

SIXTH DAY

Wednesday 30 January 2019

DRAFT HANSARD

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PARLIAMENTARY DEBATES
CORRECTIONS TO DAILY DRAFT HANSARD

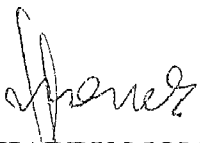
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HARRY MOMOS

Acting Principal Parliamentary Reporter

SIXTH DAY

Wednesday 30 January 2019

The Acting Speaker (**Mr Jeffrey Komal**) took the Chair at 10 a.m.

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

Sitting suspended.

Mr Acting Speaker again took the Chair at 10.15 a.m., and invited the Member for Kikori and Minister for Community Development, **Honourable Soroi Eoe**, to say Prayers:

‘O God we give you glory because you are God of all creation. You are the beginning and the end. Everything has been created, loving Father, we come before you just as we are your creation seeking your wisdom to lead, seeking your wisdom to make decisions that are right for our people. This morning oh God we ask that you come stand beside us and bless this House. Loving Father we ask that you bless the Prime Minister, Opposition Leader, members on both sides so that with the decisions we make we should be mindful of the reasons why we are here and why we are making those decisions. Bless Papua New Guinea because that is the reason why we are here and that is where our heart beat should be. Loving Father, this is our prayer and we commit everything we ought to do and decide and debate into your hands. We ask this and pray in no other name but our Lord and Saviour Jesus, Amen.’

QUESTIONS

Revive East and West Sepik Radio Stations

Mr JOE SUNGI – Mr Acting Speaker, I direct my question to the Minister for Communication and Information Technology.

Mr Acting Speaker, in the late 80s and early 90s, the National Broadcasting Corporation (NBC) at that time through the provincial radio stations were using the shortwave radio frequency. Both Radio East Sepik and Radio Sandaun in West Sepik could reach my district of Nuku and parts of Telefomin but this all stopped in the mid-90s.

Does the Minister and his department have any plans to provide this same service under the shortwave band or make improvements so that provincial radio stations can be revived?

This will enable the remotest parts of Papua New Guinea to receive news and be kept up to date with what is going on.

02/06

Mr SAM BASIL –Mr Acting Speaker, I thank the Member for Nuku for his question. This is one important question because a lot of people around the country enjoy listening to NBC on shortwave 1 and shortwave 2 and many still want this service returned. When I took office, I was surprised that a lot of our radio stations stopped transmitting through these bands.

Internationally a lot of countries have done away with transmitting through the shortwave frequency band. But according to the International Telecommunications Union, many countries also want the shortwave frequency revived, as they have been sharing their frequency lines due to the introduction of mobile communications and others. For our case, I had an audience with the Managing Director of NBC yesterday and we are in the process of moving the NBC system from analogue to digital, so I asked him how we were going to fit in the short wave frequency when we do the migration.

They came up with few ideas but for some places like Bougainville they already have an existing shortwave frequency. I also queried on the part of how we can ask shops to sell the short wave transistor radios because a lot of our shops have stopped selling these radios. And for areas like Bougainville which have the short wave frequency we want to import some radios and distribute them so we keep the people informed.

For Papua New Guinea as a whole we are talking about how we can bring back the shortwave transmission service, in terms of investing into new equipment and we will begin in Port Moresby before going to other provinces. So the Member's question is a good one and we are all trying to bring that service back.

In our country most of our people live in the rural areas and a lot of the radio stations are investing into the FM frequency and most of these are onsite frequencies, but once covered by mountains there is no frequency.

I am also taking this opportunity to ask the governors to talk with NBC and let us advocate for improved provincial broadcasting. It is not only for NBC to do, we have to work

together and put our resources together and revive these frequencies for the benefit of our rural people.

Electronic Voting – General Elections 2022

Mr LEKWA GURE – Mr Acting Speaker, thank you for giving me the opportunity to ask my question.

My question is directed to the Prime Minister and it is in relation to the 2022 General Elections as it will come under his responsibility, and I would like the Minister for Inter-Government Relations to take note.

Mr Acting Speaker, in the MTD Plan, the Government clearly states that one of the key milestones that the O'Neill-Abel government wants to achieve is the introduction of Electronic Voting System and electronic counting in the 2022 General Elections. This is a highly commendable target and I would like to think that we can have bipartisan support on this.

03/06

Given the ill effects of the current LPV system, which brings to the forefront the Disputed Returns and all other issues that are costly, planning for such a change needs to happen now including bringing the necessary legislative reforms to enable us to move from the current LPV to First-Past-The-Post voting system unlike what they do in India and also the acquisition of the necessary technology, training and the capacity building of the electoral officers.

Mr Acting Speaker, can the Prime Minister inform Parliament of the following?

(1) Is the Government firmly committed to electronic voting and electronic counting which has been done very successfully in countries like India where there are about 800 million voters?

(2) If so, when will we pass the required legislation to move from the LPV voting system to First-Past-The-Post voting system?

(3) When will the Electoral Commission acquire the necessary technology, train staff and put in a plan to migrate from the current manual system to the electronic voting system that the country will use in the 2022 National Elections?

Mr PETER O'NEILL – I thank the Member for Rigo for his questions.

Mr Acting Speaker, our election processes have always been challenging since Independence. It is in everyone's interest that we conduct these elections in a fair and free manner for our people to have their say on how their leaders are voted into Parliament.

Mr Acting Speaker, we have been considering the electronic voting system for quite some time. In fact for the benefit of the Parliament, we did invite the Indian Government who has successfully conducted their elections with well over 800 million people voting with the results coming out in a matter of days. With that experience, we think we can adopt their technology. They have had similar partnerships with some countries around the world and also successfully implementing their elections.

Mr Acting Speaker, in the last term of Parliament, we invited a team of officials to come to PNG. They did set up a system at the State Function Room where we were able to see how the election process was conducted and successful it can be done.

We have sent a team of Papua New Guineans led by the Electoral Commission to India and they have had a first-hand witness of the system in use. They have had discussions with the Indian Electoral Commission to adopt their system here in Papua New Guinea.

I can assure the Member for Rigo and Parliament that we are committed to that. We are awaiting advice from the Electoral Commission and we aim to start the implementation process especially with getting voter registration done starting this year. It is important that we start early to avoid our past mistakes like ghost names on the Common Roll. We also need to test the integrity of the system here in our country and prove to our people so that they will have confidence in the system. I think the Electoral Voting System is the way to go so that we can have a fair and free election in our country.

Release Trust Account Fund – Western Province

Mr JAMES DONALD – Mr Acting Speaker, I wish to also direct my question to the Prime Minister.

I raised this issue twice last year to the Prime Minister with regard to the Development Trust Fund for the Western Province where there is about K500 million for impact communities and non-impact communities.

04/06

In his response, the Prime Minister stated that a moratorium has been imposed on these funds until an audit has been conducted and a report tabled before Parliament.

What is the status of the audit and can the Prime Minister inform the people of Western Province when the report will be tabled and these funds released?

Mr PETER O'NEILL – Mr Acting Speaker, I thank the Member for North-Fly for this question.

Mr Acting Speaker, I have received the final audit report of those two funds particularly the Non-CMCA Trust Account funds and how it was managed. It is quite alarming that claims of almost K244 million was spent by different contractors and individuals.

Mr Acting Speaker, while some of these constructors have completed the job they were asked to do, a lot have failed to deliver those projects so it was timely that we put a stop to that misuse and abuse of the Trust Funds that were aimed at trying to improve the standard of living for the people living in the Western Province.

I have received the report and will refer the outcomes to the relevant agencies of government to continue to address some of those shortcomings. But all in all, I will be putting up a new guideline for this particular funds and then I will be allowing the funds to be used by Western Province and the relevant agencies can have access to those funds.

Mr Acting Speaker, by February I will be in a better position to set up the new guidelines that will have a stricter control rather than individuals hundreds of millions of kina worth of contracts to people who are not delivering to our people in the Western Province.

Mr Acting Speaker, I want to assure the Member that we will be opening up the accounts so that we can attend to the real needs of our people in the Western Province.

Thank you, Mr Acting Speaker.

APEC Expenditure Report - Explain Delay

Mr RICHARD MASERE – Mr Acting Speaker, my question is directed to the Minister for APEC. Before, I ask my questions I take this opportunity to congratulate the Prime Minister on hosting a very successful APEC Meeting last year in November. That goes to show that the APEC Community had confidence in Papua New Guinea of hosting such an event.

In saying that, in the recent week and even yesterday questions were asked about the expense of the APEC meeting, and I understand that the APEC Minister may have a report to present to this Parliament

Can the Minister explain why the report has not been presented to the Parliament?

Thank you, Mr Acting Speaker.

Mr JUSTIN TKATCHENKO – Mr Acting Speaker, I thank the Member for Ijivitari for his question.

We are going through a detailed process to ensure that a full report is given on the Floor of Parliament on the details of the APEC Outcomes and expenditure and the final amount of the money that was spent on APEC. But this is delayed because the Member for Moresby North-West, Sir Mekere Morauta, wrote to the Ombudsman Commission complaining about the vehicles and other things that were supposedly purchased. So, that is going through the process which has now delayed me to coming on to the Floor of Parliament and presenting this particular –

Mr Bryan Kramer– Point of Order! Mr Acting Speaker, whether or not the Ombudsman Commission carries out an investigation to determine if the assets were acquired illegally should be no basis to hold up an actual report of expenditure.

05/06

Mr ACTING SPEAKER – Honourable Member, your point of order is out of order.

Mr JUSTIN TKATCHENKO – Mr Acting Speaker, the Member for Madang knows very clearly the Ombudsman Commission has given a direction to stop the process until they finish their investigation, so get your facts right please.

The process is going forward anyway and we will have a report which will completely show that the APEC event and summit was an absolute success and the expense was not K5 billion as Sir Mekere Morauta said, which is absolutely ridiculous. It is ten times less than that and we look forward to the outcome of APEC over the years to come. Thank you so much

Supplementary Question

Include Foreign Financial Sources

Sir MEKERE MORAUTA – Mr Acting Speaker, I suggest that in presenting the APEC expenditure report, could the Minister also include the contribution made by foreign governments and friends?

May I also add that prior to APEC approval, the IMF reported that the Government's budget was K3 billion. That is a written document so keep that in mind.

Mr JUSTINE TKACHENKO – Mr Acting Speaker, that is another lie coming from the Member as well. We keep on hearing all of these lies and amazing figures that are totally made up in his mind and has no idea what he is talking about. The facts will be put forward and will make a fool out of the Member.

Tax Credit Scheme

Mr CHRIS HAIVETA – Mr Acting Speaker, my questions to the Honourable Minister for Planning are based on the tax credit scheme.

Mr Acting Speaker, the Government carried out a review to stop the abuses that have been happening in the past. And I thank the Minister for taking that initiative.

My questions are:

(1) Is the Minister prepared to table the report and new guidelines?

(2) Can he give assurance to this House and also to the people of Papua New Guinea that the Government will, after tabling the report and issuing the guidelines, be ready to resume and implement projects and take applications for tax credit scheme right through around the country?

Mr RICHARD MARU – Mr Acting Speaker, I thank the Honourable Governor of Gulf for those very important questions.

Mr Acting Speaker, I wish to inform Parliament that we have completed the review and revised the guidelines and now it is with NEC. We hope by this week or next week the NEC will clear the revised guidelines and will print the booklets and have it ready for the Prime Minister to re-launch the new-look tax credit scheme during the Leaders' Summit in March. And of course the districts and provinces can start applying to access funds from the tax credit scheme from March onwards.

Electrification Agreement

Mr JOHN SIMON – Mr Acting Speaker, thank God I have strong legs as I have been standing up constantly throughout last week until now to ask my question. I thank you for finally recognizing me.

Mr Acting Speaker, my question is directed to Prime Minister. It is in regard to APEC but before I ask the question, for once I expect all of us to give credit to APEC as well. Every time somebody asks about APEC, we all jump up and down and start mumbling and grumbling as if this event was not a good thing.

06/06

Mr Acting Speaker, my questions are in regard to the commitments made during the APEC meeting to fund and improve electricity access across PNG, especially in rural areas. It is understood that PNG signed multilateral funding agreements with Australia, New Zealand, Japan and the United States totalling almost K3.6 billion which is quite a lot of money.

(1) Can the Prime Minister confirm whether this partnership with these countries is a serious commitment in terms of providing over K3.6 billion every year?

(2) When and where will the first project under this partnership be launched?

Mr Prime Minister, if possible, can it be in my district or the two Sepik provinces so that the Opposition Leader and the Governor of East Sepik can appreciate this project.

(3) Which Minister and State agency will be implementing this exciting programme?

(4) How will the funding be spent? Will it be for powerlines, stations or hydro power plants?

(5) Has the Government and its partners developed any specific policy on the electricity partnership arrangement as yet?

Thank you, Mr Acting Speaker.

Mr PETER O'NEILL – Mr Acting Speaker, I thank the Member for Maprik for his excellent questions. This is something that is going to transform our country in the coming years.

Mr Acting Speaker, at the back of the APEC meeting, the partnership between Papua New Guinea, Australia, New Zealand, Japan and United States have made a firm commitment to funding up US\$1.6 billion to ensure that there is electricity available to Papua New Guinean families and communities right across the country covering up to 70 per cent or more by 2030.

That work will commence this year and I have already received correspondence and of course had discussions with the Australian Government. I have received correspondence from the United States Government and commitments from the New Zealand Government that

they are now mobilising funds to commence this and it will be parked and worked with by our agencies of government. Both the ministers for State Enterprise and Energy will take charge of this programme and they will start implementation in a few weeks.

The work will begin in Tsak Valley in the Wapenamanda District of Enga Province, connecting up to 5000 houses. I am told that these 5000 houses is funded fully by the New Zealand Government.

Mr Acting Speaker, 5000 families will for the first time have excess to electricity and so this is something that we should thank our development partners and appreciate the support that they are giving.

And of course at the back of that, Mr Acting Speaker, we are going to go to Usino-Bundi in the coming weeks to do the launching for them to also participate in this programme. And again PNG Power and the Energy Ministry will take charge of this. We will be rolling out this partnership programme over the next few weeks.

Mr Acting Speaker, as I said, our aim is to provide electricity to 70 per cent of the population by 2030. The PNG Government in the 2019 Budget has allocated K30 million and that money will be made available immediately to our agencies to start rolling out the programme as well. I urge all of our members, especially those from the remote rural electorates throughout the county to please communicate with the Energy Minister and PNG Power so that they can fully participate in this programme. This is a very exciting programme for our country.

07/06

Mr Acting Speaker, we are also going to be rolling out the broadband communication capabilities through these powerlines so that our people do not only have access to electricity but also internet services as a result.

Mr Acting Speaker, both communication and electricity will transform this nation and we are excited to be part of that partnership.

People who go for a joyride on APEC meetings will never appreciate this but I can certainly say that it is delivering to the expectations of the people.

Supplementary Question
Origin of Electrification Project Initiative

Mr ALLAN BIRD – Mr Acting Speaker, we are all grateful for this power supply project, but I think the Prime Minister needs to come clear because as far as I understand, programs are normally generated from within our own institutions such as the Planning Department and entities like PNG Power and so forth.

Countries like the United States and Japan gave us that particular project because of the geopolitics in the region and because we are leaning too much towards China. We never initiated this project and it never came through our systems. They gave it to balance China's influence.

Can the Prime Minister confirm whether this is true?

Mr PETER O'NEILL – Mr Acting Speaker, let me correct the Governor because he has obviously been misinformed.

As you would appreciate our Government made an announcement that we want to connect 70 per cent of our population by 2030 because it is an initiative of our Government.

Mr Acting Speaker, I have had discussions with KCH and Minister for State Enterprises and PNG Power, who initiated this program and brought it to our development partners as an initiative of our Government. It has not been pushed to us because of geopolitics.

If that were the case they would have initiated this program well before the APEC meeting took place.

Mr Acting Speaker, we need all development partners, not only United States and Australia who are our traditional partners, but also new ones like China, India and Korea who are very big economies in our region. We cannot isolate ourselves as an economy and a country. We live within the region so we must work closely with these countries so that we can learn from their experiences.

Mr Acting Speaker, when you look at Japan for instance, they have been able to build their country to a first world country after the Second World War and the devastations of bombings in Hiroshima and Nagasaki and also other difficulties they faced. Also look at the experience of Korea. In less than 60-70 years they are now one of the top 10 economies in the world and one of the most advanced nations in the world. They achieved this status in a short period of time.

Look at China, in 40 years they have been able to transform their country into being the second most powerful country with the second biggest economy in the world. We cannot simply be naïve and say we cannot do business with these people.

Mr Acting Speaker, it is good for our country to learn how they have been able to transform their countries into such a massive economy within the region.

Fix Morobe Roads

Mr THOMAS PELIKA – Mr Acting Speaker, I direct my question to the Minister for Works and I would like the Minister for Transport to take note.

My concern is based on road maintenance and the building of new roads. Let me mention that I am also glad the Minister is fixing the Highlands Highway.

08/06

Mr Acting Speaker, I have been travelling to and from ‘rainy’ Lae. I must acknowledge and thank the Government for funding for the road leading to Wau-Bulolo Junction. However, we still experience uncomfortable rides between 11-mile and Nadzab.

I have spoken to the Governor and officials in Morobe and I have been told that this road is a nation function. I am tired of riding the stretch between 11-mile and Nadzab but we are at fault for shifting the airport from Lae to Nadzab.

Now that the road is impassable, let me remind the Minister that the machines donated by the Japanese are standing idle there.

(1) Can these grader machines be utilised to maintain this particular section of the road?

This is common sense. Eyes are meant for seeing. I am referring to your staff. If they see something wrong why can't they fix it? If they lack fuel, the district of Menyamya is willing to supply it because this road is an eyesore to Morobeans.

There are many areas designated as missing links. Last time you said that the Prime Minister has directed Works to go all the way to Menyamya. They did not go to Menyamya. They stopped at Kono Mountain which is on the side of Bulolo Electorate.

(Members interjecting!)

Mr THOMAS PELIKA – Shut your holes and stay put.

Mr Sam Akoitai – Point of Order! With due respect to the honourable Member, can you ask him to withdraw the un-parliamentary language?

Mr ACTING SPEAKER – Your Point of Order is in order. Honourable Member for Menyamya, please withdraw that word.

Mr THOMAS PELIKA – Mr Acting Speaker, I withdraw that word.

As I was saying, this road is going to be used to transport coffee destined for overseas markets to bring money into the country. Unlike some leaders who have allowed mining, timber and fisheries resources to be kept offshore, the local people wish to sell coffee to bring foreign exchange back to PNG.

(2)Mr Minister, when will you honour your promise to continue roadworks from Menyamya to Marawaka with the aid of these machinery?

I built that road and it was constantly used by the travelling public especially on PMVs.

(3)Will the Works Department fund the maintenance of this road?

Mr MICHAEL NALI – Thank you, Mr Acting Speaker. All honourable members seem to be in a jolly mood today that's why there is a lot of laughter and snide remarks uttered.

Thank you, Member for Menyamya, for the questions you raised on the roads.

The Lae city roads were fixed by none other than our Prime Minister. He saw that the roads were frequently marred and he took the initiative to use cement on the Lae Roads. There is just a minor stretch in Lae that is from the University to Bumayong, which the Works Department is doing. The contractor is there. The other part that is now beginning to deteriorate is up at Top Town, the short cut across the Lae Airport to Lae Market. But starting from Lae City road to 9-mile turn-off –

09/06

Mr Thomas Pelika – Point of Order! We must not beat around the bush the question specifically relates to the portion of the road starting from Nadzab Airport and onwards.

And one point you mentioned regarding the cement is that when I first became the Member of Parliament they appointed me as the Chairman of Works and Implementation Committee, I instructed for that portion of the road starting from Eriku roundabout all the

way to Sports Ground to be cemented and the other portion of the road is from 414 and that was in 2001.

Just a bit of clarification, thank you.

Mr MICHAEL NALI – Mr Acting Speaker, all the roads starting from Lae city up to Bugandi High School, 9-mile, Wau/Bulolo turn-off have been completed. Starting from 9-mile to Yalu Bridge is a new contract and we did pay the contractor some funds last year in December so currently they are fixing these roads.

As for Yalu Bridge to Nadzab Airport road, NEC has already made decision to upgrade this section of the road.

In relation to the Honourable Members questions, all these roads have been secured by contractors on the ground to start their work.

Whilst on that I have started this K3 billion Highlands Highway Rehabilitation Investment Programme which will go all the way to Kagamuga Airport Road. This contract has already been awarded to three different contractors to commence. We flew to Goroka to launch this project and during that time the Prime Minister committed that 9-mile to Wau-Bulolo will be the next project of the Government.

We all know how many highways we have in total in the country starting from Highlands Highway, Hiritano, Magi, Ramu-Madang-Bogia and Wau-Bulolo to Menyamyia.

Honourable Member, I actually went to Menyamyia and I totally agree with your argument because you have all the reason to say it. It's not an easy thing to laugh about, our people are still living in thick bushes.

We also have similar road issues in Bougainville therefore I want to assure all the Members of Bougainville that the Government during Christmas has already paid some money to two contractors to continue fixing the roads there. We didn't pay them in full but at least enough funds to carry on with it.

And as for the roads starting from Mount Hagen all the way to Komo, Koroba-Lake Kapiago we travel on sealed roads and that's including Mendi to Wara Lai but beyond that it's not been sealed. It's still the same as in those colonial times.

We have so many roads which need upgrading but I might take up much time and many of you will not agree with what I say. But let me say this, the total length of roads on national highways deteriorating in the country is 9000 kilometres and of that 21000 kilometres are provincial roads which are major economic priority roads.

But we all know how much has been allocated in the Budget to all the roads.

Last year, I owed the contractors about K240 millions of which Government has allocated huge sums of funds and to date we paid K122 million to all the outstanding contractors. I still have outstanding of K122 million plus and I am sure the Government will assist me with this.

In addition to that let me say that we must not tell lies to ourselves. Why all these major highways are deteriorating badly today is simply because we did away with the old system where the Department of Works used to have their facilities stationed along the highways 13 to 15 years ago.

10/06

So between these years the government then moved into working with the contractors, both local and foreign. Our system of attending to emergencies on the spot has stopped because of government decisions. These are legacy issues that this Government is now carrying.

Mr Acting Speaker, we cannot start pointing fingers but I think we should not kid ourselves on the way we are going. I do not have enough money to upgrade all these highways. The way to go about this is the way we fixed the Highlands highway. This is the only way possible to rehabilitate most of our highways. Most of our members share sentiments and want to improve their highways but for those of us who were around in or outside Parliament, we have never seen major infrastructure happening in this country for many years.

We must learn to be grateful to this Government, because we are now building wharves, airport, terminals and jetties. We have rehabilitated the Highlands Highway and the Madang road. We are receiving DSIP and it is direct cash that we are getting, sent straight to the district. This is for you to rehabilitate infrastructure in the country.

Member for Madang, good that you are speaking out but the very person that you are fighting and speaking against is the very person fixing Madang town for you.

Mr GEOFFERY KAMA – Mr Acting Speaker, can he be specific and answer the question. He has already taken up a lot of time.

Mr MICHAEL NALI –While we have the privilege of standing here on the Floor of Parliament and rubbing each other, the people of this nation must know what the government of the day has done and is doing. We must think before we talk and act and give credit where it is due.

Member for Menyamya, the road from your electorate is one included in the missing link that we are talking about. Menyamya to Kaintiba and onto Kerema is one of the missing links and another one is from Baiyer to Madang. These missing links will be part of the plans to build the international highway from Madang and Bogia. We will follow to Yangoru and work our way linking all the missing links up to Jayapura. We cannot jump onto these new roads until we maintain the existing roads.

Funding for Karimui Road

Mr GEOFFERY KAMA – Mr Acting Speaker, thank you for giving me the opportunity to speak.

My question is directed to the Minister for Works. Before I proceed to my question, I want to say that it is in the nature of Government and Opposition to go against each other but I want to say thank you to this Government as it seems to be delivering a lot of projects in the country.

11/06

Many things there were promised have eventuated so thank you.

Mr Acting Speaker, I am happy to hear members of Parliament talking about electricity. This is the second stage of development and I totally agree with questions from the Member for Menyamya. Our first priority is our roads and the second is electricity. I will still be asking the Minister for Works and Implementation about my roads. This Government is delivering but the bureaucrats are letting down their efforts. We have many questions being asked because of the slackness of the bureaucracy.

For example, I just learnt that there was money allocated for the Karimui Road and the contractor has already begun construction but he has not received his first mobilisation payment even though he has already done four kilometres. After hearing a lot of complaints from him, I came and checked and found out that that money had been diverted to pay other contractors of their own interest. This is not supposed to happen because with PIP projects the Minister for Finance must be informed before anything can be done. I am not very happy

with what happened. The former Member for Karimui-Nomane is a civil engineer by profession but he has nothing to show for in his term as Member of Parliament in the Ninth Parliament and that is why I beat him.

Mr Acting Speaker, my priority here as the Member for Karimui-Nomane is to deliver this road to my people. I have not much to say about electricity because I have not yet built them roads.

Mr ACTING SPEAKER – Honourable Member, can you please ask your question?

Mr GEOFFREY KAMA – Mr Acting Speaker, why was the funding for the Karamui Road diverted?

This is a very important road for my people and my electorate. This is how bureaucrats are corrupting and running down our system of government. The bureaucrats are people appointed to positions but mandated leaders are elected by the people of this country this is why our money must be spent where we decide for our people. Money was already allocated for this project but I do not know why it was diverted.

Why do we have so much diversion of funds here and there? We hear a lot of Members of Parliament complaining about their project funds being diverted. This attitude must stop so I urge the Minister for Finance take note and do something about it. The Minister for Works and Implementation is doing a fine job but is he keeping an eye on these things?

Open members of Parliament can't afford to pay for these projects with other funds except with our PIP Funds. This is money allocated for these projects therefore money must be spent accordingly.

Mr MICHAEL NALI – I thank the Member for Karimui-Nomane for his questions.

Mr Acting Speaker, money is appropriated on an annual basis and the budget that we pass is a law therefore no one including me as the Minister responsible or the Secretary of Works has the power to divert funds. When the warrants are realised by Treasury and the funds are deposited into the Works Department, that money then goes straight to whichever project it has been allocated for.

With regard to the Karimui-Nomane to Gumine Road, we all know that there was an allocation of K10 million last year. The Member for Karimui-Nomane, including the Minister

for Education and I had our discussions about that road but after that he disappeared and now he is complaining to me again.

Sometimes you people use the provincial government to procure matters and then put your own tenders without permission from the Department of Works and Implementation. Whatever commitments that provincial governments do has nothing to do with the Department of Works and Implementation. It is a decision by the PSTB and the provincial government. If you try to jump over a bridge and takeover another system then you invite your own problems.

Honourable Member, your money has not been taken by anybody. It belongs to our people and these are funds for their roads.

12/06

Mr Acting Speaker, I want to ask the Member to come and have a meeting with me and we can discuss where this money has gone. No one has misused your money, this is money that belongs to the people allocated through the money process by law. There are some difficulties like the ones I raised. I want to tell all you leaders on the Floor of Parliament that when you see that there is money there do not go out of your way and try to procure them outside the normal process. There is a system in place so let us follow the system and do it properly.

So with that, Mr Acting Speaker, thank you for the important question that you have asked me but I do not have the power to divert your money, not even the secretary of Works Department has the powers to do so and I guarantee you that your money is there.

Thank you, Mr Acting Speaker.

**AUDITOR-GENERAL OF PAPUA NEW GUINEA – REPORT ON THE ACCOUNTS
OF THE GOVERNMENT PRINTING OFFICE, 2015 – PAPER –
MOTION TO TAKE NOTE OF PAPER**

Mr ACTING SPEAKER – I present the following Paper pursuant to statute;

*Constitution – Auditor-General Report of Papua New Guinea –
Report on the Account of the Government Printing Office, 2015.*

Motion (by **Mr Koni Iguan**) agreed to –

That the Parliament take note of the Paper and the report be referred to the Permanent Parliamentary Committee on Public Accounts.

**AUDITOR-GENERAL OF PAPUA NEW GUINEA –
REPORT ON THE HELA PROVINCIAL HOSPITAL ACCOUNTS, 2016 –
PAPER - MOTION TO TAKE NOTE OF PAPER**

Mr ACTING SPEAKER – I present the following Paper pursuant to statute;

*Constitution – Auditor-General of Papua New Guinea –
Report of the Hela Provincial Hospital Accounts, 2016*

Motion (by **Mr Koni Iguan**) agreed to –

That Parliament take note of the Paper and the report be referred to the Permanent Parliament Committee on Public Accounts.

MOTION BY LEAVE

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

Leave granted

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

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

That so much of the Standing Orders be suspended as would prevent Government Business and Notices No. 105 and 106 being called on forthwith.

13/06

OK TEDI ENVIRONMENT MANAGEMENT BILL 2018

First Reading

Bill presented by **Mr John Pundari** and read a first time.

Second Reading

Leave granted to move the second reading forthwith.

Mr JOHN PUNDARI (Kompiam-Ambum - Minister for Environment, Conservation and Climate Change) – I move –

That the Bill be now read a second time.

Mr Acting Speaker, the Prime Minister, Honourable Peter O’Neil, ministers and members of Parliament, I thank you for this opportunity to highlight the intentions of the proposed OK Tedi Environment Management Bill.

Mr Acting Speaker, I am proud to announce the tabling of the proposed Bill of the OK Tedi Environment Management Bill in this Parliament.

For the first in the history of this country, the Government has taken a bold decision to making sure that the environment matters relating to the giant OK Tedi Mine is effectively regulated to the National Ministry of environment. This is a historic achievement and is a demonstration of our maturity in nation building and the ability of our government agencies to coordinating and ensuring our Nation’s natural resources are developed in an environmentally sustainable manner.

Mr Acting Speaker, it is my ministry’s duty to ensure that the environment and the bio-diversity is protected for the sustenance of the current generation and survival of the future generation. The Conservation Environment Protection Authority or CEPA is tasked with the responsibility to deliver on the Fourth Goal of our *National Constitution* and the Directive Principals which states; ‘we declare our fourth goal to be for Papua New Guinea’s natural

resources and the environment to be conserved and used for the collective benefit of us all and be replenished for the benefit of our future generations’.

Mr Acting Speaker, in order to achieve the intent of the Fourth Goal of our *National Constitution*, effective legislation and strengthened institution backed up with adequate resources is required at this time and age when we as a county face the challenges of the environmental denotation and the effects of climate change.

Mr Acting Speaker, in my firm view the Conservation and Environment Protection Authority has the capability and capacity to deliver on these mandated roles and responsibilities to the people of Papua New Guinea, including taking on the responsibility of managing the environmental aspects of the OK Tedi Mine.

Mr Acting Speaker, the OK Tedi Environmental Management Bill will replace the existing environmental regulation of the OK Tedi Mine with the regulatory arrangement broadly aligned with the *Environment Act* of 2000. The OK Tedi Mine is currently governed by the *Mining OK Tedi Agreement Act*. My ministry is of the view that the current legislative framework is ineffective in allowing effective environmental management of the Mine Operators.

14/05

Mr Acting Speaker, the *Mining Ok Tedi Environment Act* does not provide for the application of the current *Environment Act 2000* and as such the State does not have sufficient authority to oversee effective environmental management of the Ok Tedi Mine operations. Environmental regulations of OTML is currently effected under the environmental regime which was bought into effect by the passage of an approved change notice in 2001.

The environmental regime requires an expensive monitoring and research programme and the results are reported to the Conservation and Environment Protection Authority and the Mineral Research Authority on an annual basis.

Mr Acting Speaker, in 2009 Ok Tedi Mining Limited commenced discussions with the mine village and the CMCA communities as require under the current legislation about the possibility of extending the lives of OTML’s operations from the closure date of 2015 to 2025.

In December 2012 the mine villages and the CMCA communities through their dominated leaders agreed to the extension of mine life for a future 11 years from 2015 to 2025 and signed their respective CMCA extension agreement.

Mr Acting Speaker, at the time of the approval of the mine life extension, the State considered whether to bring Ok Tedi under the *Mining Act 1992* and the *Environment Act 2000*. Legal advice received stated that it would be difficult for OTML to operate under the two Acts given the history of the company.

Accordingly the State determined that an OTML specific *Ok Tedi Environmental Management Act* be developed to better regulate the operations of the company and protect the livelihood of the people impacted by the OTML operations.

This bill is to bring such an Act into force.

Mr Acting Speaker, to the extent possible, the Ok Tedi Environmental Management Act is aligned with the intent and the processes of the Environmental Act 2000. In particular the Ok Tedi Environmental Management Act allows for both the charging of fees by CEPA and the issuance of an environment permit in the same form as an environment permit issued under the *Environment Act 2000*.

The Ok Tedi Environmental Management Act also allows for a range of regulatory tools that are similar to tools available under the *Environment Act 2000*. These are tools such as clean-up orders, emergency authorisation, emergency directions, environment protection orders, environmental improvement plans, operational procedures and technical standards.

The Ok Tedi Environmental Management Act applies solely to the approved projects as defined in the *Ok Tedi Mining Agreement Act 1976* as amended and supplemented. It does not apply to any project undertaken by OTML outside of the defined project.

In the event that OTML were to seek development approvals outside of the approved project, the *Environment Act 2000* would be relevant legislation to apply.

Mr Acting Speaker, the primary benefits of the proposed bill are as follows:

- It aligns the environmental regulation of the Ok Tedi mines closure to that of other mines to the issuance of an environment permit with clear compliance requirement.
- It provides protection of the State's integrity since Ok Tedi is hundred per cent State-owned by removing environmental regulations from the Act that establishes and regulates the mine as a business.
- It decreases the perceptions of giving preferential treatment to OTML, giving the existence of the other mines in the country.

15/06

Mr Acting Speaker, it gives confidence to the Ok Tedi communities that the OTML operations will be closely regulated by CEPA just like any other mine in the country and by other relevant mine government agencies to a process similar, as I said, to other mines which CEPA is very familiar with.

It provides a means by which CEPA may levy charges for their costs on conducting compliance monitoring of the OTML.

Mr Acting Speaker, *Ok Tedi Mining Environmental Management Act* will be broadly aligned with that of the current *Environment Act 2000*.

The existing environmental regime will therefore be replaced with the newly proposed OK Tedi Environmental Management Act that the Parliament will now deliberate on.

Motion – That the question be now put – agreed to

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

Bill read a second time.

Third Reading

Leave granted to move the third reading forthwith.

Motion (by **Mr John Pundari**) proposed –

That the Bill be now read a third time.

Mr SAM AKOITAI (Central Bougainville) – Mr Acting Speaker, I commend the Minister for Environment and Conservation for bringing this Bill to Parliament. I believe this will bring Ok Tedi in line with all the other mines operating in Papua New Guinea and will bestow confidence in all the other mines.

Mr Acting Speaker, this shows that we are not biased and the process undertaken to bring this Bill to Parliament regarding the operations of Ok Tedi is welcoming.

Mr Acting Speaker, as a former Minister for Mining, I have been involved with the industry for quite a while and I know OK Tedi has generated revenue for this country. The developer, BHP Billiton, owns this mine in partnership with the National Government but much of the problems relating to environmental damage is blamed only on BHP Billiton. What really has happened over the years since Ok Tedi came on stream must be attributed to both the National Government and BHP Billiton.

16/06

I am talking about major environmental damage. We have gladly received revenue from the mine but our people are now left with a lifeless river.

A World Bank Assessment Report has classified the Fly River as a dead river due to the mine pollution. And after the mine closes the people of Western Province living along the Fly River will be left with a polluted river system for 200 years.

This Bill which the Minister has introduced will at least play some part in controlling how mines operate and control the disposal of wastes into the Fly River.

I want to inform you that the Fly River is connected to the Strickland River meaning that wastes from the Pogera Mine is also deposited into the Fly River system. That is why I sympathise with our citizens in the Western Province. So, the alignment of Ok Tedi to the *Environment Act* of 2000 stands to give some credibility to how this mine will operate in relation to other mines.

Mr Acting Speaker, it is good that the Minister has brought in this Bill before Acid Rock Drainage becomes a major problem. The sediments or silt from Ok Tedi were being dredged and piled on top and I think there are two piles there. So to protect or control it, they must bury it into the ground.

Before I came back to this Parliament I was involved with a company that was trying to mine those deposits or those dumps and I am telling you, Mr Minister, that dump is bleeding. That Acid Rock Drainage problem is occurring there. I saw it with my own eyes. Eventually it will end up back in the river system and it will contribute to killing the whole ecosystem

So, Minister, I commend you for bringing this Bill. I think Ok Tedi has done well, we have a very good management team in place and I commend the Prime Minister for making it possible for appointing Peter Graham who's done a very good job. He's got a very good team and they are working very closely to address past problems.

We must all acknowledge that Ok Tedi is positioned in an area where there is high rainfall and that's why the dam had collapsed in the past.

17/06

So, we must all understand the difficulties or challenges faced by Ok Tedi Mine. The Fly River has potential of becoming an alluvial mining area and this will affect the people there by exposing them to what is in the river system.

Mr Acting Speaker, I support the Minister's view to bring Ok Tedi Mine operations in line with the other mines in this country. We must not only focus on generating revenue, but take into consideration the people's livelihood.

I have emphasised many times that once Ok Tedi Mine ceases its operations, I don't think Waigani will ever remember Western Province. And that is a fact, I am telling you. That is why my statements here extends beyond the National Planning Minister's presentation regarding the Tax Credit Scheme.

My view is, the resource provinces are bringing their resources into Waigani, but Waigani neglects them.

The issue of Tax Credit Scheme was first introduced when Pogera Mine started its operations. It was introduced because Bougainvilleans started fighting over the lack of benefits reaching them, despite the revenue generated by the mine.

Many of our bureaucrats don't seem to understand what initiated the Tax Credit Scheme. That scheme is supposed to be for project areas only.

Mr Minister, I apologise for speaking beyond of the parameters of the *Environment Act*, but I believe that the Government can reconsider amending the existing Act through such avenues.

A number of us who are still in politics are part of this problem and must not deny it. Waigani is like the Dead Sea because despite the fresh water flowing through here, it cannot give back life.

In relation to the K10.5 million allocation, perhaps we should consider growing other sectors. We need to seriously consider legislating what percentage from those mines should go to other sectors. And that is only by legislation and not policy so that you can really lock the funding for all this.

Mr Acting Speaker, Ok Tedi Mine's alignment through the Environment Act 2000 is a job well done. I totally support this Bill.

Thank you, Mr Acting Speaker.

18/06

Mr POWES PARKOP (National Capital District) –I would like to contribute towards this very important debate. I am yet to read the proposed law so I will probably speak out of ignorance. It is important that we debate this because the problems that arise from the mining industry are huge in this country.

With due respect to the Minister and the Department, their record of monitoring and accountability in mining or logging is not vibrant

Since we are trying to go beyond the general framework of the environmental laws, I am worried whether this will improve the situation or worsen it. The Ok Tedi Mining Limited does not have a good record in terms of its environmental standards and in living up to the globally accepted practices. We all know that the practice of dumping sediments into the river system is not right, yet we do it here in Papua New Guinea.

Are less human that we should accept these practices by allowing the mining companies to dump their wastes into our rivers? In other parts of the world such practices are not allowed. Why do we entertain it here? Is it because of the development or the money that we allow for this to happen?

The good Member for Central Bougainville has mentioned that the tailing dams are collapsing, but we must continue to invest in tailing dams as we can't have the waste dumped into the rivers because people's livelihood depends entirely on these rivers. I hope the law will raise the standards, rather than reduce it.

Recently in Brazil, a tailings dam collapsed resulting in the death of more than 300 people. The problem was not the concept of waste management but the standard of the dam which may have caused the collapse.

In a dam structure, if there is an acidic green foam leakage, this means the tailings going into the river is acidic. We are dumping untreated waste into the rivers. Will this mechanism set up by CEPA be used to clean up the tailings before dumping it into the river? In a dam, we have the opportunity to treat the waste and that must be captured in the law. We must improve the standard and not try to reduce it.

For those in East and West Sepik are trying to establish new mining areas, are you not concerned that this could affect the Sepik River? Are we going to dump wastes into a river

that sustains the livelihood of a lot of people? We must take Ok Tedi Mine as an example and make sure no other river system faces a similar situation.

I maybe speaking out of ignorance of the fact that the Mr Minister is trying to lift the standards, as I am yet to read the proposed law. I might agree and not know the details of what areas have been covered or I might agree only to find out later that this law is not really up to the standard that I would have liked it to be.

Up until today, people are prosecuting the developers who have not done their job of complying with the law.

19/06

The Ok Tedi Mine practice changed because the landowners took the developer and the State to court. It was not because of CEPA or the Department. All the Department did was give approval; there is no investigative capacity and this is the same with logging.

We also have agriculture projects kicking off, but who is maintaining the standards? Is it CEPA? Are we approving things that are of standard or are we just doing it to have the project off the ground?

These are the challenges faced by the Minister responsible so all Members of Parliament have a collective responsibility to help him.

I hope this law is going to set a standard for us. We can make money but let us ensure that it is a win-win situation for all parties involved.

Mr JAMES DONALD (North Fly) – Thank you, Mr Acting Speaker.

Before I go on with my debate, I must commend and thank the Minister for Environment, Conservation and Climate Change for bringing this Bill before Parliament.

Mr Acting Speaker, speaking as a Member from the host district and concerned province, I think the country will appreciate that after Bougainville Copper Mine, Ok Tedi Mine carried the country forward; therefore, we must give credit where it is due by saying thank you.

There are still many outstanding issues that need to be addressed. Many of our past leaders depended on profits derived from Ok Tedi Mine to manage national issues. This mine had its share in caring for our nation. However, we had environmental issues then and even today.

Let me inform Parliament that Ok Tedi Mine is not closing anytime soon. There are still ore deposits to be mined so the mine will continue. I do not want to deliberate on the mistakes of the past because I think by now we should know where we went wrong.

Mr Acting Speaker, we must all work together to see how best we can avoid those same mistakes and improve for our betterment. If this legislation is good for our country then we must pass it. Let us set the trend for all our mines with the best interest of our people at heart. I do not want us to repeat the mistakes made with Ok Tedi Mine.

I would also like to place on record that CEPA is very weak. There were a lot of issues affecting our people that CEPA could not handle and that was a great failure for our people. For example; in Western Province, there are two mines affecting the people: Pogera and Ok Tedi Mine. These mines filter waste into the Fly River affecting everything along the river including the people. We also need to carefully review Pogera Mine waste management policies and take measures to also address it.

I would also like to debate on the proceeds from the mines. I just heard the Minister for National Planning mention the Tax Credit Scheme. I believe that these moneys must be anchored with the host districts and project areas because Waigani is a problematic place. As the members have said, every time money is given to Waigani, we hardly see anything. It is like a swamp where money comes and sinks into, leaving the people to suffer.

20/06

The Minister for National Planning and Monitoring must take this very seriously when dealing with Tax Credit Scheme Money. The money must be given back to the people to operate projects. We have suffered enough.

Frieda Mine is also coming up in West Sepik Province. This mine is also near my district. Let us set the records straight for OK Tedi Mine so when Frieda comes on board we will manage it well.

I don't want the problems of Fly River to repeat in the Sepik River. All my colleague members from Sepik must stand firm and make good decisions to ensure the river system and the people are not affected in the future.

Thank you, Mr Acting Speaker. As the Member for the host district of this mine, it is important that I contribute to this debate on this Bill. I thank the Minister for bringing this Bill because my people and I have suffered enough and I want change.

Thank you, Mr Acting Speaker.

Motion – That the question be now put – agreed to

Motion – That the Bill be now read a third time – put

The Bill requiring an absolute majority of 56 members as required by the Constitution, Mr Acting Speaker ordered that the bells be rung.

21/06

The Parliament Voted (the Acting Speaker, M Jeffrey Komal) in the Chair –

AYES – 87

NOES - 0

Motion so agreed to

Bill read a third time

22/06

**CONSERVATION ENVIRONMENT PROTECTION,
AMENDMENT BILL 2018**

First Reading

Bill Presented by **Mr John Pundari** and read a first time.

Second Reading

Leave granted to move the second reading forthwith.

Mr JOHN PUNDARI – Mr Acting Speaker, this is basically an amendment to align the *Conservation, Environment Protection Act* with the *Environment Act* that we just passed.

Motion – That the question be 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 John Pundari**) proposed –

That the Bill be now read a third time.

Mr CHRIS HAIVETA – We are doing two amendments. Was the first one for the *Conservation Protection Act* or the *CEPA Act*? I am confused.

Are we making two separate amendments to one *Act* or two different *Acts*? That's the first question.

I ask because we just passed a law to include the Ok Tedi Mine under environmental monitoring putting the current regime into another special case in the *Act*. Why do we have to continue protecting the Ok Tedi regime when we should apply the laws of the country?

To be very clear that these amendments should not come in conflict with the fees and the other imports that are currently applied under the under the *Ok Tedi Supplemental Agreement Act*.

Thank you.

23/06

Mr **ACTING SPEAKER** – Honourable Governor, the question has been put so I suggest you ask your question during Question Time tomorrow.

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.

Sitting suspended for lunch at 12:15 p.m. to 2 p.m.

24/06

**PAPUA NEW GUINEA CIVIL AVIATION SAFETY AUTHORITY 2017
ANNUAL REPORT – PAPER AND STATEMENT –
PAPER NOTED**

Mr **ALFRED MANASEH** (Kandep – Minister for Civil Aviation) – I ask leave of Parliament to make a statement in connection with the report.

Leave granted.

Mr Acting Speaker, I thank you for allowing me to deliver my statement on the performance of the Civil Aviation Safety Authority of Papua New Guinea in 2017.

Mr Acting Speaker, I am pleased to present to Parliament the 2017 CASA Annual Report which is the eighth annual report of the Authority since its establishment in 2010. The report includes the statement of the activities of the Authority during the year and the annual financial statements of the Authority prepared under the amended *Civil Aviation Act 2000*

Mr Acting Speaker, the operation of the Civil Aviation Safety Authority of Papua New Guinea has again met the expectations of the Government, the aviation industry and the

public in ensuring that safety and security is maintained and enhanced within an increasingly complex and challenging environment.

Mr Acting Speaker, the CASA Board continues to set sound leadership and governance and seeks to add value by holding management to account through informed, effective and independent oversight of performance and conformance matters. This independent oversight is paramount to ensuring the purpose and strategy are understood and implemented by management.

Mr Acting Speaker, acting in the best interest of CASA PNG, the Board of Directors are required to balance its accountability to the Government and responsibility to the stakeholders with the discretion it grants to management in the day-to-day running of CASA. As you all know, CASA is the regulator of the Civil Aviation industry in Papua New Guinea.

Mr Acting Speaker, the ethical practice is fundamental to good governance and is a key marker of the board. There is a strong relationship between values and ethics in business.

In 2017, the board issued a Board Governance Manual to provide clarity of governance roles, protocols and guidance for the Minister, CASA Board members and CASA Executive Management. The document aims to ensure consistency, transparency and continuity, and is consistent with the CASA vision of being a leading aviation safety and security regulator in the region.

Mr Acting Speaker, the board of directors' involvement in CASA is to shape and influence the strategy set by CASA PNG at the strategic level and to add value to CASA's performance. It is pleasing to note the level of engagement of the board members with management that assisted in accountability and board-management interaction in 2017.

25/06

Mr Acting Speaker, it is important that we have an effective and efficient aviation safety and security regulator because a safe aviation environment contributes toward social and economic development of Papua New Guinea and raises PNG's profile at the international level.

Mr Acting Speaker, building organization capability to meet the expectation of the aviation industry and ICAO continued to be CASA PNG's challenges and I commend the CASA staff for continuing to perform exceptionally well. The various programmes, objectives and targets being pursued under the ICAO – No Country Left Behind initiative, to assist state in capacity building and also assisted CASA in 2017.

Mr Acting Speaker, the ICAO Global Aviation Safety Plan and Global Air Navigation Plan set out regional expectations, priorities and targets for the States to meet the universal Safety Oversight Action Plan (USOAP) through effective implementation range of scores in which the smaller Island States of the Pacific saw a compelling need for improvement and CASA PNG actively engaged in forging stronger regional cooperation, partnerships and engagement in this area.

And some of these examples are that incidents that happened last year in relation to the plane crash in Federate State of Micronesia, where PNG was asked to lead the investigation, similarly in Vanuatu, the PNG Accident Investigation Commission was asked to investigate another aircraft accident.

Our leadership in the FASO and so many organisations in the Pacific in which PNG provides the leadership is because of this improved engagement with our Pacific Island States.

Mr Acting Speaker, the direction and major objectives for aviation safety in PNG follows the regional expectation and supports CASA's vision to be the leading civil aviation safety and security regulator and setting strategic goals for aviation safety in the near-term, mid-term, and long-term and setting its mission to be an employer of choice.

Mr Acting Speaker, CASA is a growing organisation facing a number of challenges in the aviation environment which is evolutionary. The strategies agreed to by the board sets a clear pathway in addressing the challenges and to facilitate change in a gradual stage approach, allowing CASA to absorb and benefit from these changes, assessing the risk before making the decision to proceed with others.

Mr Acting Speaker, aviation safety regulation is a global operation, across borders, not isolated to one country. The aviation challenges faced by PNG differ to those in other countries and it is particularly beneficial for PNG to maintain its presence at International Civil Aviation Organisation (ICAO) forums to collaborate with other states on common aviation-related issues.

Mr Acting Speaker, in line with worldwide trends in the fast-paced development and rapidly increasing use of drones for both commercial and recreational purposes, PNG also saw a more widespread use of drones and enquiries for regulatory information.

Mr Acting Speaker, emerging technologies such as remotely piloted aircraft system (RPAS) or drones is an issue for CASA, aviation professionals and stakeholders alike. From CASA's perspectives, new technologies and changes in the aviation environment have a

significant resource impact to address such as technical training for inspectors, development of new CASA policies and procedures, stakeholder consultation and communications, and legislation development and implementation.

26/06

I think you may have heard from media reports on the closure of the Gatwick Airport in England. The airport closed for three days as result of the use of drones. We also had our share in PNG, where drones flown over the Kennedy Estate, right in the flight path. These are the challenges CASA is faced with. Therefore in 2017, following consultations with the Civil Aviation Industry in PNG, a legislation was issued to regulate the use of drones. A further statement will be issued in relation to the use of drones because of the safety and security risks in the future.

Mr Acting Speaker, when serious safety and security incidents are reported, these are investigated by the PNG Accident Investigation Commission to determine root-cause and to identify contributing factors with the aim of preventing similar future occurrences. CASA PNG also uses these reports to conduct trend analysis to build a picture of how prevalent certain types of incidents are in different type of aviation operations. This helps CASA to design policies, propose new safety standards and oversight strategies to improve aviation safety and security.

Mr Acting Speaker, from a safety perspective, significant changes increases the risks and CASA was able to mitigate these risks through regulatory interventions, increase surveillance and imposition of conditions and implementation of a risk-based approach in auditing the industry.

In respect to CASA's Corporate Plan Goals, these describes CASA's strategic agenda either relies on or would benefit from international engagement with neighbouring aviation regulators in the area of specific mentoring in aviation medical standards, practices and others.

Harmonisation of aviation regulations is a crucial element of international compliance, and a mentoring opportunity that focuses on a global regulatory challenge together with other Pacific States contributes to forward planning and movement towards the above goals.

CASA PNG's long-term objective is the implementation of a civil aviation safety and security system that will become integral to the civil aviation systems of the future. The plan notes growth in the civil aviation sector domestically and globally which will require the

introduction of advanced capabilities that increase capacity while maintaining or enhancing operational safety margins and manage existing and emerging risks. This activity provides a good platform to mentor and build capacity within CASA PNG, setting foundation skills for regulatory development and oversight to build on as future challenges arise.

Mr Acting Speaker, for benchmarking purposes and as an ongoing performance indicator for investment, in 2017 PNG had an ICAO effective implementation score of 50.4 per cent against a global average of over 61 per cent. The scores are based on an assessment of our responses to the eight (8) critical safety elements of aviation safety that addresses the standards set out in the Annexes to the Chicago Convention on International Civil Aviation.

As I have reported to Parliament last year, after the ICAO validation mission, the effective implementation score now is above the global average and is now sitting at 61.1 per cent. And that is a great achievement as a result of the work that CASA was doing in 2017 under the global aviation safety plan to improve the effective implementation score.

We have gone above the global average and we are aiming now for federal aviation administration category one license.

27/06

Mr Acting Speaker, CASA PNG aims to continue to work towards improving PNG's ICAO effective implementation level. This aim includes achievement of full implementation of state safety programs and safety management systems to facilitate the pro-active management of safety risks is dependent on international engagement with regional partners to actively contribute to improving international compliance. As you may all be aware because of the March increase of the effective implementation score and the range that allowed most of the bigger aircrafts from the APEC economies to come to Papua New Guinea in their own aircrafts. So, that is the result of some of these work that was done in 2017.

Mr Acting Speaker, the significant safety concerns indicate the State is not providing sufficient safety oversight to ensure the effective implementation of applicable ICAO Standards. Significant safety concerns may be issued in the area of operations, air navigation services, aerodromes, airworthiness or licensing. I am pleased to report that PNG has no significant safety concerns. It had one in 2013 but it has been taken care of and resolved. We did not have any in 2017 and 2018.

Mr Acting Speaker, in the area of certification of international aerodromes, ICAO considered that PNG has satisfactorily promulgated regulations detailing the requirements for the certification of aerodromes including establishing a process for the certification of aerodromes.

Mr Acting Speaker, PNG has not been assessed by the Federal Aviation Administration of America (FAA) through their International Aviation Safety Audit (IASA) Programme. This is a long-term strategy that we will be embarking on with the airlines.

Mr Acting Speaker, PNG has no operational restrictions with regard to European airspace and that is a very important point. PNG has one airline (Air Niugini) certified through the International Air Transport Airlines Operational Safety Audit (IOSA) Programme.

Mr Acting Speaker, in the area of State Safety Programme (SSP) Implementation, PNG is at Level 3 at 89 per cent and moving towards Level 4. Our overall State Safety Programme foundation is currently at 65.13 per cent. The full implementation of State Safety Programme is part of CASA strategy following the attainment of over 60 per cent effective implementation which we achieved in March of 2018.

Mr Acting Speaker, the implementation of Performance-Based Navigation (PBN) is presently the global aviation community's highest air navigation priority. PBN offers significant benefits including improved safety through more straight-in approaches with vertical guidance, increase airspace capacity and more efficient operations.

PNG international airports have two instrument runways which have two PBN approaches and the result of our PBN implementation ICAO rating stands at 100 per cent. A detailed report of that will be presented to Parliament when I present the Air Services Annual Report in the next sitting. It will include the work that is done by PNG Air Services to maintain our ICAO rating of 100 per cent in air navigation system.

Mr Acting Speaker, CASA continued in 2017 with its data-driven, risk-based approach to proactively monitor emerging safety trends within each certificated air operator in PNG. The monitoring of trends in the above areas enables CASA to allocate its limited human resources to focus on high-risk areas and measures the effectiveness of its safety certification audit and surveillance program.

28/06

Mr Acting Speaker, the results of CASA's trend analysis of aviation safety and security data enables CASA to engage with the industry by communicating "issues of concern" directly to each air operator or take the appropriate enforcement action to prevent incidents or accidents from happening.

Mr Acting Speaker, through trend analysis and risk-based approach auditing; CASA was able to monitor any 'build up' of latent unsafe conditions within each organisation in a timely manner.

Mr Acting Speaker, in the area of bird-strikes, the analysis of the trend indicated a reduction in both the total number of incidents reported and in the number of bird-strikes encountered in 2017 compared to previous years. This could be attributed to the bird-strike prevention initiatives implemented by the National Airports Corporation and air operators at selected airports. Do not forget that one small bird can bring down a big aircraft.

Mr Acting Speaker, the number of high-risk occurrences reported to CASA by the industry decreased from 93 in 2016 to 90 in 2017. As you can see, the trend is still continuing and not achieving zero prevention. However, the ratio of high risk to total number of reported occurrences increased from 20 per cent in 2016 to 35 per cent in 2017 due to the reduction in the total number of occurrences reported by industry in 2017. The industry was encouraged to ensure that they report high risk occurrences.

Mr Acting Speaker, for airlines operating large aeroplanes with certificated seating configuration of 20 seats or more, these continue to show consistency and improvement in reporting occurrences. It is noted that a decreasing trend in high-risk occurrences noted from 40 in 2015, 15 in 2016 and 9 in 2017. All airline operators have achieved above 95 per cent safety management system effective implementation.

Mr Acting Speaker, in 2016 comprehensive strategies were implemented to improve Papua New Guinea's compliance with aviation safety and security and to continue working towards achieving an international aviation global-rating standard under ICAO known as an Effective Implementation (EI) rating that is equal to or above the global average. As I have reported earlier we have achieved that at 61.1 per cent last year in March so we have surpassed the global average.

Mr Acting Speaker, CASA has its submitted 2017 Annual Performance Report to the Office of the Chief Secretary and the CACC for the preceding 12 months. It has also submitted its 2017 Annual Report in accordance with *Section 32 of the Civil Aviation Act*.

Mr Acting Speaker, significant achievements have also been achieved by the Authority demonstrated by the completion of the audit of the Financial Statements of CASA for the year ending 31 December 2017. The results of the audit from the Auditor General forwarded to my office advising me of the result of his inspection.

Mr Acting Speaker, CASA regulates aviation participants within PNG with a very modern set of legislative framework that meets international best practices in aviation safety. The International Civil Aviation Organization (ICAO) has rated Papua New Guinea as having one of the best piece of Primary Aviation Safety legislation (the "Act") in place.

Mr Acting Speaker, a review of subordinate aviation safety rules set that are linked to support the primary legislation were also conducted and completed following consultation with the aviation industry and stakeholders.

Mr Acting Speaker, as the largest economy in the Pacific, PNG is a strong advocate for the Pacific Regions. Papua New Guinea continues to play a significant leading role in the smaller island Pacific states through the regional Pacific Aviation Safety Office (PASO), a regional body established by the Pacific Islands Forum leaders to ensure aviation safety and security oversight is effective in order to meet the international obligations set by ICAO.

Mr Acting .Speaker, Papua New Guinea is represented in the PASO Council by the Director of Civil Aviation who was re-elected again as the Chairman of the PASO Council of Directors.

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As a member PASO, it is particularly beneficial for PNG to maintain its presence at PASO meetings to collaborate with other smaller island states of the Pacific on common aviation-related issues and challenges, and that is the leadership that Papua New Guinea provides to the other Pacific islands countries.

Mr Acting Speaker, PNGs leadership supports our platform to be a leader in the region and further demonstrate our credibility in this very highly technical and specialized field commensurate with the extensive aviation infrastructure we have in Papua New Guinea.

Mr Acting Speaker, CASA has a safety-related function aimed at encouraging the aviation industry to maintain and enhance high standard for safety through compliance with appropriate rules and the development and evolution of the safety culture. CASA undertakes these functions through accurate and timely aviation safety advice comprehensive safety

education and training program and enforcing awareness within industry and community of the fundamental importance of aviation safety.

Mr Acting Speaker, CASA has a large and diverse number of stake holders, clients and safety partners. Our approach is to take all the engagements within a cooperate goal, guided by our vision, mission and values.

As part of their strategies to engage with stake holders, CASA facilitated the aviation safety and security conference convened in August 2017. The conference attracted the 41 aviation industries chief executives on day one, while 50 participants attended the senior persons of civil aviation conference on day two, including delegates from Australia, Canada, Fiji, New Zealand, Japan and officers from the Prime Minister NEC Department. The conference was held in Kokopo.

The theme of the conference, 'Advancing Aviation, Strengthening Fundamentals' enabled the participants to discuss fundamental that were a pillar advancing aviation safety in PNG. It also allows for break-up sessions to discuss specific policy and technical issues. It was important that policy makers, regulators and the aviation industries collaborate together to ensure appropriate policy and legislation frame work is established for the industry in PNG.

Mr Acting Speaker, CASA also actively participated in the APEC transport working group, the APEC 2018 PNG Committee on safety and security and as an assigned aviation security adviser for technical aviation security support to CASA with the support of the Australian Government.

The 2017 recurrent budget appropriation of K10.8 million which was a 12 per cent reduction from the 2016 appropriation of K11.2 million; however, in mid-2017 the government grant was not disbursed to CASA, following thereon the inconsistent disbursement of government grant continued for the rest of the year.

Mr Acting Speaker, CASA implemented measures to counteract this reduction to ensure that funding did not erode further to a point where it would seriously affect aviation safety and security oversight responsibility in vigorously pursuing its outstanding debts.

Mr Acting Speaker, in terms of staff liabilities, there were no outstanding staff liabilities in 2017, apart from the payments made to staffs exiting the organization through resignation or contract expiration. Provisions are maintained for approved gratuities, annual leave and long service leave.

Mr Acting Speaker, CASAs organizational structure and approved position remain at 77 position. This has remained for the last five years and we continually seek for more positions from the Government but it has been very difficult obtain approval. I am glad to say that the NEC recently approved for an additional 15 technical positions and so it will lessen some of these issues that are being raised in this report.

Mr Acting Speaker, CASA Management is committed to ensuring that the organization is appropriately staffed with qualified and experienced personnel capable of successfully undertaking the wide verity of required regularity task, but we are being hampered by the limited number of positions which are not allowing the organizations to grow together with the growth in the industry. It is important that the functions of CASA is recognized and supported to ensure there is growth commensurate with industry growth and that we attract and retain qualified, experienced and skill staff to ensure that the organization is credible and respected when it interacts with the industry.

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By qualified, we mean licensed engineers, aircraft engineers, licensed pilots who could easily find lucrative jobs in the industry, but CASA struggles to retain those qualified people for the regulatory function.

The increase in organization position to permit increase in staff number is therefore critical in light of a significant increase in the volume and scope of aviation activities including improvements in technology in PNG.

With CASAs goals to be the leading civil aviation safety and security regulator and mission to be an employer of choice, it is fitting once again for CASA PNG to be the recipient of the 2017 PNG Best Public Sector Employer for the second consecutive year. This award is tangible recognition of CASA vision and mission and is a just reward for the efforts of our management and staff members.

Mr. Acting Speaker, the award gave recognition to CASA for fulfilling its people management responsibilities, demonstrated by leadership, dynamism, professionalism, strategic thinking and implementation with continuous improvement in its human resource processes and programs.

It is important that the Government supports CASA's initiative to build operational capability and that adequate investment is directed in the technical competencies and a

recognition of the importance of the regulator in ensuring a safe and efficient air transport for the well-being and economic development of PNG.

Mr. Acting Speaker, in conclusion, the functions of CASA is consistent with the Government's development agenda and the PNG transport sector programme's strategy to achieve a desired outcome that PNG must be a safe place to fly to enable economic and social development.

Finally, Mr. Acting Speaker, for this Government, the safety and security of the travelling public is the most important priority. The public expects us, the Government to be responsible in ensuring that aeroplanes are safe to fly, the airports are safe to operate in, and the associated aeronautical infrastructure are modernized and meets international standards. This I am proud to say, with the support of this Government, both CASA, PNG Air Services and National Airport Corporation have been able to modernize most of the systems and so we are able to meet some of the international standards.

Mr Acting Speaker, I commend the 2017 Annual Report provided by the Civil Aviation Safety Authority of Papua New Guinea and ask the Government to lend its support to this very important safety agency.

Thank you Mr Acting Speaker and members of this Honourable House.

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

Motion – That the Paper be noted – agreed to.

Paper noted.

**DEPARTMENT OF JUSTICE AND ATTORNEY GENERAL –
STATUS OF THE LAND TITLES COMMISSION –
MINISTERIAL STATEMENT – PAPER NOTED**

Mr. DAVIS STEVEN (Esa'ala - Justice and Attorney General) – Thank you Mr. Acting Speaker, I raise now to present a ministerial statement on the Land Titles Commission in the country.

Mr. Acting Speaker and honourable members of this house, in this opportunity I draw attention to one of the most important asset that the vast majority of our people have and value most, I refer of course to land, particularly customary land.

The Land Titles Commission is quasi-judicial tribunal and is mandated to deal with customary land in Papua New Guinea. Its core function is to facilitate, hear and grant titles over customary lands. It is also mandated to deal with disputes over customary land where impact projects are involved.

The Land Titles Commission, Mr. Acting Speaker, is a semi-autonomous entity, meaning its roles and responsibilities on adjudicating land disputes are independent from directions or control, similar to that of the judicial courts. However, for administration purposes, the commission is attached and occupies space within the Department of Justice and Attorney General.

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The Commission is established under the *Land Titles Commission Act 1962* and its powers and functions are provided under this *Act* and they also derive their functions under the *Land (Tenure Conversion) Act 1963*.

Our obligation as mandated under the two legislations is to ensure that the citizens of Papua New Guinea, as defined by law, secure ownership of their customary land with titles issued or given to them. By doing so, it is intended that they can effectively and meaningfully participate in doing business and contribute to the development of their land, their families, their communities, their district, their provinces and this great nation of ours.

Mr Acting Speaker, as it is widely known, that land is the backbone of people anywhere in the world, and Papua New Guinea is no exception. In Papua New Guinea, the people and their land are inseparable.

The Land Titles Commission was previously known as the Natives Land Commission under the *Native Land Ordinance Registration 1951*, and it had overall jurisdiction to deal with any customary land issues in Papua New Guinea.

The Commission continues to perform similar roles, but with the enactment of new legislations. With the evolving nature of the type of duties pertaining to land, the Commission is now more focused on dealing with land owners applying to convert their customary land to freehold land. Any leader in this Honourable House is eligible to survey your land and apply to the Commission to obtain a title over your customary land.

Mr Acting Speaker, there are other supporting legislations that also enable the Land Titles Commission to step in when the need arises. The Land Titles Commission is at times directed by the Government to deal with land ownership issues where big national development projects are involved.

A Special Land Titles Commission is established pursuant to *section 4* of the *Land Disputes Settlement Act 1975* to deal with land ownership issues and boundary demarcations. This Special Commission is appointed by the Government.

Under this mandate, the Government appointed four Special Commissions in recent times to conduct land ownership and disputes hearings. These Special Land Titles Commission hearings were conducted for the following projects:

- Ramu Nickel Mine – which was completed successfully in 2013,
- Kainantu Mine – which was completed successfully in 2012 but appeals are still pending awaiting funding from Government to complete the applications for review process,
- Wafi-Golpu Project – this was a determination and is pending an appeal in the Supreme Court and,
- Gobe LNG Project – this is one major impact project from which the Country expects its much needed revenue.

The Commission is unable to get in and deal with the customary land ownership issues until and unless the Special Agricultural and Business Lease (SABL) Title held by one of the Incorporated Land Group (ILG) is forfeited or cancelled and once one is cleared, special allocation has to be given to the Commission to deal with these issues

Once the above two issues are addressed and settled, the Commission or a special Commission can deal with the customary land issues

Mr Acting Speaker, the Land Titles Commission still continues to perform its functions in administering Freehold Titles to the citizens of Papua New Guinea and other duties as per its enabling legislations and supporting legislations and also to assist the State and the customary land owners deal with the ever present land issues in the impact project areas. This is in line with the Governments long term Vision to create a "Just, Safe, Transparent and Secure Society" for all.

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

Motion – That the Paper be noted – agreed to.

Paper Noted.

**DEPARTMENT OF JUSTICE AND ATTORNEY GENERAL –
STATUS OF NATIONAL LANDS COMMISSION –
MINISTERIAL STATEMENT – PAPER NOTED**

Mr STEVEN DAVIS (Esa'ala – Minister for Justice and Attorney General) –I ask leave of Parliament to make a statement in connection with the Paper.

Leave granted.

Mr Acting Speaker, and members of this Honourable House, it is with great pleasure that I draw your attention to the National Lands Commission which was created by Statute and falls under my ministry's responsibility.

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The National Lands Commission was established under the *National Lands Registration Act*. Its function is to conduct hearings on all former customary lands acquired by the colonial government prior to Independence to ascertain if any settlement award can be awarded and it keeps a register of such national land. The Commission is also important in ensuring that titles are formally issued to the State.

Mr Acting Speaker, this is apparently a very important factor when discussing economic development issues in the context of our country. It is one such practical issue which has been discussed by our government and officials in the APEC sessions last year.

Mr Acting Speaker, under the current White Paper on Law and Justice in our nation, there is a proposal to merge both the National Land Commission and the National Lands Titles Commission as the Lands Tribunal Commission.

My Department has already initiated administrative arrangements to implement the measure and is finalizing the legislative framework subject to any further review of the White Paper. I hope to bring before Parliament this legislation for consideration when it is ready.

Mr Acting Speaker, while the NLC basically deals with the national land matters, it

also falls under my portfolio. Declarations of such former customary lands as national land is managed by the Minister responsible for Justice and since taking office I have not issued any declarations as such pending further discussions between NLC and the Department of Lands and Physical Planning on the administrative arrangements.

Mr Acting Speaker, what I am saying is, although power has been transferred no declarations have been made until arrangements are in place to ensure that we get it right.

The Minister responsible for Lands was formerly the Minister responsible and has issued some current declarations.

Mr Acting Speaker, since the beginning of 2017 the National Lands Commission has convened 21 hearing days so far in Port Moresby, mostly matters dealing with land within the NCD, Central and Gulf provinces. The only other province outside of these provinces was the Eastern Highlands Province, where 10 hearing days were held covering the Goroka Township and the SIL areas. These hearings also relate to some matters that were the subject of a judicial review proceeding in the National Court totaling 21 cases that were remitted back for rehearing because the amounts awarded by the previous commissioners were over the statutory limit. Decisions on some of these matters are pending and will be issued by the commissioners soon.

Mr Acting Speaker, on the topic of provincial partnership arrangements, a proactive approach towards funding limitations, the National Lands Commission does not have all the time and adequate budget to cover all national land matters therefore it has sought to partner with various provincial government administrations over land areas allocated within their provinces for support both financially and in kind.

For example; in Eastern Highlands Province, the honourable Member for Goroka Open provided transport to assist NLC. The good Governor also had time to welcome and offer assistance to the commission that visited upon the province. Other provinces that indicated similar support include Morobe Province, Sandaun Province, Western Province and the Autonomous Region of Bougainville.

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Once these are confirmed, NLC will arrange for hearings in these respective provinces. Some MPs also indicated support over areas located within their electorates.

Mr Acting Speaker, as the Minister responsible, I wish to thank these MPs and the provincial administrations, through their governors, for such partnership and positive

collaboration. On behalf of my Department, I am grateful to all these Provinces and wish to humbly request that other provinces do the same – all these effort is to address landownership issues which is an obstacle to economic and socio development.

Mr Acting Speaker, in noting the lack of awareness on national land declarations, NLC has developed an information brochure that basically informs the claimants on what they do and what the requirements are before a claim can be admitted for a settlement payment. The brochure basically contains information on:

- (i) The meaning of "national land;"
- (ii) The process for declaration of national land;
- (iii) Who is eligible to make a claim for settlement payment;
- (iv) The conduct of Hearings;
- (v) The Issues that need to be considered in the hearings;
- (vi) When the Commission awards settlement payments; and
- (vii) The limitations to award of payments as per schedule 2.

In its recent hearings, the Commission has been conducting general awareness on the issues that need to be considered before the respective hearings begin. Similarly, awareness briefings (where necessary), are held with claimants on the information brochure in their office and copies are provided to claimants and relevant stakeholders. These can also be made available to the Parliament for interested members.

Mr Acting Speaker, settlement awards can only be made within the limitations set out under Schedule 2 of the *National Land Registration Act*. Different rates apply for land in towns and for land outside of towns. The commissioners do not have any discretion to go beyond the statutory limitations.

The Commission cannot review its own decisions unless directed by higher Courts. Similarly, aggrieved claimants who are not satisfied with the Commission's decisions can seek judicial review. In such cases, the Office of the Secretary for Justice or Solicitor General is informed accordingly.

Mr Acting Speaker, my Department will be facilitating the appointment of commissioners to ensure this important work is progressed further. Relevant reviews and legislative work will be undertaken to ensure we have a successful lands tribunal commission.

Mr Acting Speaker, full reporting on the work of the NLC is contained in the respective Annual Reports and I will be presenting such Reports shortly for 2016 and 2017.

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

Motion – That the Paper be noted – agreed to.

Paper noted.

ADJOURNMENT

Motion (by **Mr Sam Basil**) agreed to-

That the Parliament do now adjourn.

The Parliament adjourned at 3 p.m.