMVs.

Mr Speaker, if we did not buy these buses and did not provide free services during peak hours you will find long traffic queues in Port Moresby. I am sure this has been experienced in other cities and towns as well. People cannot come to work early nor go home after work on time because of the traffic jam.

So we need proactive department of transport to streamline and get rid of joint functions. Maybe we should have one authority only.

The other thing is that you can obtain a license or a road safety sticker anywhere and at any time. Whether your vehicle is road worthy or not you can still obtain a safety sticker.

The same applies to the granting of licenses. I think in Port Moresby people are born with license because anybody is able to get one. So we need to streamline this activity.

Mr Speaker, another concern is, it is only in Port Moresby in Papua New Guinea that you can overtake a moving vehicle on the left. The law is very clear. The right lane is for overtaking. Slow vehicle must drive on the left lane. Fast vehicle use the right lane and overtake. So who is monitoring such things? Who is managing the traffic in the city? This is a chaos and disaster? NCDC cannot do it because it is not our function. It is legally mandated to the Department of Transport.

Mr Speaker, the Minister is now taking the bull by the horn and I am pleased with him.

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But I want to say that if there are some functions that you cannot manage then delegate. We are here to support the Government. We are here to support the Provincial Governments, if you can't do it delegate it so that we know you want our assistance so we put our resources together to deliver what we have to deliver to our people.

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

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

Bill read a third time.

**LAND TITLES COMMISSION BI-ANNUAL REPORT, 2013-2014 –
PAPER AND STATEMENT – PAPER NOTED**

Mr ANO PALA (Rigo – Minister for Justice & Attorney-General) – Pursuant to Statute, I present the following paper:

Land Titles Commission Bi-Annual Report, 2013-2014

I ask leave of Parliament to make a statement in connection with the paper.

Leave granted

Thank you Mr Speaker, for giving me the opportunity to present to you the Land Titles Commission Bi-Annual Report for 2013-2014. Mr Speaker, and members of the Parliament, this presentation is a summary depicting the state of affairs of the land titles commission from the years 2013 and 2014.

This report covers the service delivery component pursued by the commission in dealing with the matters disputing land titles by claimant over land and awarding titles to the lawful owners of the disputed land. This report is based on the statistics as well as outlining the constraints and achievements of the Commission. The Lands Title Commission is a semi-autonomous entity. Its role and responsibilities are defined by adjudicating land disputes independent from the direction or control similar to that of Courts. However it remains administratively under my department for financial management, planning, policy and administrative and law reform.

Mr Speaker, the Commission exercises judicial powers in determining and settlement of Land Titles for land acquired by the state in the pre-independent era and also to establish rightful owners of resources and land secured for development and investment purposes. The highlights of the year 2013, most cases that were dealt by the Commission were made by virtue of section 7 of the Act.

Section 7 provides for the Commission to determine applications made by individuals to convert customary land to free hold land and obtain certificates of titles. The second most dealt with application are made by virtue of section 15, this provides for the Commission to hear and determine disputes and clans on a customary land.

During the year 2013, the Lands Title Commission deliberated upon 34 applications throughout six provinces which included East New Britain, Central, Jiwaka, Milne Bay, NCDC and West New Britain to conduct section 7 and section 15 applications. For the year 2014, the Land Titles Commission deliberated on 54 applications in three provinces namely; NCDC, New Ireland and West New Britain. Cases heard and deliberated by the commission

have increased since 2013. This indicated that more of our people have become more aware of the process and procedures of the Commission compared to previous years statistics that showed an all-time minimum land tribunal matters.

Currently both the Land Titles Commission and the national Lands Commission are subjected to a proposal to amalgamate with Magisterial Services.

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This is because the White Paper on Law and Justice Sector recommended that they be incorporated into the District Courts as a separate Lands Court Division to hear appeals from locally based district mediators and adjudicators.

Proposals and implementation plans have been developed by the Magisterial Services to progress this NEC endorsed recommendation.

My department has been tasked to consider this option and to facilitate ways of assisting the overall goal of effective legal and justice service delivery.

A significant milestone for the two commissioners was their participation in the Harvard Indicators Project which saw the strengthening of their combined key performance indicators.

The priorities of 2015 onwards include the appointments of commissioners to conduct land dispute hearings and the review of relevant legislation with a view to implement the White Paper Policy with a view to amalgamated the Lands Title's Commission and the National Land's Commission with the Magisterial Services.

Mr Speaker, further data, statistics and information will be provided to the department's annual management reports for 2015 and 16.

With that, Mr Speaker, I commend this report to Parliament.

Motion (by **Mr Charles Abel**) agreed to –

That the question be now put.

Motion – That the Parliament take note of the paper – agreed to.

**THE JUVENILE JUSTICE SERVICES ANNUAL REPORT, 2013 –
PAPER AND STATEMENT – PAPER NOTED**

Mr ANO PALA (Rigo – Minister for Justice and Attorney-General) – Mr Speaker, I present the following paper pursuant to statute:

Annual Report of the Juvenile Justice Services 2013

I ask leave of Parliament to make a statement in connection with this report.

Leave granted.

Mr Speaker, once again, thank you for the opportunity to table the Juvenile Justice Annual Report for the year 2013.

The core function of the Juvenile Justice Service within my department is to provide community based sentencing options for juveniles and oversee the management of juvenile institutions.

When preparing the reports, Juvenile Justice Services considered and subsequently reflected the implementation of the Juvenile Justice System by the relevant law and justice sector agencies in this report.

Mr Speaker, the report covers a brief report on the two juvenile institutions in the country, run and managed by various church groups under the minimum standards required by our legislation and other international instrumentalities such as the United Nations Convention on the Rights of the Child.

Mr Speaker, the Erap Boys Town is run by the Sacred Heart Brothers of the Catholic Church and provides rehabilitation and reintegration programmes for juveniles.

Some highlights for 2013 are as follows, two fulltime teachers were engaged to teach basic primary education, a rehabilitated juvenile has successfully completed his primary education with very good grades which allowed him to continue into grade nine in his home province.

Juveniles have been engaged with farming activities after classes, thus supplementing their meals with fresh vegetables.

Juveniles participated in youth programmes organised by the Catholic Church.

Mr Speaker, the Wewak Boys Town has a similar set up to Erap Boys Town, apart from providing primary education this institution provides other life training skills and programmes on carpentry and joinery.

Mr Speaker, the Jegarata and Hetune Juvenile Institutions in the Northern Province became operational in 2012 and are managed by the Anglican Church. They are equipped with basic minimum requirements to take in juveniles.

Mr Speaker, during 2013 trainings were conducted for relevant officers who deal with juvenile justice matters. The aim of the training was to support police personnel in conforming to juvenile justice protocols.

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The National Juvenile Justice Committee continue to perform its functions and conduct its meetings. In 2013, only three meetings were conducted to discuss the financial support for the UNCEF to various provinces.

Various activities have been undertaken by key members, the Office of the Public Solicitor, Correctional Services, Ombudsman Commission and the Magisterial Services which contributed to the implementation of the Juvenile Justice legislation.

Mr Speaker, finally, I hereby provide information on the progress of the juvenile justice implementation of the provinces and the challenges faced by each province in 2013. The main achievement by most of our provinces are the great efforts taken by the community based Correctional Officers to bring awareness to the communities with the aim of reducing the number of children coming into conflict with the law and to ensure juvenile justice officers are given relevant training. The main challenge faced by the provinces was inadequate funding and resources faced by the CDC to reach out to the remote areas.

Mr Speaker, the Juvenile Justice Services of my department continues to perform these functions in providing community based sentencing options for juveniles and overseeing the management of juvenile institutions with the aim of working towards a just, safe and secure society.

Thank you, Mr Speaker.

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

Motion – That the Parliament take note of the paper – agreed to.

ADJOURNMENT

Motion (by **Mr Charles Abel**) agreed to –

That the Parliament do now adjourn.

The Parliament adjourned at 1.05 p.m.