

SECOND DAY

Wednesday 29 March 2017

DRAFT HANSARD

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SECOND DAY

Wednesday 29 March 2017

The Deputy Speaker (**Mr John Simon**) took the Chair at 10.a.m..

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

Sitting suspended.

The Speaker (**Mr Theo Zurenuoc**) took the Chair at 10. 50 a.m. and invited the Member for Lae, Honourable Loujaya Kouja to say Prayers:

God of Abraham, Isaac and Israel, covenant keeping and faithful to the people of Papua New Guinea. Lord we thank you for this assembly as which is the Ninth Parliament on the remaining days.

Lord we ask your forgiveness, your mercy and your grace and help us I pray because of the blood of your son that we number our days remaining for right doing, for repentance, and to return to the rule of law so God help us. Amen.

BROADCASTING OF PARLIAMENTARY PROCEEDINGS – STATEMENT BY THE SPEAKER

Mr SPEAKER – Honourable Members, I have to inform Parliament that the Parliamentary Committee on Broadcasting and Parliamentary Proceedings met this morning and resolved that National Broadcasting Corporation television and radio, EM TV and TV WAN will be allowed to broadcast live telecast of Question Time during this meeting of Parliament for news purposes and for their community obligations.

**DEATH OF FORMER MEMBER (Mr JOHN GIHENO) –
STATEMENT BY THE SPEAKER**

Mr SPEAKER – Honourable Members, I have to inform Parliament of the death on 20 March 2017 of Mr John Giheno. He was the former Member for Henganofi Open Electorate in the Third Parliament from 1982 to 1987, Fourth National Parliament from 1987 to 1992 and the Fifth Parliament in a by-election following the disqualification of Mr Viviso Seravo by a Court of Disputed Returns in September 1993. During those terms, he was appointed Minister for Police and Minister for Foreign Affairs between 1982 to 1985, appointed Deputy Leader of Pangu Party in June 1998, Minister for State Assisting the Prime Minister in July 1988, Minister for Trade and Industry in May 1989, Minister for Mining and Petroleum from 1994 to 1997 and Acting Prime Minister in early 1997 following Sir Julius Chan’s decision to step aside to allow for the Commission of Inquiry into the Sandline Affairs.

As a mark of respect to the memory of the late honourable gentlemen, I invited all honourable members to rise in their places. I thank the Parliament.

(All Members present stood in silence in respect of the late gentleman)

QUESTIONS

Sale of Land

Ms LOUJAYA KOUJA – I direct my question to the Minister for Lands and Physical Planning and the Governor for Morobe and the Minister for Works to take note.

As of 21 March whether you are aware or not the compounds of the National Archives, the Forestry Department and Works in Lae were sold out to a businessman. They were given notice to evict the property. The notice was given on the 21st March.

On behalf of the people of Lae, I ask why and how was this important piece of government land sold? Are there provisions for these staff to be adequately housed elsewhere and where as there is no new land available in Lae? How did the tenants not know about the sale of that land?

02/02

If the Minister for Lands could kindly prepare his answer for that this week if he is not ready to give his answer today.

Thank you, Mr Speaker.

Mr BENNY ALLAN – Thank you, Mr Speaker, and I thank the Member for Lae for asking that important question.

Mr Speaker, I do not have any idea on the questions that were raised so I would like the Member to give me those information so that I can get clarification from the department and report to Parliament on the questions.

Thank you, Mr Speaker.

SABL in Oro

Mr GARRY JUFFA – Thank you, my questions are directed to the Minister for Lands therein regards to an area of land in Northern Province called the Musa-Pogani Area, where almost 300 000 hectares of land have been prepared for SABL to be issued which was facilitated by the officers in Lands and the Department of Agriculture and Forestry. They have been facilitated to be sold to a Malaysian Businessman

I have intervened and carried out some investigation and have engaged a lawyer to put a stop to this as that land area affects 30 000 people who are unaware of what is going on.

My questions are these;

(1) Minister, are you aware of the issuance of permits, licenses etcetera for new SABL's?

(2) Do you have in place in your organisation an investigative capacity to investigate these types of issues of land grabbing that are proliferating the entire Nation everywhere it seems? And if not then why not and what are you going to do about developing such a capacity so that we may protect what is possibly the most important resource in our country besides ourselves as human beings?

Thank you.

Mr BENNY ALLAN – Mr Speaker, I would like to thank the Governor of Northern Province for asking those two important questions particularly on SABL.

Mr Speaker, the issue on SABL has gone to the media a couple of times and the Prime Minister has made a statement in regards to that and stated the Government's position and I have also did the same.

Now, the Government has taken out its decision towards mid last year on SABL and as we all know in 2014, this Government commissioned a COI and the investigation was concluded and recommendations were given to Cabinet and Cabinet tasked a Ministerial Committee to look into it. The Government has made a decision to cancel all SABL, a blanket cancellation so since 2014 the department has not issued any new SABL's up to date.

So, if we have to issue an SABL Lease it will be illegal but, Mr Speaker, I will ask the Governor to give me the specific portion of land and I will find out if some of your officers in the department are assisting that group to issue that.

But, the Government has taken out the position of SABL and we are no longer issuing SABL Leases to anyone in the country.

Thank you.

Mr Garry Juffa – The second portion of my question is about whether the Lands Department has an investigative capacity to investigate these type of essential crimes that are committed, does your department have these type of investigative capacity and if not then what are you doing about it?

Mr BENNY ALLAN – For your second question, yes, as and when complaints come to the department we do send officers to investigate those complaints from landowners and anyone concerning land.

If the investigation involves a bigger or wider scope of investigations to be done than, we get other people to assist us, the police and attorney general to come in and help us investigate.

It will all depend on the nature of the complaints from clients but yes, we do have a small team in the department. If it is to do with surveying we get surveying division involved, if it is to do with physical planning we get officers from the physical planning division involved, so we do have officers going out to investigate when complaints arise, thank you.

03/02

Mr KELLY NARU – Mr Speaker, my question is directed to the Honourable Minister for Fisheries and this is in relation to a piece of land known as the Namatsu Wharf located at the waterfront at Voco Point in Lae.

This land was once owned by the Lutheran Church and was taken over by NASFUND who then sold it to National Fisheries Authority.

A local shipping company is now operating on that land using the wharf. Unfortunately, one of the sale conditions of agreement for transfer to National Fisheries was that they required vacant land and so the local shipping company which is owned by the five districts of Morobe, namely Morobe Coastal Shipping Services is now being asked to vacate that piece of land so that the National Fisheries Authorities can come in.

The action in terms of the sale and the notice to vacate is causing hardship to our local company. Is there any way that the Minister can intervene through the National Fisheries Authority Board to at least give some time to Morobe Coastal Shipping Company to continue to operate on that piece of property on the waterfront until the National Fisheries Authority is ready to come in and commence construction in terms of their plan for the new wharf?

Mr MAO ZEMING – Mr Speaker, I would like to thank the Governor of Morobe for asking an important question relating to our wharf at Voco Point in Lae. The Governor and the people are aware that Lutheran Shipping once provided shipping service to the Momase Region but when it went out of Business this portion of land was taken by NASFUND. The Government is aware that NASFUND will dispose this asset to the public to be purchased and the Government intervened to secure this wharf.

Mr Speaker, if you are aware this land is located beside the National Fisheries Authority office for Morobe Province. So the National Fisheries Authority owns the land on both sides of this wharf. Recently the Board of National fisheries Authority has made this decision on behalf of the general public to purchase this wharf for K12 million so I have been informed that the handover will soon take place. We are protecting the interest of the public to travel thus the government intervened to purchase that wharf.

I assure the Governor of Morobe and the five districts, who are owners of the shipping company to provide services in our coastal province that this wharf is within the control of the Government and the shipping service will continue.

As for the question, I will say that this is just transaction where one land lord hands over the asset to the other landlord so I will notify the NFA Board to let the Morobe Coastal Shipping.

04/02

Now that we are aware of this issue, I will advise the National Fisheries Authority Board to allow the Morobe Coastal Fishing Service to continue to remain in the facility because the government has already paid for this facilities. Therefore, I further assure the Parliament that the Shipping services for our people will continue. The Government has given some assistance to our coastal people on this matter.

Loans and Debt Level

Mr SAM BASIL – Thank you, Mr Speaker. I direct my question to the Prime Minister. My question is relation to a news article 2 to 3 weeks ago where more than K80 million was approved from a loan to build roads in Ialibu-Pangia Electorate. Again, recently the Treasurer Patrick Pruaitch announced another K223 million loan being for water supply project from World Bank.

Mr Speaker, we in the Opposition are also concern about the borrowing rate in Papua New Guinea. These latest borrowings amount closer to K300 million. My questions are:

- (1) Can the Prime Minister clarify the current status or balance of the country's borrowing with the current additional loan of K300 million?
- (2) Before the issue of writs, is the government taking any more loans or not?

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

In regards to the Ialibu-Pangia Electorate. We have not received any loans through government for a long time. This is part of the ADB Highlands Highway Rehabilitation Trans Funds that has been used to roll out programs in maintaining roads in five to six highlands provinces, starting from Eastern Highlands all the way up to the Southern Highlands. Nipa to Mendi road was approved as well as Ialibu-Pangia road. This has been an on-going program for the last 10 to 15 years, Mr Speaker, where the former government approved the loan. We drew down the loan to fast track the trench.

Negotiations are going on and the officials will have to conclude that but certainly it will not be concluded before the elections because it will be there for the next government to conclude when we come into office after the elections.

In regards to the second questions, Mr Speaker, we have no plans to obtain new loans. We are within the limits of the *Fiscal Responsibilities Act* that clearly defines our loan to be below 30 percent GDP. We are within the limits. In fact, better than many countries around the world.

At the leaders' summit the day before, we are one of the lowest in terms of our debt levels compared to many of friends within the region. So, Mr Speaker, there is no need to panic. We need to continue to borrow money to build roads, infrastructure, schools and hospitals. These loans are concessional loans. Concessional loans means that less than 2 per cent or sometimes 1.7 or 1.5 interests rates are being paid over a very long time.

Papua New Guinea is not the only country borrowing money. Other countries in the world are also borrowing. The next government will also borrow money to do this so that is not wrong to do that.

We have a very good law that was brought in by the past government which is the *Fiscal Responsibilities Act*, which limits our borrowing at 30 percent of the GDP. That is our limit and we all have to work together.

Supplementary Question

Momase Region Roads

Sir MICHAEL SOMARE- I direct my question to the Prime Minister. If this loan is available, can the Prime Minister consider the Lae – Madang - Wewak and Vanimo roads? This project has been outstanding for a very long time almost 40 years now and I will soon retire.

Mr PETER O'NEILL – Thank you Mr Speaker. I thank the Governor of East Sepik for his question. He is aware of this. The roads works responsibility was distributed by his government to the development partners. Ausaid was to cater for the Momase Region, ADB was to cater for the Highlands Region and World Bank to cater for the Southern Region.

But funding did not come as planned, so it jeopardise the process. So it was his government that distributed this responsibility but now we are going back to the all system of pulling the resources together and all the roads throughout the country will come under the program where when funding is available, automatically it will be attended to.

Mr Speaker, sometimes the World Bank or Ausaid system is slow so our roads are not attended to so the Government has taken a decision to pull all the resources together so that

ADB loans can also be allocated to Momase or New Guinea Islands or Southern Region where it can be distributed to maintain or upgrade the roads through-out the country.

05/02

Be allocated to Momase or the New Guinea islands or the Southern region where it can be distributed to maintain and upgrade the roads throughout the country.

Mr WERA MORI –My question is directed to the Prime Minister relating to the Leaders’ Summit. There was an announcement made that ADB had agreed to give K1 billion in form of a loan to fix our roads. This is a good loan because our roads are falling apart. The bulk of the money can be spent on the main highways such as the Highlands highway especially the Simbu section of the highway.

I would like to also ask the Prime Minister, if part of that money could also be parked aside so that we can be able to fix the other roads that were identified under trenches 3 and 4 and that includes the Elimbari ring road. This was one of the first projects identified by the ADB and which met all the requirements and was put under trench 3 and 4. I would like to know if part of that ADB loan being secured can be used for other road projects already identified.

Mr PETER O’NEILL – I would like to thank the Member for Chuave for his question. The issue of the K1 billion loan has been negotiated with the ADB for quite some time now. The announcement at the Summit was that the conclusion of the negotiations with the officials has concluded. And now that the loan facility has been put forward to the ADB Executive Bank board at the head office in Manila and as soon as the approval is given our draw down will commence.

Mr Speaker, bulk of that money is certainly for rebuilding part of the highlands highway to a much better standard so that we do not have to continuously maintain the same roads. What we are doing is lifting the quality and scoping of those works so that we do not go back and redo it all the time. It will include the Madang-Ramu road that the East Sepik Governor was talking about. It will cater for the Sepik highway, Buluminski Highway and the New Britain Highway.

Let me inform the Member that through the ADB funding we are building bridges; four already built on the Sepik Highway, twelve or so in West New Britain; and of course along Hiritano and Magi Highways in Central province.

These bridges are part of all these programs going on. The K1 billion draw down will not be drawn down in one year, it will be done over time but the work will start immediately, especially the key sections that are falling apart. In the Simbu section of the highway, I am being informed that the road has been redesigned so that we do not have the slippage that we continue to encounter and partly it is due to the weather that we commonly experience. In that part of the country, especially heavy rainfall causes landslips to occur, which in turn blocks of the highway. It is also compounded by the fact that a lot of our people in the Simbu province live along the highway and their gardening practices creates soil erosion, while we can't stop them from their livelihood, we are trying to make sure we build roads that will withstand weather and other elements, so that this part of the country is connected to the rest of PNG.

Mr Speaker, the loan will be used to really upgrade those areas that are unstable at present, thank you.

06/02

This is what the Commander told me. So I'd like to direct my questions to these Ministers.

I am using the limited PSIP funds and supporting the national functions.

The CIS Institution is in need of a truck to transport prisoners to and from, and the Defence Force are in need of a land-cruiser to do patrolling and the Police Force need three vehicles, one for prosecution and two for general duties, specifically traffic.

Mr Speaker, before the election time, and before they remove me from office –

(Laughter in the chamber)

Mr AMKAT MAI – Can the Government buy five new vehicles for security purposes for the people of our country to enable our peace keepers on the ground to be mobile in protecting and patrolling our border areas in this country?

Mr PETER O'NEILL – I thank the good Governor for West Sepik for his question. I apologise for the Minister for Internal Security who is not present in the Chambers today because he is attending the funeral of late Mr John Giheno who is also from his electorate.

Let me undertake to the Governor that I will certainly refer these matters to the CIS Commissioner, the Police Commissioner and the Defence Force Commander to find some resources to assist you in the province to maintain this important Government services.

Let me take this opportunity to commend you for supporting that work and especially the utilisation of the PSIP Funds.

This is exactly the kind of relationship we want to have with provincial governments so that our people can benefit from the services they truly deserve.

Status of Mt Kare

Mr NIXON MANGAPE – Mr Speaker I direct my question to the Mining Minister but since he is not present I will direct my question to the Prime Minister.

Mr Speaker, can the Prime Minister tell the people of Lagaip- Porgera and this Parliament what is really happening with Mt Kare Mining?

It's over 20 years to do explorations and when is the actual Mining due to take place?

Mr PETER O'NEILL – Mr Speaker, I thank the Honourable Member for his question and I will refer this matter to the Mining Minister and get him to respond at the first opportune time.

I am not aware of the details about the exploration nor the status, or the licensing of the project in Mt Kare.

I will be misleading Parliament if I told you that I knew what was going on there. But I am aware that there are discussions ongoing between the landowners and prospective developers and the possibility of issuing a mining lease, but I will get the Minister to respond to that after we get a full brief.

Children's Rights

Mr ELIAS KAPAVORE – Mr Speaker, my questions are directed to the Minister for Community Development.

Mr Speaker as a background, PNG is amongst 193 United Nations Member states that have signed to meet these Sustainable Development Goals 2016-2030.

The SDG4 is committed towards providing inclusive and equitable education to ensure that all girls and boys complete free equitable accessible quality primary to secondary education.

So the TFF by the current Government is a new commitment to meeting the National and International Development Priorities.

However, the Government is therefore defeated when we see primary school children who are supposed to be in classrooms but engaged in street vending, some at market places, in plantations doing all kinds of things.

My questions are as follows;

(1) What are the Departments plans to deal with school children who are involved in other activities other than being in classrooms?

(2) Most kids are forced or used by their parents and guardians. How does the Department intend to deal with such parents?

(3) Can the Minister clarify the department's strategies to implement the *Lukautim Pikinini Act* that was recently passed by Parliament and other relevant policies?

07/02

Mrs DELILAH GORE – Mr Speaker, I thank the Member for Pomio for these important questions. The *Lukautim Pikinini Act* was passed on this floor of Parliament in 2015, which the rights of children whether disabled or able child has the right to go to school.

Mr Speaker, Section 45 of the *Lukautim Pikinini Act* talks about child labour. And parents can be prosecuted and fined up to K5000 or imprisonment for three years if the child is not at school. And if the business houses are found engaging in this then they will be fined up to K10, 000 or be in prison also.

Most of the children are found on the streets nowadays, therefore our Department is in the process of training the child protection officers to be equipped with knowledge and strategies on how to protect children on the streets either in the city or back at the villages.

Mr Speaker, in response to what the Member has asked, the Act has been passed and it's a law now so I urged all parents that every child must go to school. Parents must not deny their rights. If they are found guilty then they will be prosecuted. The ones on the streets, the child protection officers will carry out investigation on who their parents are and deal with them accordingly.

Economic based Projects

Mr MARK MAIPAKAI – Mr Speaker, since the Minister for Petroleum and Energy is not present, I direct my question to the Prime Minister.

My questions are in relation to:

(1) How soon can we go into the first stages of Elk Antelope project?

This is the only project that will transform the country's economy in a big way that will make difference to all the so-called borrowings that we are now confronted with.

(2) How do you justify the four lane from Boutama-Port Moresby road, Gerehu back road and the Koroway to Hanuabada road in terms of the rate of economic returns to this country?

I have been here for 15 years and for the last 10 years Member for Bulolo has been complaining. So how do you justify these roads against an economic road in Bulolo?

Mr PETER O'NEILL - I thank the Member for Kikori, one of our long serving Members of our Parliament and living in Port Moresby as well.

(Members laughing)

Mr PETER O'NEILL – Mr Speaker, let me answer the first question in relation to Elk Antelope project. Whilst the Member is aware that recently a shareholder of Inter-Oil has fast-track the development and further workings on the developing Elk Antelope project because of a court case that he took out in Canada. Where he tried to stop the sale of Inter-Oil shares to Exxon Mobile, so that Total, Exxon Mobile and Oil Search can develop this project and the benefits can be re-issued by his people in Kikori and elsewhere.

Mr Speaker, that case has been concluded just few weeks ago which the Canadian court threw out the claim and allowed the sale process to be concluded.

I understand that the documentation of sale has been concluded and settlements are in process now. We are now starting to discuss with the State team that has been put together. And it is my belief that before the end of the year, we will have a clear scheduling of when final investment decisions will be made.

But let me assure the Member that at the back of the success of the first LNG project, there is a very good appetite from financiers all around the world.

Mr Speaker, I was invited to an investors conference to address over 3,000 world's leading banks and financial intuitions in Hong Kong yesterday. Where they specifically asked questions about the projects that they are funding in PNG, particularly the LNG project.

08/02

It is my belief that before the end of the year we will have a clear scheduling of when the decisions on the final investment decisions will be made.

Mr Speaker, nevertheless, let me assure the good Member that at the back of the success of the first LNG Project, there is a very good appetite from financiers from all around the world.

Mr Speaker, yesterday, I was invited to address an investors conference of over 3, 000 of the world's leading banks and financial institutions in Hong Kong, where they specifically asked questions about the projects that they are funding in PNG, particularly the LNG Project. As the Member knows we have raised over US\$20 billion to build the first LNG Project and a similar amount will be needed for the second LNG Project.

Mr Speaker, therefore, I believe that it is the responsibility for all leaders to give confidence that these projects are going to be bringing enormous value to the nation, the people of Gulf Province and especially the people of Kikori.

Mr Speaker, this is progressing well.

Regarding the second issue about the four lane highway, Mr Speaker, I do not know whether the good Member understands but, we have tried to build infrastructures where the population is.

You may not be aware but in Port Moresby there is over a million people out of the 8 million people in this country. And in Lae we have already spent enormous amount of money building ports and four lane highways because there is close to about half a million people living there. Therefore, we have to build infrastructure where people are living so that they can have services.

Mr Speaker, nevertheless, we have not forgotten Kikori at all. While the Member has not visited Kikori, I have visited Kikori a few times. We have built him a bank already, doing the airport now and done the roads in Kikori town, and we are connecting Kikori to Southern Highlands so that our people can get services there.

Mr Speaker, we are doing that through the tax credit scheme with Oil Search, and I am told that, we are now only a few kilometres away from connecting Sembiriki to Erave and Erave to Kagua and from Sembiriki to Kikori the road is already there.

Mr Speaker, therefore, we have been fair right throughout the country, trying our best with very limited amount of money to address every problem that has been outstanding for quite a number of years.

Mr Speaker, therefore, we will continue to invest all throughout the country but now that we have fixed Port Moresby, Lae and Mt Hagen, we are going on to the other centers

throughout the country. We are not going to come back and revisit all these cities, Mr Speaker, because we are building very high quality infrastructure that are not going to breakdown in six months or twelve months.

Mr Mark Maipakai – Point of Order! I asked for a specific answer. I want the rate of return. What is the economic rate of return on these major infrastructures in Port Moresby? How much money will these roads make for this country?

(Government Members interjecting)

Mr Mark Maipakai – I do not have the answer. You are the ones building, so you should have the answers.

Mr PETER O'NEILL – Mr Speaker, I will get the officials to write to him and give him the specific rate of return, but let me say that, we also build infrastructure to suit the population where people are living.

Thank you, Mr Speaker.

Manumanu Land Issue

Mr PETER ISOAIMO – Thank you, Mr Speaker, my questions are directed to the good Prime Minister.

Two days ago in the print media it stated that the good Prime Minister and the Government intend to deviate from establishing a commission of inquiry into the Gabadi land saga.

Land as we all know is a heritage for every one of us sitting here and a portion of land, especially in my electorate whether State or customarily owned land, and in this case is the Gabadi-Manumanu land issue which is a controversial matter to date.

Therefore, I must say that, as my peoples' representative, this issue is far from over. What is disappointing is that my people are reading from the print media that the government has now moved away from establishing a commission of enquiry into ordering an internal investigation into this land issue.

My questions are:

(1) Is the good Prime Minister deviating from his original intension and undertaking that he will establish a commission of inquiry to look into this land issue?

(2) Will the Prime Minister still stand by his word that he will return my people's land?

Thank you, Mr Speaker.

09/02

(2) Does he still stand by his undertaking that he will return my people's land?

Mr PETER O'NEIL – I thank the Member for his important questions.

Mr Speaker, I have committed on this Floor of Parliament that we will establish a Commission of Inquiry into the Manumanu land matter but subsequent to that I was advised by our officials that there is a Court Order in place. It was taken out when we put a commission on inquiry into the legal fees. The Possman-Kua Lawyers went to the National Court and got an Order to say that commission of inquiries in this country are illegal. While that matter is challenged in Court we cannot establish a Commission of Inquiry. This is a fact an order from the Supreme Court. But that does not mean that we cannot have an inquiry continuing so that is why we are putting in an administrative inquiry to establish facts of why systems of government have fallen apart. Why offices of government have compromised themselves and that is why the administrative inquiry is going.

Mr Speaker, the Police are also doing their own investigations. They are well advanced and they will make their own decisions very soon. At the same time the Ombudsmen Commission is also making their investigations therefore the matter is certainly not over.

We will allow the agencies of government to complete their jobs independently and as soon as they are ready and when they make those decisions, we will certainly report it back to Parliament. As a matter of issue is that a Commission of Inquiry cannot be established at present while we have a matter before the Courts questioning its legality.

In relation to returning the land to people living there, it has been a State land for a long time but the settlers are settling on that land and I have made a commitment that we will return that land back to the land owners. It is now up to the Department of Lands to identify which areas can be returned to the land owners and I can assure the Honourable Member that this Government will honour this commitment as we have done with the people of Woodlark in Milne Bay.

Supplementary Question

Suspension of Defence Force Secretary

Mr CAMILLUS DANGIMA – The Defence Secretary has been suspended regarding this matter and also Ministers has stepped aside so why have the Cabinet not removed the commander and put him under the same scrutiny? This is becoming a question in public and I think it is better for us to inform the public on this issue.

Mr PETER O'NEILL – The administrative management of the Defence Force is done by the Department of Defence. It is not the Commander that has the administrative responsibility of the finances of department. But if the investigations prove that there were some involvement then of course they will allow all to be disciplined. There is no exception and we will be guided by an independent investigation.

TFF for Bougainville Schools

Mr TIMOTHY MASIU – I direct my question to the Minister for Education and it is in regard to the TFF for schools in Bougainville especially South Bougainville.

The issue of TFF has caused the ABG and BEC to introduce a law for parents to pay school fees.

(1) Can you clarify to the Parliament and the people of South Bougainville and Bougainville as a whole whether you have discussed these issues with the ABG Minister for Education?

(2) When will the TFF for my schools in South Bougainville reach them?

10/02

Mr NICK KUMAN – Thank you, Mr Speaker and thank you to the Member for South Bougainville. The Member's question is vague but I believe that it is in relation to the TFF for this year.

For this year we have paid up to K105 million up to date that covers almost three quarters of TFF owing to the schools for the first term of this year and I believe all the schools in South Bougainville including all the schools in the other three electorates and the rest of the country have been paid direct to the account. The balance of K37 million remains for this term of Parliament.

On the question of school fees, Bougainville is no exception in terms of the government policy on TFF's and the policy in relation to fees or any other fees in the country and I continue to stress on the Floor of this Parliament that we have to be consistent of what we do in this country. Our TFF Policy has been working really well in the last four years and this is going to be the fifth year this year and I expect every provincial government including the Autonomous Region of Bougainville to be consistent with the policy of the Government and in so doing there should not be any project fees or any other cuts for children in this country and I expect that to happen that way –

Mr Garry Juffa – Point of Order! I would just like to inform the Education Minister that your TFF Policy is not doing very well in this country. Children are leaving high school because the TFF is not reaching them on time. Schools are unable to find the food and the basic supplies that are needed to maintain boarding students and this is happening throughout this country.

So, let us not mislead Parliament by stating that it is working very well, we must be realistic and say that it is a project in progress but not say it is working very well because it is not.

Mr NICK KUMAN – Thank you, Governor, I think you took it out of context, unless you and your Opposition group on the other side have a very good program on education. I can tell you that you have no policy in place –

Mr Garry Juffa – Point of Order! Your program is not working, Minister.

Mr SPEAKER – Minister! Honourable Leader!

(Mr Garry Juffa interjecting)

Mr NICK KUMAN – You tell me what you will do when you are in the Government. What is your alternative program or policy? You do not have anything, you have absolutely nothing.

(Mr Garry Juffa interjecting)

Mr NICK KUMAN – No, this is the best Policy we have so far, Mr Speaker. The TFF has been working all through last year. Last year we retired every single budget that was appropriated to all the schools in this country including Oro Province.

So, on time you knew exactly what was the problem? The cash flow situation in this country does not allow us to pay everything upfront nor can we pay at the beginning of the term and that's reality.

You want me to go and get money from somewhere and come and pay your child's school fee? You also have to take responsibility, Governor.

(Mr Garry Juffa interjecting)

Mr NICK KUMAN – What? You are elected on to the Floor of Parliament to do those businesses too.

Mr SPEAKER – Minister.

Mr NICK KUMAN – Why can't you do that? Not to go on Facebook and talk about other people.

Shame on you!

(Members interjecting)

Mr NICK KUMAN – That is what you do. Do you want to win peoples sympathy on Facebook? You can't do it.

(Members interjecting)

Mr SPEAKER – Finish your answer to the question.

Mr NICK KUMAN – Anyway, I will go back to the question of TFF

Mr Garry Juffa – You should learn to use the internet, my friend.

Mr NICK KUMAN – I am better educated than you are.

(Laughter in the Chamber)

Mr NICK KUMAN – Alright, back to TFF I think this first quarter, we have paid K105 million so far and we have another K37 million to pay and I want to make sure that it is paid before the schools close their doors on the first term.

This is the Government's commitment that for next term we will pay upfront so while we are in the elections the school fees will be paid to all the schools and schools will not be closed, and don't use that as a political gimmick on the other side because you do not have an alternative TFF Policy to go into election with.

Thank you.

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**DEPARTMENT OF JUSTICE AND ATTORNEY GENERAL –
ANNUAL MANAGEMENT REPORT, 2015 –
MINISTERIAL STATEMENT –
PAPER NOTED**

Mr ANO PALA (Rigo – Minister for Justice and Attorney General) – Mr Speaker, pursuant to Statute, I present the Annual Management Report 2015, for the Department of Justice and Attorney General.

Mr Speaker, I ask leave to make a statement in connection with the Report.

Leave granted

Mr Speaker, it is with much pleasure that I present to this Parliament the Department of Justice and Attorney General's 2015 Annual Management Report.

The report demonstrates our contribution to the Government's reform and growth agenda and the department's progress towards our vision of 'A Just, Safe and Secure Society for all.' The Department of Justice and Attorney General (DJAG) performed exceptionally well on all its performance commitments, in which significant change and milestone attained resulting in a successful year.

Mr Speaker, legislative reforms and legal policy support delivered by the department contributed to enactment of an overwhelming number of legislation in 2015 by the National Parliament. The department's proactive effort resulted in progress to Parliament by various

constitutional amendments to restructure the Supreme Court and the Organic Law on the Independent Commission Against Corruption (ICAC). Significant laws enacted during this period included,

- The passage of the Maritime Zones Act 2015 and the amendments to the Attorney General Act to establish the Office of the Solicitor General,
- Passage of five laws relating to Anti-Money Laundering and Counter Terrorist Financing; and
- Amendment to the Interest on Awards of Judgement and Damages law to reduce the current interest rate of 8 per cent to 2 per cent.

Being a central agency responsible for the administration of law and justice services heightened the department's participation in Government's established Committees, which contributed to overall government performance during the year.

As a co-chair of the National Coordinating Committee on Anti-Money laundering and Counter Terrorist Financing, the department led the legislative work and lobbying for support and subsequent passage for the suite of laws relating to this very critical area thus removing PNG from possible blacklisting by the FATF of World Bank.

In State litigation, 2015 saw the attainment of PNG Sustainable Development Program Arbitral Awards win by the State on jurisdiction in Singapore and six precedent setting judgements reported by the Office of the Solicitor General.

The department through the State Solicitors Office made significant contributions as a member of the various APEC Committees through legal and policy support and provided guidance in the development of the legal and trade policy for APEC 2018.

The department through the State Solicitor's Office was part of the State Team providing legal assistance to the citizenship Advisory Committee as well as assistance relating to matters on Penang gas project and the landowner beneficiaries identification over the entire PNG LNG sites and corridors with Department of Petroleum and Energy and others.

Mr Speaker, crime prevention and restorative justice is a primary area that the department initiated through the establishment of the Crime Prevention and Restorative Justice Branch. As the name suggests, the department through this Branch continues to give prominence to crime prevention and restorative justice initiatives.

In 2015, the department undertook significant events. These are the signing of Memorandum of Agreement and Memorandum of Understanding with various stakeholders

for the roll-out of our crime prevention programs to the district in 2016 and beyond. These include the MOU with Zenag Chicken for the delivery of day old chicklets to our partners in crime prevention program; the MOU with the Autonomous Bougainville Government and the Catholic Diocese of Bougainville for the operation of the Mabiri Juvenile Justice Centre, and the MOU with the Women's group in Hayfield, East Sepik Province.

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Mabiri Juvenile Justice Centre; and the MOU with the Women's Group (FOWIAD) in Hayfield, East Sepik Province.

Mr Speaker, management and administration of the department in 2015 saw the successful completion of major organisational restructure with key appointment across the entire department. The position of the State Solicitor and the Solicitor General were elevated to deem Departmental Heads remunerated at executive level 4. The outcome of this major restructure is major milestones achievements as well as notable service improvements in the performance of these two offices, including the transformation of the Justice Administration branches.

During the year we appointed two new Land Titles Commission Commissioners and completed the Land Titles Commission and National Lands Commission merger report. The Department also presented an excellent elevation report justifying the elevation of the Legal Training Institute Director's position to Executive Level 4.

Mr Speaker, in 2015, the Department made great strides in infrastructure and capital works development. We successfully opened the Madang and Wewak Office complexes and made impressive progress on other projects such as the commencement of Kerema staff house. The Civic works and site clearance at Lorengau DJAG's office and staff accommodation and site clearance at Yawasoro, Wewak for the staff duplex there.

Land acquisition efforts advanced in Alotau, Vanimo and Kavieng for office construction with building plans for Pangia pending approval, whilst we secured 130 allotments under the National Affordable Land and Housing Program for eligible DJAG staff.

Mr Speaker, the Department of Justice and Attorney General has a reputation as one of the best high performing organisations in the public service. Because of our reputation, we remain resolute and committed to ensuring that our staff continue to perform exceptionally well, in spite of the challenging conditions under which they work. Our challenge therefore, is pressing on with the infrastructure and capital works program to at least make some small

contribution towards creating better and enabling working conditions for our staff in the provinces.

I commend the Department of Justice and Attorney General's 2015 Annual Management Report to this Honourable House.

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

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

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

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ADJOURNMENT

Motion (by **James Marape**) agreed to-

That the Parliament do now adjourn.

The Parliament adjourned at 2:10 p.m.