

EIGHTH DAY

Friday 01st February 2019

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PARLIAMENTARY DEBATES
CORRECTIONS TO DAILY DRAFT HANSARD

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Corrections maybe marked on a photocopy of the Daily Draft Hansard and lodged at the Office of the Principal Parliamentary Reporter, A1 - 23 (next to the Security Control Room).

Corrections should be authorised by signature and contain the name, office and telephone number of the person transmitting/making corrections.

Amendments cannot be accepted over the phone.

Corrections should relate only to inaccuracies. New matters may not be introduced.



HARRY MOMOS

Acting Principal Parliamentary Reporter

EIGHTH DAY

Friday 01st February 2019

The Acting Speaker (**Mr Jeffery 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 10.50 a.m. and invited the Member for Ambunti-Drekikir, **Honourable Johnson Wapunai** to say Prayers.

‘Tenk yu Papa God long Heven. Dispela moning mipela tok tenk yu long dispel tupela wik yu bin istap wantaim mipela. You have been so good, yu givim mipela planti gutpela tingting na save taim mipela deliberate insait long dispelas Haus. Nau mi hamamas na tok tenk yu long wisdom na leadership bilong yu bai ken go pas long mipela. Nau mipela nidim yu long givim mipela save, tingting na understanding long mekim toktok mas igat kaikai bilong em, na gutpela bilong em. Mi tok tenk yu long ol dispela samting, na mi prea long leadership bai yu ken givim mipela, so that mipela ken mekim ol disisen long gutpela long ol pipol bilong yu, Amen’

QUESTIONS

Lae City Planning Regulations

Mr KENNEDY WENGE –My question is directed to the Minister for Lands and Physical Planning. My question relates to the residential and commercial areas in the urban areas in the country.

In Lae city, you will notice that residential houses are being built in and around the business areas. Some houses are built in front of big shops. This is noticeable In areas such as Boundary Road and around the Court House. The business owners and residential property owners are competing for space.

What are the regulations in place to control residential property owners and businesses owners from overcrowding one area?

Some of these buildings have been built so close to the roads that accidents are likely to happen any time soon. I do not know if the people living in those areas are mindful of the dangers they are putting themselves into.

02/08

Mr JUSTIN TKATCHENKO – I thank the Member for his question relating to physical planning of Lae city in Morobe Province.

Last year, I approved the Physical Planning Board for the Morobe Provincial Government. This board is now being stepped up to ensure they can act on their own right as a provincial government. This will enable them to ensure that all proper planning, road networks and other infrastructures are done by law without fear or favour.

Mr Acting Speaker, we must also remember this, as often emphasised by the Minister for Works, roads in cities automatically have a 40 meter corridor by law; therefore, any construction within that 40 meter corridor is illegal.

We have seen many examples in Port Moresby where evictions took place because people illegally built their properties within that 40 meter corridor, and this also applies to Lae. Therefore, it is up to Morobe Provincial Government and its Physical Planning Board and Authority to act upon this issue immediately to ensure that things are done properly according to law.

Unauthorised Evictions - Lae

Mr KOBBO BOMOREO – I wish to direct my question to the Minister for Housing and Urbanisation.

Mr Acting Speaker, sometime last year, you mentioned that there will be no more evictions to residents and tenants of houses; however, as it is we are currently having evictions taking place in Lae, in particular the Sialum Compound and Boundary Road.

(1) Can the Minister explain who is carrying out these evictions?

(2) What are the reasons behind these evictions which seem to be taking place without your authority?

Mr JOHN KAUPA – I thank the Member for Tewai-Siassi for his questions.

His questions are in regard to the evictions in Boundary Road, Section 186, Lot 14 to 16. This eviction is done by an ex-housing officer from the old regime.

I have already informed my officers to verify the legality of this eviction exercise.

All evictions are carried out after proper consultation and are done according to law. We have processes that are followed before carrying out evictions; however, with regard to this particular eviction, no proper processes were followed.

An ex-housing officer by the name of John Kum has been using official documents of the National Housing Commission as supporting legal documentations to carryout illegal evictions. He has done it in Lae and in Daru as well.

I have informed provincial housing officers to be on the lookout for him and have him arrested when caught. After the incident in Daru, we had him belted up and arrested at Gordons, but I do not know how he managed to escape from Police custody and is now in Lae.

I have already sent my officers down to check out this eviction incident in Lae. This person is doing private evictions. I thank the Member for Tewai-Siassi for bringing up this issue. I would also like to thank the NEC for endorsing my Housing Board because this is the missing link between the Minister and the administration.

I thank the NEC because everything from recoveries, reforms, validations, verifications and valuations are all going to have legal standing when carrying out our duties. We are going to see, who has been residing in these houses and for how long, and if they can afford to buy the house.

03/08

So our teams are working on the terms of reference which is for the good of everybody in our country; we are here because there is a house.

We are seriously looking at establishing our asset registry at the same time. We have a plan and a credible board made up of very talented young Papua New Guineans who come from all fields of experience.

In the first and second meetings, the board looked at how best NHC could move forward to initiate the construction of new houses; the existing ones are colonial houses built by the Australian Government out of fibro.

Successive governments over the years have not built any houses; they started some projects but did not complete them; for example, the housing projects in Markham Minj, Wewak and Vanimo.

I would like to assure all the Members of this House from all the provinces and districts, we are doing something. I would like to thank the Member for Tewai-Siassi for asking this good question which also gave me the opportunity to clarify the position of the Housing Ministry to this Parliament.

Thank you, Mr Acting Speaker.

Supplementary Question – Exorbitant Rental Charges in the Country

Mr THOMAS PELIKA – Thank you, Mr Acting Speaker.

In our country today, housing rentals are so expensive that the simple people and even the working class cannot afford it.

Yes, as Members of Parliament, we do receive good housing allowances, but it is insufficient to afford high quality accommodation due to the expensive housing rentals charged here in Port Moresby.

Does the Minister have a plan in place to control the rentals in Papua New Guinea, because rentals are very high?

Thank you, Mr Acting Speaker.

Mr JOHN KAUPA – Thank you, Mr Acting Speaker. I thank the Honourable Member for Menyamya for this question.

This question has goes beyond the scope of my administration, but I will try my best to answer it. The National Housing Corporation is guarded by its own regulations dating back to 1994 and the ceiling for the National Housing Corporation is around K200 per fortnight which is equivalent to K400 per month. However, for a similar private-owned duplex in Down Town, you will pay K5000 a month so the sustainability of the National Housing Corporation is very hard.

So, the Housing Board is working on a policy which is about 90 per cent complete and will soon table it to NEC and to Parliament. We will introduce a legislation to raise the ceiling for rentals so that we meet the needs of the current economical state we are in today.

In regard to your question, yes, the National Housing Corporation is looking at forming an authority so that we can regulate all the housing in the country then we can regulate all the real estate in the country, but as for now my powers are limited.

Thank you, Mr Acting Speaker.

Election Method For LLG Presidents

Mr WALTER SCHNAUBELT – Thank you, Mr Acting Speaker. My question is directed to the Prime Minister and I would like the Minister for Inter-Governmental Relations to take note again because I have asked him countless time and I'm yet to receive a satisfactory answer and it is confusing.

04/08

Mr Acting Speaker, in September 2018, the Prime Minister advised this Parliament on the Local Level Government Elections saying, the Provincial Government will decide on the method of election for the Presidents of the Local Level Government Council.

I quote, "those who do not agree with the instruction, they should find a new job".

However, the Minister for Inter-Government Relations formally announced in January 29 this year that the election of the LLG Presidents will be done by Council Members in their various LLGs.

This announcement appears to be contrary because the Prime Minister's statement was different from the statement by the Inter-Government Relations Minister.

(1) Can the Prime Minister clear the air on this matter?

(2) Does the instruction by the Inter-Government Relations Minister override the September 2018 directive of the Prime Minister on the method of election for Presidents in LLGs?

(3) Can the Prime Minister also indicate what laws are going to be used to give the Provincial Governments clarification to decide on what sort of election we will be having in the LLG?

(4) Can the Prime Minister clarify to the nation on how the Presidents will be elected? Will the Councillors elect the President or the people will elect the President?

Mr PETER O'NEILL – Mr Acting Speaker, I thank the Member for Namatanai for his very important questions because the LLG Elections will be conducted in April this year.

The Government will not be postponing the LLG Elections anymore and will go ahead as planned.

Mr Acting Speaker, the statement I made in September 2018 was in reference to the 2012 LLG elections where provinces had options in electing their presidents; some presidents were elected by the people while and other presidents were elected by the councillors. Since then, I have been advised that we have a certified law by this Parliament that Councillors will elect the Presidents. That is the law as it stands today. I explained in Caucus that officials of the Government will be writing to all provincial governments explaining the legal position so that we don't have the same confusion we had in 2012.

Mr Acting Speaker, it is clear now and we must follow that law to conduct the LLG Elections. I assure the Member for Namatanai that we will be delivering the LLG Elections in April this year.

Porgera LandOwners Association Legitimate

Mr TOMAIT KAPILI – Mr Acting Speaker, I direct my questions to the Prime Minister. My questions are regarding the Lagaip-Porgera Electorate.

Mr Acting Speaker, I wish to seek the opinion of the Government regarding these issues. The Porgera Gold Mine SML was issued in 1989 and subsequently the mine development contract was signed.

05/08

It was signed by the Landowners, the Government, the Provincial Government and developer at that time.

The representation on behalf of the Landowners were from the seven land owning tribes through the minor or sub-clans or family units represented by what we call them up to now, 24 agents. They were signatories to that. Right now as I am speaking, the agents or the landowner agents had their own views and they had internal conflicts and all that and they are at court. Their agents then came together to form the Porgera Landowners Association which recently the court has recognise as the legitimate association.

Before I raise the questions and discussing the issues, I would ask the minister for Mining to take note. There was another faction which came up, I don't want to dwell further into that because it is before the courts but I'll discuss on what has been the decision of the

court. Another faction of the 24 agents has given their power of attorney to what is now recently call the Porgera Justice Foundation Limited which is a company.

The court has recognised the Porgera Landowners Association as a genuine legitimate association. The power of attorney by the Porgera Justice Foundation Limited, was even before registering the company so it was the court's view that the company appeared to be manipulating or playing around with the system and the landowners to disturb the process. So, the decision stands as the Porgera Landowners Association is the legitimate Landowning Association for the Porgera Mine.

Mr ACTING SPEAKER – Honourable Member, please ask your question otherwise it would only be wise to bring this matter up in Grievance Debate which is only an hour or two away

Renewal of Porgera SML

Mr TOMAIT KAPILI – Sorry, I am just making some clarifications. It is worthy of me discussing this for the information of members of parliament.

Mr Acting Speaker, after the closure of Panguna Mine, my electorate through Porgera joint venture delivered to this country and fill its coffers. Its worthy of me discussing this. This process is going on.

Anyway to make it short, I wish to ask the Prime Minister on the intent of the government.

(1) Are we going to renew the SML for the existing developer or joint ventures with better terms for the Landowners, the Provincial Government, National Government, and District Development Authority of Lagaip-Porgera or do we have any other plans in place by the government?

If the plan of the government is to renew the SML as the developer has been a long term partner in the development of this country, since the term expires in August this year,

(2) Does the Government have any plans now to involve the stakeholders, the Provincial Government, the National Government, the Landowners, and the District Development Authority to pursue the negotiations leading to the renewal of the agreement as we will be signing a new development contract again?

Mr Prime Minister, I am happy with Wafi-Gopu MOA that was recently signed. It involves all the stake holders.

(3) Can you inform the Parliament and my people of the stance of the Government regarding this issue?

Additional Electorate for Laiagap Porgera

Mr Acting Speaker, the Laigap-Porgera Electorate is like a province. Many of us as Members of Parliament may have travelled the country but we have not really seen all of our country. I was fortunate in my previous employment to see many parts of this country. I therefore have a fair idea about the size of electorates – which ones are big and which ones are small.

However, when we talk on the Floor of Parliament, we seem to forget Laigap-Porgera. It is probably the biggest electorate in Papua New Guinea. It borders East Sepik, West Sepik, Western and Hela provinces. It is just one electorate bordering four provinces and some of which are the most remote areas of our country. The voting population is some 150,000 plus people. This should give you a rough picture of what the total population is like. By law, a population of 40,000 plus people qualifies an area for an electorate. We are qualified to have about three electorates.

Mr Acting Speaker, in 2002 the Electoral Boundaries Commission recommended Lagaip-Porgera to have two separate electorates.

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

Mr TOMAIT KAPILI – With due respect to you, Mr Acting Speaker, before I raise my question, I think it is better to explain the situation first. My colleagues ask a lot of questions while I watch, so please give me my opportunity.

(Laughter in the Chamber)

Mr TOMAIT KAPILI – Mr Acting Speaker, I have been to your electorate.

(Laughter in the Chamber)

Mr TOMAIT KAPILI – I know you have not been to my electorate and I know Nipa-Kutubu is a big electorate, please visit my electorate so you will understand my problems. It was recommended to be separated into two electorates. The electorate already qualifies considering all the factors including the geographical aspects, the population and other requirements.

Mr Prime Minister, can we please have the electorate separated into two separate electorates?

Mr PETER O'NEILL – I thank the Member for Laigap-Porgera for his question. It certainly deserves a lengthy and detailed explanation as well.

As the Member knows, we are re-establishing the Electoral Boundaries Commission. One of its priorities is to review the Boundaries Commission Report of 2002.

Mr Patrick Pruaitch – 2004!

Mr PETER O'NEILL – Thank you the Leader of Opposition. It was the Boundaries Commission Report of 2004. That is the kind of partnership that we need on the Floor of Parliament.

07/08

We are certainly going to ask them to review the report. Lagaip-Porgera is one of the highly recommended electorates that needs to be divided so that fair representation is received on this Floor of Parliament for the number of people that are living in that electorate.

I have been to Lagaip-Porgera on many occasions and noticed that the development challenges are quite enormous and the funding that they receive is not enough to meet demands for the services by that electorate.

We appreciate the work done by Porgera Joint Venture under their community support programs and tax credit programs. They have delivered some projects but more needs to be done.

So, I am certain that what the Member is saying is a genuine concern for his people and we will do everything possible to encourage the Electoral Boundaries Commission to submit their report to this Parliament as quickly as possible so that we can make the necessary changes to the boundaries well before the 2022 National Election.

The last thing we want is to have the report brought late to us like the last report. It was brought to us fairly late towards the elections in 2007, the members felt that they had no time to fix the boundaries as it was heading towards National Election.

So, Mr Acting Speaker, in terms of the Electoral Boundaries Commission we will assist them in making sure that they submit their report as soon as possible.

In terms of the Porgera Joint Venture, the SML will come to end in August this year. I have received correspondences from all stakeholders about the renegotiations that we need to do with the developers of that project and I am certain that they are well aware of the intentions of the government and the stakeholders, especially the provincial government and the landowners with whom we want to share much greater benefit with this mine if it does continue to operate.

Mr Acting Speaker, it's fair to say that they have had a good return on the initial investment. And it has been fully recovered as far as I am concern with the number of years that they have been operating that mine. The renegotiation will be certainly a slightly different.

Mr Acting Speaker, I am very keen on making sure that this government provides the leadership that is required of to ensure that our people have the greater benefits from this particular mine. I want to assure the good Member that we will be putting up a team to renegotiate this particular deal and we are starting to achieve more on some of the other projects that we are doing so that will give the current operator some indication of what is expected from them for us as a country, provincial government and landowners.

I want to assure the Member that his people and the landowners are key stakeholders of this project and he will be fully engaged with the provincial government in the negotiations with the developer.

Let me put on record that this is not a foregone conclusion that the operator is already operating on that particular mine. They have the automatic right to this renewal. Should we not agree then we have every right and option to find other means so that our people can have a greater benefit from the resources that they own.

Government Must Prioritise NID Project

Mr WESLEY RAMINAI – Thankyou Mr Acting Speaker, I want to direct my questions to the Minister for National Planning and Monitoring and I want the Prime Minister to take note.

My questions are in relation to the issuing of NID cards. The National Identity Registration project was launched in November 2014, appropriately K230 million was spent over the last five years since the launching of the project.

Various media reports suggested that over 500,000 identification cards were issued towards the end of 2018, despite the target set for K1.5 million and correct me if I am wrong, this gives us the efficiency ratio of 33 per cent versus the target we set And a strike rate of hundred thousand people to be registered per year.

08/08

Based on the above numbers, it is costing almost K500 to register one person in an urban area. Also based on a current rate of hundred thousand identity cards per year, it would take a long time to register seven million people of Papua New Guinea. The benefits of the National Identification project is immense and critical for a developing country like ours. \

I believe this is the reason why we have invested millions of kina so far and will continue to budget millions more to complete this very important project.

This is because we think the NID will solve a lot of problems that we have in the country, especially during elections, where a lot of ghost names have been registered causing a lot of chaos during elections.

I know the government has invested a lot of money in infrastructure and other areas but I believe the NID has to be seen as one of those priority area that we need to really look into. We need an ID to qualify us to be able to access the services like health or education system and other areas. My questions are simple but they all lead to one point.

(1) Is our Government serious about achieving total registration of every citizen of Papua New Guinea?

(2) If so can the Minister, inform the Parliament of a targeted time frame to work towards completing the registration process?

(3) Given the experiences and lessons of the last five years, does the Minister have the confidence and the belief in the type of organisational structure of the project, the attitude of the workers, systems, processes and the locality of the set up to achieve the targeted date?

Mr RICHARD MARU – I thank the Vice Minister for Sports for his questions. I want to begin by saying, we spent K230 million for a company to design and build a system, not necessarily for the roll-out – that has to be understood. We made a choice to design a system as opposed to buying a system off the shelf. So that is where the bulk of the money went and to erect some mobile offices and the construction of the main building here.

Since I took over, I have said that we need not buy any more buildings. We need to partner the districts and the provinces and look at a cheaper way to roll out that program throughout the country.

In relation to your question regarding the target date – the target date is to try and reach the whole country by the end of December 2021.

Last year, we only registered 700. There have been a lot of issues. The biggest problem is the way the system has been designed where it requires people to fill the forms and have it physically returned to Port Moresby for the details to be entered and to print out the Identification cards. That is the biggest problem we have.

I am happy to inform Parliament that we are now about to now bring in an independent technical team to look at the way the system was designed and how to make it efficient

We are also going to bring in some global experts to look at the current system because I am not happy with the way this system has been designed.

I want to thank a number of leaders in this Parliament are now coming to work with us to roll out this program in the districts. And I also want to thank the Education Minister for being one of the first Ministers to sign an MOA to have all the teachers registered.

09/08

This program is not about teachers only, it is about all of us getting NIDs cards. It is about leaders taking the responsibility to come forward and help us roll out this program throughout the country.

In short, we have now hired a more technically competent person to head NID. I think he is doing a good job and we are going to have a complete review of the way it has been designed so that we can do it faster and better. We have problems; for example, last week the system was down because the data base was not big enough to capture all the data. We are now looking at upgrading the system.

We do have some serious technical issues with system but we will get over it. We are very determined and we have mid-funding provided in this year's Budget; however, we still need the help and support of all Members of Parliament to make it work better for us. I am confident that by the end of this year, we will get over the two million bench mark that we set for this year.

Okapa District Hospital Electricity Woes

Mr SAKI SOLOMA – I direct my questions to the Minister for Health, but before do that I want to thank him for his leadership. It is through his leadership that many aid posts, clinics and hospitals are operating quite well. I also like to thank the Prime Minister and this Government for recognising Okapa District particularly the road from Lufa to Kainantu which has been captured in the 2019 Budget. I also thank him for the Rural Electrification Programme in my electorate.

My question is in relation to the electricity in my district hospital. There has been a problem with electricity in that hospital. It is affecting the operations of the hospital including the performance of the staff.

Can the Minister for Health assure my people that he will look into our problem?

I am happy that the Prime Minister is planning a trip to Okapa District to launch the Rural Electrification Programme.

Sir PUKA TEMU – I thank the Member for Okapa for raising this very important issue. I would also like to thank all the Honourable Members of Parliament for supporting health programmes and health workers in your districts. I thank the media for also participating and sharing health issues for public consumption.

When I was a young doctor, I worked in the Okapa District Hospital so I understand where you are coming from. Once upon a time it was a very thriving district in terms of health as well as agriculture and many other things. However, over the years when provincial governments were established they forgot about many districts. Under the leadership of our Prime Minister not only have district hospitals been brought to standard but funding has been allocated.

This year as you know under the District Hospital Project through the support of this Government we have secured K100 million for district hospitals.

I can assure the Member for Okapa and his people that we will look into your problems and retain the once state-of-the-art district hospital that you used to have.

Engage Bipartisan Committee on Bougainville Referendum

Mr ISI HENRY LEONARD – I direct my questions to the Minister Assisting the Prime Minister on Bougainville Affairs.

10/08

Mr Acting Speaker in four months' time, referendum will be conducted in Bougainville. It will be at that time when the people of Bougainville will decide their destiny. The decisions I make will not only affect them, it will also affect this Parliament and the people of this country very significantly, socially, politically, economically.

Mr Acting Speaker, there is a Bipartisan Committee established whose function among others is to conduct numerous and very important consultative meetings in various locations on Bougainville and gather the views of the people concerning the future. In relation to the issue on autonomy, I have an independent committee.

Mr Acting Speaker, this committee then collects all these information and prepares a report, and that report must be tabled here in this House.

Mr Acting Speaker, this committee until now has not done its job. The people of this country, our partners and this house need to know what the people of Bougainville want, is it the autonomy or outright independence.

(1) Why has it taken so long to engage the committee on Bougainville to do the hold the consultative meetings? Is it because the Government has no budget for that? Or is it because the government has no care anymore for the people of Bougainville.

(2) When will the committee be engaged on the ground in Bougainville?

Thank you.

Mr WILLIAM SAMB – Thank you, Mr acting Speaker. I would like to thank the Member for Samarai- Murua for this important question.

The Bougainville referendum is an important issue and as it is an integral part of PNG. There is a peace agreement in place where governments on both sides are addressing and this Bipartisan Committee which is set up by the Parliament is very important.

This independent team is supposed to visit the Island and gauge people's views. It will conduct awareness and information gathering on the ground to understand what the people of Bougainville think in relation to the referendum coming up.

Let me also mention here that our Prime Minister has made a public commitment that this year will be committed to the LLG elections plus the referendum which comes up in June.

For your first question regarding, why it is taking so long to engage. Apart from the Bipartisan Committee, my team on the ground has been doing a lot of work plus our technical team under the leadership of the Chief Secretary both here in PNG and on Bougainville had done a lot of work.

On the issue of the Bipartisan Committee taking a trip to Bougainville, I think there were previous trips done, but I've raised that with the Prime Minister in the Caucus that we should get that team on the ground very soon.

11/08

I am pleased to announce to the Parliament that we have that team in place which includes the Honourable Member. I will be talking to NCOBA and the Finance Department to secure some funds where available so the team can make their independent trip to Bougainville very soon.

Thank you, Mr Acting Speaker.

ANSWERS TO PREVIOUS QUESTIONS

Mr PETER O'NEILL (Ialibu-Pangia-Prime Minister) – I ask leave of Parliament to respond to the questions asked by the Opposition Leader, yesterday and the Supplementary Question by the Member for Moresby North-West.

Leave granted.

Pearl Resort Fiji

Mr PETER O'NEILL – Thank you, Mr Acting Speaker, yesterday, the Opposition Leader asked about the investment by the three funds that are managed by MRDC to a Pearl Resort in Fiji.

This particular Resort is owned through a joint investment by the Mineral Resource Development Corporation, Petroleum Resource Kututbu and Mineral Resource Ok Tedi. They are the three shareholders of the investment in Fiji and the investment was made in 2012 for an amount of FJ\$32 million, at that time. Since then they have invested another FJ\$60 million which adds up to a total of FJ\$92 million from 2013 to date. This Resort includes a mariner, 212 first class rooms, it has an 18 hole golf course and it is on a land mass of 224 acres of freehold land in Fiji.

Mr Acting Speaker, the current value after six years of investment of FJ\$92 million, is now estimated to be at FJ\$140 million. The Fijian Hospitality and Tourism Industry is a very competitive industry with a lot of investments from global players in that market from Australia, America and Japan.

So, Mr Acting Speaker, the Hotel has not been sold as yet as stated by the Leader of Opposition, but I am advised that there has been expression of interest by the Global Hotel and Resort Chains to purchase this particular property. They want to expand their operations to Fiji. The initial offers of the value are well above the market value.

Mr Acting Speaker, the three shareholders are independently assessing those offers. I want to assure this Parliament that I have been advised that the three shareholders: Petroleum Kutubu, Mineral Resources Ok Tedi and Mineral Resources Development Corporation have some of our leaders, the Governors of concerned provinces and landowners of the resources on the Board. There are also some independent directors on the Board; they make those decisions independently and each board has to approve whether the sale will proceed or not.

So, as of today I can assure this Honourable House that there is no sale and it is still under consideration.

Hodava Hotel Not Sold

Mr Acting Speaker, on the sale of the Hodava Hotel, the good Member for Moresby North-West stated that it was bought by MRDC for K150 million when it was valued at K12 million. I can assure this House that no such transaction that took place.

In fact, Mr Acting Speaker, the owners of Hodava Hotel made an offer to Petroleum Resource Gobe in 2018, suggesting to sell the property for K20 million, but that offer was rejected by that Board.

So, Mr Acting Speaker, there is no such sale and it is just a rumour and gossip that the good Member for Moresby North-West has now taken on board.

Thank you, Mr Acting Speaker.

12/08

BIPARTISAN COMMITTEE ON BOUGAINVILLE AFFAIRS – APPOINTMENT OF MEMBER

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

That Mr John Simon be appointed a Member of the Bipartisan Committee on Bougainville Affairs.

MOTION BY LEAVE

Mr JAMES MARAPE (Tari-Pori- Minister for Finance) – Mr Acting Speaker, I ask leave of Parliament to move a Motion without Notice.

Leave granted.

SUSPENSION OF STANDING ORDERS – RE-ARRANGEMENT OF BUSINESS

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

That so much of the Standing orders be suspended as would prevent;

a) The Chairman of the Parliamentary Privileges Committee presenting a Report on a Matter of Privileges; and

b)The Minister Assisting the Prime Minister on Bougainville Affairs presenting a Ministerial Statement on the Status of Bougainville Peace agreement Three Pillars.

REPORT OF THE PRIVILEGES COMMITTEE – PAPER AND STATEMENT – MOTION TO ADOPT PAPER

Mr CHARLIE BENJAMIN (Manus – Chairman of the Permanent Parliamentary Privileges Committee) – Mr Acting Speaker I present the Report on the Matter of Privilege raised by the Member of Tewai-Siasi on May 31, 2018 and the matter was referred to the Permanent Parliamentary Committee on Privileges on June 1, 2018.

I move that the report and its recommendations be adopted.

Mr Speaker, I present the report by the Privileges Committee on the Matter of Privileges raised by the Member for Tewai-Siassi on May 30, 2018 and referred to the Committee by the Speaker of Parliament on June 1, 2018.

The *Permanent Parliamentary Committee on Privileges* is a permanent committee of the National Parliament appointed by the House on September 29, 2017 in accordance with *Standing Order 20*.

The functions of the Committee are to inquire into and report on complaints of breaches of privilege referred to the Committee by the Speaker or by the Parliament, by resolution. The Committee operates pursuant to and in accordance with the *Constitution (Part IV, Division 2)*, the *Standing Orders of the National Parliament*, in particular *Standing Order 20*, and the *Parliamentary Powers and Privileges Act 1964*.

By way of background, Mr Speaker, on Thursday May 31, 2018, Honourable Kobby Bomoreo, Member for Tewai-Siassi, asked leave of the Chair to raise a Matter of Privilege under *Standing Order 97*. Then on Friday June 1, 2018, the Matter of Privilege was referred to the Privileges Committee.

The Committee was therefore tasked to inquire into and report on a complaint of breach of privilege referred to by the Speaker. This task requires the Committee to report on whether there was a breach of privilege and recommend to Parliament the appropriate actions to be taken.

For a start, Mr Speaker, the Parliament derives its powers and privileges primarily from the *Constitution*; Parliamentary Powers and Privileges Act 1964 and those powers, privileges and immunities of the House of Commons of the Parliament of the United Kingdom at January 1, 1901. These have been comprehensively published on Erskine May on parliamentary practices.

13/08

Mr Patrick Pruaitch – Point of Order! (Inaudible) in the Chambers and given the quick resolution of the recommendations is asking for the member to do specific things and even if he is not here; Is it worth delivering that statement today?

Thank you, Mr Acting Speaker.

Mr ACTING SPEAKER – Leader of the Opposition, it will be on record, so the good Governor can go ahead.

Mr CHARLIE BENJAMIN – Thank you, Mr Acting Speaker.

What constitutes these privileges, Parliamentary Privileges, Rights and Immunities of the Parliament and its members which are essential to the operation of the Parliament?

These rights and immunities allow the parliament to meet and carry out its proper constitutional roles for members to discharge their responsibilities to their constituents and for others properly involved in the parliamentary process to carry out their duties and responsibilities without obstruction, fear or prosecution.

When any of these rights and immunities both for members individually and of the Parliament and its collective capacity are disregarded or attacked by an individual or authority, the offence itself is a breach of privilege and is therefore punishable under the *Act of Parliament*.

Mr Acting Speaker, the members of the Committee met on Wednesday July 18, 2018, 1 p.m. and then on Friday July 20, 2018, 2 p.m. at the B2 Conference Room to discuss the Matter of privilege, unfortunately there was no quorum of the Committee for any definitive deliberations to be made.

However, on Tuesday July 24, the Committee was able secure a quorum and resolved that every individual members have received adequate information regarding the matter and proceeded to make its findings and recommendations.

The committee in its deliberation decided not to call any witnesses to provide any further information as the information provided to committee was sufficient for it to be able to decide on the matter.

The committees was of their views are calling Honourable Bryan Kramer, Member for Madang and Honourable Sam Basil, Member for Bulolo, before them was not necessary and the committee was of the opinion that were either member refuse to attend to the committee that they were well within their rights as provided for under *section 17* of the *Parliamentary Powers and Privileges Act 1964* to refuse to attend.

Mr Acting Speaker, the committee identified several issues for consideration and they include;

(1) Was the conduct of Honourable Member for Madang a breach of Parliamentary Privilege?

(2) Was the Facebook post made by the Honourable Member for Madang, which was based on a news article published by Post Courier newspaper relating to the banning of Facebook in Papua New Guinea by Honourable Sam Basil, Minister for Communication, Information Technology and Energy, a breach of Parliamentary Privilege?

(3) Was the fact that the post by Honourable Bryan Kramer which was published by him on social media outside of Parliamentary Privilege/

Was the post by Honourable Bryan Kramer which was published by him on Social Media in any way excused or authorized by Parliament that would not make it a breach of Parliament Privilege

Mr Acting Speaker, when considering the privilege matter the Committee looked at the legislation regarding the privileges at Parliament and its elected representatives, the conventions in Erskine May on Parliamentary practice and previous reports of the Privilege Committees in past Parliaments.

14/08

The Committee acknowledges *section 115* of the *Constitution* that lays the foundation to which other privileges of Parliament with its elected representatives should enjoy and be mindful about.

In its view of the privilege matter, the Committee noted that the newspaper reported the statement of the Honourable Minister for Communication, Information Technology and Energy outside of Parliament. The Minister did not make his statement on the ban of

Facebook in Parliament. Only after the newspaper ran the story then the Minister decided to make a statement in Parliament.

However, the Committee found no evidence that the Honourable Member for Madang's conduct was excused in any way as it was not done under the authority of Parliament or under an order of the Parliament or a committee of the Parliament.

Mr Acting Speaker, from our investigations the following findings were made:

The Committee finds that the conduct of the Honourable Member for Madang is in breach of Parliamentary privilege. His post on Facebook although primarily aimed at the policy of the Honourable Minister for Communication, Information Technology and Energy contained a photograph of the Minister with a superimposed caption at the bottom that implied that the Minister was dumb and under *Standing Order 79*, all imputations of improper motives and all personal reflections on Members are to be considered highly disorderly.

Similarly, his Facebook post directly contributed to adverse comments by his followers that brought Parliament into hatred and contempt, which is also considered highly disorderly.

The Committee considered the fact that the Honourable Member for Madang is a first-timer and due to his limited experiences as a Member may not have considered that his actions would amount to a breach of privilege.

On this note, Mr Acting Speaker, the Committee wish to remind other first-time Members of Parliament that their conduct whether by way of words or actions are continually under public scrutiny and members must endeavour to use respectful language at all times and that their conduct must be exemplary and this incidence must serve as an educational tool for new members.

Similarly, members of the Committee noted that there were very few instances of privileges matters in the Ninth Parliament if any at all, and so some Members were not used to the work of the Privileges Committee and its processes and procedures.

The Committee sounds a further warning that it will not hesitate to refer any Member of the House for prosecution under the National Judicial System for breaches of the *Parliamentary Powers and Privileges Act 1964* where it finds constant and continued abuse and breaches of privilege as a result of personal reflections on other Members or on the House.

Mr Acting Speaker, the Committee therefore suggests that;

Members of Parliament should be diplomatic and exercise control in their conduct through words or actions against each other and the public at large; and

(i) Members of Parliament should be respectful and demonstrate quality leadership expected by their constituents; and

(ii) This is a warning to other Members of Parliament to be mindful of their conduct especially in relation to the use of social media.

Mr Acting Speaker, the Committee makes the following recommendations;

- That the Member for Madang, Honourable Bryan Kramer, be found guilty of a breach of Parliamentary Privilege.

- That the Member for Madang, Honourable Bryan Kramer, rise in his seat and make an apology to this Honourable House for reflections on a Member of the House tending to bring hatred and contempt on this Honourable House.

- That this apology be made within two sitting days from the date this report has been adopted.

- That should the Member for Madang, Honourable Bryan Kramer, fail to apologise within the required time, then the Chair suspend the Member for Madang, Honourable Bryan Kramer, from the House for two sitting days.

I commend this report to Parliament.

Thank you, Mr Acting Speaker.

15/08

Motion (by Mr Sam Basil) agreed to-

That the question be put.

Report and recommendation adopted.

**STATUS ON BOUGAINVILLE IN REGARD TO THE BOUGAINVILLE PEACE
AGREEMENT THREE (3) PILLARS –
MINISTERIAL STATEMENT –
MOTION TO TAKE NOTE OF PAPER**

Mr WILLIAM SAMB (Goilala –Minister Assisting the Prime Minister on Bougainville Matters) – Thank you, Mr Acting Speaker, for the opportunity to read my

Ministerial Statement to the National Parliament regarding the Bougainville Peace Agreement –the three pillars of the Peace Agreement.

Before I continue with the statement, on behalf of the people of Goilala and my family, I would like to thank the Honourable Prime Minister Peter O'Neill for allocating the Ministry with this particular responsibility for Bougainville to me.

Mr Acting Speaker, my people can take pride in that responsibility. I also take this opportunity to acknowledge the support of the four national Ministers of Parliament for the support they have accorded me, from time to time, particularly during my visits to the Autonomous Region of Bougainville. By the same token, I would like to express my thanks and appreciation to Honorable President, Dr. John Momis for his courtesy and support for the ongoing implementation of the Bougainville Peace Agreement. I found out very quickly that the people of Bougainville are among the most peace-loving people I have ever come across. I look forward to further engagement with them.

Mr Acting Speaker, inherent to the Bougainville Peace Agreement are three key pillars:

- Autonomy
- Weapons Disposal
- Referendum

I will address each of them in this presentation.

We are all focused today on the impending referendum to be held in Bougainville. However, it is best that we focus on the bigger picture, which is why we had the Bougainville Peace Agreement in the first place that has now led to the present preparations for a referendum. We are still in the peace process phase started by our predecessors in this Parliament. Therefore, it is our responsibility and 'duty of care' to ensure that the peace process is sustained and concluded appropriately in future.

Mr Acting Speaker, I would like to start with weapons disposal.

Progress in Weapons Disposal

16/08

The Joint Supervisory Body has agreed to a strategy for weapons disposal, to be coordinated through a joint weapons disposal secretariat and supported by weapons disposal committees in each of the ABG's 33 constituencies.

The presence of weapons continues to be a concern to authorities, including both Governments of PNG and Bougainville, as well as the communities; many of which were affected during the conflict. Weapons disposal is recognized in the Bougainville Peace Agreement as a precursor for the referendum. For such reasons, weapons disposal is still regarded as a high priority even at this stage when peace has been maintained continuously since the Bougainville Peace Agreement was signed in 2001. At this juncture, I would like to thank the people of Bougainville that since the Peace Agreement, our people have retained order and there are no cases of gun-related issues. This is a credit to our people of Bougainville.

Mr Acting Speaker, weapons are categorized into four groups in Bougainville. Firstly, weapons of the Bougainville war; secondly, weapons as remnants from World War Two; thirdly, weapons procured and held by Bougainvilleans under the *PNG Firearms Act* and, fourthly, weapons held by Bougainvilleans who were other than ex-combatants and Me'ekamui.

Weapons disposal is a joint effort by the Government of Papua New Guinea and Autonomous Bougainville Government. The year 2018 in particular has been earmarked for the collection and disposal of more weapons under the *PNG Firearm Act*. By January 2019, outstanding weapons will be regarded as normal peacetime law and order issue that is bearing arms will be a criminal matter if arms are not licensed.

February 13, 2019 has been set as a tentative date for the next Joint Secretariat Meeting on Weapons Disposal. The draft agenda incorporates several proposed events relating to weapons:

Mr Acting Speaker, a schedule of weapons disposal ceremonies or activities in each of the three regions; firstly, introduction to standardized forms for distribution; secondly, containment, monuments and memorial parks; thirdly, technical and logistical support to facilitate collection and storage; fourthly, evaluating the Constituency Referendum Ready Declaration reports; and finally, the law enforcement approach to dealing with possession of firearms.

Mr Acting Speaker, I would also like to inform Parliament that in the original Peace Agreement the two factions namely the Mekamui and Uvistract developed part of the peace agreement. I also like to thank the people of Panguna and Mekamui faction for coming on board and joining the ABG and the National Government for their containment programme for weapons.

As we speak former members of the Mekamui faction in Panguna are also carrying out awareness on weapons disposal in South Bougainville, Central Bougainville and other neighbouring constituents.

Mr Acting Speaker, I want to explain to Parliament about autonomy. The autonomy on Bougainville is different from the autonomy that this Government has accorded to New Ireland, East New Britain and Enga. The autonomy on Bougainville is an autonomy to stop a civil war while the other autonomies that this Government accorded is to do with the delegation of administration powers. Therefore, let us differentiate when we talk about autonomies.

The efficiency, effectiveness and integrity with which agreed arrangements for Bougainville are implemented is clearly important both to peace-building and as evidence of the National Government's commitment to honouring the letter and spirit of the Bougainville Peace Agreement.

17/08

Implementation of Bougainville's autonomy is likely to have significant implications both for governance in Bougainville and potentially for the choice(s) to be available, and Bougainvillean's voters are likely to prefer in the Constitutionally Guaranteed Referendum on Bougainville's political future.

Transfer of functions and powers

Mr Acting Speaker, the transfer of functions and powers, together with associated assets and land, from the National Government is critical to empowering the ABG to respond directly to Bougainvillean's' needs and aspirations.

The Autonomous Bougainville Government's ability to do so clearly requires that staff with relevant skills, adequate funding, and other supports, including opportunities for training, are available to provide advice and give practical effect to the Autonomous Bougainville Government's policies, laws and ministerial decisions.

The first transfers were, in many respects, of largely symbolic significance. They were in areas such as Home Affairs, Labour, Public Holidays, Sports and Recreation, and Time Zone (which has resulted in the Autonomous Bougainville Government deciding that Bougainville time is now one-hour ahead of the rest of Papua New Guinea). An overarching Memorandum of Understanding (MOU) to guide the transfer process has been updated.

Implementation has been receiving support through the transfer to the Autonomous Bougainville Government of significant aspects of responsibility for Public Service management and human resources, public finance, audit, contracts and tenders.

Mr Acting Speaker, transfers currently in progress are from the National Government departments responsible for Works, Lands and Physical Planning, Mining and Geo-Hazards Management, Health, Community Development, Civil Registry, and Agriculture and Livestock. Other transfers are earmarked for action soon.

Where Bougainville laws are required to implement or regulate a transfer, the Autonomous Bougainville Government and the Bougainville House of Representatives have been actively engaged in relevant legislative processes.

Three weeks ago (January 17 and 18, 2019), I had the privilege to be in a workshop where the Reports on the Mandated Second Review of the autonomy arrangement was discussed and analysed. It gave participants the opportunity to consider all relevant issues relating to what has transpired since the enactment of the Bougainville Peace Agreement and the establishment of the Autonomous Bougainville Government in 2005.

Mr Acting Speaker, I would like to advise this House that once the Report is ready we will make a presentation on this. I can say more, but let me say that the Autonomous Bougainville Government has done well in certain areas, while the Papua New Guinea Government needs to assist them in others.

We need to strengthen and elevate our dialogue with our Bougainville counterparts. As leaders of a sovereign country, we must be vigilant in our approach to Bougainville, maintain our integrity as leaders, as well as protect the integrity of PNG in the eyes of the international community.

Mr Acting Speaker, I will now speak on the referendum. Before, I touch on this issue, I want to say that any funding that has been allocated to Bougainville, please, let us ensure that it make its way to the island so that we can see the much needed services, just like we have been doing through ABG and our National Departments.

18/08

Referendum

Mr Acting Speaker, the only circumstances in which the Referendum is said to not be held would be in the highly unlikely event that the Autonomous Bougainville Government were to make such a decision in accordance with the *Bougainville Constitution*. This would

require the support of an absolute majority of three-quarters of the Members of the Bougainville House of Representatives, followed by widespread public consultations in Bougainville and consultations with the National Government, and a similar, subsequent vote in the Bougainville House of Representatives.

Mr Acting Speaker, the special Joint Supervisory Body at its meeting on October 15 and 16, 2018 approved the questions to be asked in the referendum.

The questions are: 1. Greater Autonomy, 2. Separate Independence as per Bougainville Peace Agreement, the two Governments will consult the results after the Referendum before this Parliament makes the final rectification.

These include the option of a separate independence for Bougainville. In this regard, it is worth noting that independence has acquired a variety of meanings and taken diverse forms with many different implications in different countries.

Mr Acting Speaker, examples include the relationships that Cook Islands and Niue have with New Zealand; former constituents of the United Nations Trust Territory of the Pacific Islands have with the United States of America; and the reliance that many small otherwise independent countries have on access to and co-operation through regional institutions such as the University of the South Pacific.

It is in order to encourage careful consideration and discussion of options that might be available and mutually acceptable in the context of the Bougainville Referendum that a report has been prepared with support from the United Nations Peace-Building Fund. The report recommends dialogues at the National Level, in Bougainville, and between National and Bougainville Leaders as to the options to be offered to voters in the referendum and their likely implications for Bougainville and Papua New Guinea in regard to such important and, in some cases, sensitive issues as the definition of maritime boundaries; access to education, employment and other opportunities; freedom of movement and investment, and other opportunities and exchanges following the referendum.

Mr Acting Speaker, the human and financial costs and benefits of different aspects of separation and co-operation need to be defined, carefully considered, and brought to the attention of prospective voters and other interested parties. So do such intangibles as access to services and institutions which are currently or likely to be available on a shared basis. While public awareness of the referendum is growing, these dialogues important as they may be in defining the future have yet to occur.

Meanwhile, Autonomous Bougainville Government President, Honourable John Momis, has emphasized the need for voters to be offered a clear choice.

Referendum Process

Mr Acting Speaker, eligibility to vote in the referendum will be the same as for national elections in Bougainville, plus non-resident Bougainvilleans (the detailed criteria of whose eligibility have been defined).

Following the referendum, the National Government and the ABG are to consult, and the National Parliament will then decide what the outcome will be.

Civic Education

Mr Acting Speaker, public awareness is critical to orderly conduct of the referendum, acceptance of the outcome, and the maintenance of public order and peace. The National Government and the Autonomous Bougainville Government are working together and the Autonomous Bougainville Government administration is actively engaged in efforts to promote civic education, including public awareness of the referendum.

The Bougainville House of Representatives has established a Referendum Awareness Committee, with funding provided by the United Nations Peace Building Fund.

A Constituency Referendum Committee has been set up in each of the House of Representatives' 33 constituencies, chaired by the constituency member, who reports back to the House, which monitors and evaluates progress on the ground.

19/08

Bougainville House of Representatives is expected to declare all 33 Constituencies Referendum ready by March 2019. All but seven (7) at this point have been declared Referendum ready.

The United Nations Peace Building Fund has established a community information centre in Buka, to support efforts to promote public awareness and plans to establish similar centres in Arawa and Buin. The target-date for completing the necessary preparations has been agreed: June 15, 2019, which is not necessarily the actual date for holding the Referendum.

The Prime Minister, Honourable Peter O'Neill, and the Autonomous Bougainville Government President, Honourable John Momis, have repeatedly stated publicly that they will work closely together to ensure that the referendum process receives the financial and other support required to keep moving ahead.

Bougainville Referendum Commission on structure, Chairmanship

The two Governments have agreed that the Papua New Guinea and Bougainville Electoral Commissions will cooperate in establishing an independent Bougainville Referendum Commission to manage preparations for and conduct of the Referendum, as the *Organic Law on Peace-Building* in Bougainville section 58 provides.

The Charter for the Bougainville Referendum Commission was signed in January 2017. The Charter provides for a Board of Commissioners, the chair and executive head of which is to be appointed by the Joint Supervisory Body.

Other members are the National and Bougainville Electoral Commissioners, and four other persons, two nominated by National Executive Council and two, including at least one woman, nominated by the Bougainville Executive Council.

The Referendum Commission is an independent body: the Charter requires that members of the Commission cannot include members of or candidates for Election to the National or Bougainville Parliament, constitutional office-holders, National or Bougainville public servants, or persons under or liable to a prison sentence.

Mr Acting Speaker, the Charter requires that the Commission be guided by the following principles: neutrality, impartiality, transparency, professionalism, and inclusivity.

In particular, it states that the Commission is not subject to direction by the National Government, the Autonomous Bougainville Government or anyone else. It must 'carry out its duties in an impartial manner without regard to the outcome of the Bougainville Referendum.' It 'must not engage in promoting or support any person or group promoting a particular outcome.' The Referendum Commission's main office is to be in Bougainville. It is to provide annual reports to the Joint Supervisory Body.

The Speakers of the National Parliament and the Bougainville House of Representatives are to be provided with the Commission's Final Report on the outcome of the referendum which is to be tabled within two days of being received.

An agreement on administrative arrangements commits the two Electoral Commissions to cooperate with the Bougainville Referendum Commission by providing it with resources such as voters' rolls, lists of polling districts, and other support.

Such are arrangements being put in place to ensure that necessary arrangements are made and integrity secured for the conduct of the constitutionally guaranteed referendum on Bougainville's political future unless the Autonomous Bougainville Government decides that the referendum not be held (a possibility which seems very unlikely).

Context and aftermath

Mr Acting Speaker, the sensitivity and importance of the issues at stake in the National Government's and the Autonomous Bougainville Government's shared commitment to co-operate in preparing for and conducting the referendum was evident in the recent public exchange between the two leaders in late September, when the Prime Minister expressed concern for achieving the conditions for holding the referendum in good time, and the Autonomous Bougainville Government's President issued a strongly worded response.

It underlines the importance of a related issue currently under discussion namely, the need to ensure ongoing consultation and cooperation in maintaining peace and public order in the aftermath of the referendum, including the National Parliament's consideration and decision on the final outcome and its implementation.

20/08

Challenges - Electoral/Non-Electoral Issues

Mr Acting Speaker, there are also various financial commitments that the National Government must address as preparations for the referendum gains momentum. Over Joint Supervisory Body meetings, resolutions have been adopted that commits the National Government to allocate an overall amount of K54.3 million. From that amount, K20 million has been allocated in the 2019 National Budget. We are now in the process of discussions with the relevant Ministries to secure the remaining K34.3 million.

Another allocation that is now with the Autonomous Bougainville Government is an amount of K10 million of which K5 million is to continue the ongoing processes of weapons disposal as well as peace and reconciliation in different parts of Bougainville. The other K5 million is for the conduct of the Referendum.

Is Bougainville referendum ready?

Mr Acting Speaker from what I can sense and through various information I have received, Bougainvilleans I would say are nearly ready for the referendum. The Bougainville leaders' initiative to prepare their respective constituencies for the referendum has immensely assisted the people to understand the process. Nevertheless, there is yet much more to be done.

What about us on the Papua New Guinea side? Are we ready to observe the referendum and accept the outcome, in honour of the Bougainville Peace Agreement?

Mr Acting Speaker, I thank you most sincerely for your indulgence. Thank you.

Motion (by **Mr James Marape**) agreed to –
That the Parliament take note of the statement.

Debate adjourned.

GRIEVANCE DEBATE

Question proposed –
That the Grievances be noted.

Be Thankful to God for Everything

Mr JOHN PUNDARI (Kompam-Ambum – Minister for Environment, Conservation and Climate Change) – Thank you, Mr Acting Speaker.

We must thank God for a great and wonderful country and the beautiful people we have. We must thank God that we are blessed with an abundance of natural resources. We must thank God for the democracy and the freedom we enjoy in PNG. We must thank God for our *Constitution* that declares ourselves to be Christian Country. We must thank God for unity we have in our diversity. We must thank God for the peace we have and enjoy when there are wars in countries in the same planet like Iraq, Syria, Libya, Turkey, Israel, Palestine, Congo, Sierra Leone, Sudan, Yemen and etcetera.

We must thank God for the abundance of the food we have when in the same planet we have malnourished and hungry people starving to death. A planet that wastes about two billion tonnes of food every year and yet in the same planet you have hungry and starving malnourished people.

We must thank God for his protection, especially when the world is confronted with climate change and other natural disasters likes the earthquake, tsunamis and volcanoes.

We must thank God for the privilege of the information that we have that powerful countries have produced a great number of nuclear weapons which is enough to destroy the planet with just a press of a button, but the planet fortunately is still here.

Mr Acting Speaker, we must thank God for the democracy and a democratic government elected by the people that we have and the privileges as leaders to be the servants of our people.

In the same planet we live in dictatorial regimes created by military coups and by undermining of democratic processes and the good laws of their countries.

21/08

The product of such draconian leadership has caused the people to suffer. A good examples is Idi Amin Dada of Uganda, who fled his country and died while in asylum in another country. The wealth he gathered could not save his life when death knocked on his door.

Another example is Muammar Gaddafi of Libya, who was flustered from a drain and dragged on the streets by his people during an uprising and neither his golden pistol nor the wealth he stole could save his life. We also remember Saddam Hussein who was taken out from a hole – the same hole they found rotten sausages and other stuff in. So much for a vice president who was sentenced to death.

The wealth he had accumulated came to nothing. You would wonder why the former Prime Minister of Malaysia accumulated hard cash in big suitcases and now is facing court charges.

Thank God for our Government and the K10 million that we have for each of our districts. Thank God for the bridges and roads that we have and the transformed hospitals that we have. Thank God for the free education that our children enjoy and thank God for the APEC Meeting we have delivered.

Thank God for the world class terminals that we have built for our airports and the roads that we have constructed and the recent launching of the iconic economic lifeline of the country; the highlands highway. Thank God for the wharves and jetties that we have built and the great development partners we have.

Thank God for the many good policies and programs we have delivered under the leadership of our Prime Minister. Thank God for the oldest Bible that we have in the midst of our Chamber.

Mr Acting Speaker, surely the word of God, should remind us that we are sinners and are in need of the Lord's forgiving grace. Surely it is to remind us to value each other as we

value ourselves, and treat each other as we want to be treated ourselves. That is with respect and by not condemning and being judgemental.

Finally we must thank God for the love manifested in the life and death of our Lord Jesus Christ. It must be our prayer that Christ comes sooner than later. I take this opportunity in this Grievance Debate to remind us to thank God because it is my grief and it should be our grief that we continue to forget the benevolence of the love of God on our people, our country and ourselves.

Mr Acting Speaker, to thank God for the privilege that we have to be the servants of our people. It is high time that we adjourn today, on the first day of this month and going forward into this month and the year. Let us examine ourselves as to the wonders of the leadership and the privilege of being the servants of our people. May we examine ourselves as to where and how we have lead our own districts, departments and our country and evaluate the changes we want, and how best we can attain it.

For an imperfect leader, like myself, I would like to stand here and say sorry, if I have failed my people. In private, do come before God and say sorry and ask him to help you.

May this be our prayer as we look into New Year and thank God. I am sure that God will bless us with wisdom and understanding, and abundantly bless this country as we provide the necessary leadership that it needs to take us into the future.

Thank you for your attention, I did not get up here to preach to you, but I may have been inspired someone, knowing in myself that I am imperfect and need help.

22/08

We need to pray for each other. I thank God the Opposition Leader in the Opposition Leader's Chair and the Prime Minister in the Prime Minister's Chair. We cannot all be the Opposition Leader or the Prime Minister, but we must have common sense and understanding. We must allow for good leadership but it just does not come. It comes from fear of God. It comes by ensuring that we spend time with transformational leaders that changed the world.

I find myself as an imperfect person. I may have hurt someone in my electorate or during the course of discharging my duties as a State Minister. Good leaders must say sorry and give credit when and where it is due, yet we find it very hard to say these two words. We find it hard to come into the presence of God and thank him.

Mr Acting Speaker, I hope I have inspired my colleague members to say thank you and to say sorry where we have to. We have to seek fearfully the wisdom and understanding of God in the privilege of this leadership as servants of the people of Papua New Guinea.

Improve Public Service Delivery System

Mr THOMAS PELIKA (Menyamya) – Thank you, Mr Acting Speaker for the opportunity to express my grievances.

My grievances are against the public servants of Papua New Guinea. The old Public Service was very different to this modern one. I think the cost of running the current Public Service is very expensive. Sometimes it looks as if we are paying ghosts for doing nothing.

I want the Minister for Public Service to look at a new and better way of improving the services provided by public servants. Every time the politicians are blamed for all that happens in this country and are always branded as corrupt.

I do not think the problem lays with us. In the private sector, one is paid based on his or her performance. If you do not turn up for work, you don't get paid. However, our Public Service has grown too big and thus has become unmanageable.

There are many people who are not supposed to be in the Public Service. Many should be in prison, but we are turning a blind eye to it. I think we should adopt the American system of Public Service.

If we the Members of Parliament should lose the elections, then anybody working under us must also leave the office. The new member must bring his own new staff. Those that lose their jobs must go back home and work their land. If there was any corrupt deals done then we must send in an investigation team to investigate and prosecute those who are found guilty.

For example, if we allocate funds for a certain projects or programme then that agenda must be addressed accordingly and eventuate as budgeted. We must have the infrastructure built to show cause for the funds allocated. There were funds allocated for a hydro project in Menyamya, but that project has not gotten anywhere. I went looking for that allocation and I could not find those funds.

23/08

Where did it go? The contractor is asking me for the money and I do not know where it is; the projects have already been signed. These are the kind of stupid hideous things that happen.

I do not know if PNG Power is supervising this project or not? I have tried to get answers but nobody is giving me answers. What kind of attitude is this?

So, I think that the Public Service Minister must find a way similar to that of America where the DDA changes when a new electorate member is declared.

A new leader with his new team should move in together and if the leader is corrupt and found guilty then he can be charged. I think that is the best way to move forward because the current system has blockages. There is frustration especially over Waigani, which has turned into a jungle, you will be sent all around before you reach the appropriate officer.

The *Public Service Management Act* protects them so instead of using the funds on the district, they spend it booking hotel rooms and hire cars, and when asked to acquit these funds, they do not do it.

For example, my treasurer and district manager have not done any acquittals since they were appointed to these positions and when I complained, nothing was done about it. I have even complained to the police to arrest them but nothing was done.

In the past, the policeman were more disciplined in their jobs. Today, police officers cannot do their job properly, just like the ones that came and chased us out of Parliament. Luckily, I was not in front because if I was, I would get a piece of iron and kill one like an animal! These policemen should be charged for treason!

The National Parliament is a common building where anyone can come here and destroy it. This is the place where the country's decisions are made and it was treated with no respect so now I do not see the importance of attending the Caucus Meetings because there is no significance in it. This is my grievance.

Tighten Up Discipline in Schools

There must be some discipline in the schools. The Member for Markham already said it, swearing too is used everywhere in public.

So I think that the Education System too must be improved. The teachers must discipline the students because parents are too busy with their jobs and they have no time for their children. This is where our problem is with the children of today. When they finish school and come home, they are always on the computer or mobile phones. With my limited strength, I have tried to discipline them by smacking them.

So, it is time for us to start thinking seriously about the children. Our streets are full of unemployed youths because we have not created job opportunities and there is about 70,000 of them leaving school every year and they do nothing. The only way to help them is to send back to do agriculture so that they can earn a living for themselves.

These are my grievances and may God bless Papua New Guinea.

Thank you, Mr Acting Speaker.

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Public Service - Strengthen Accountability Process

Mr ELIAS KAPAVORE (Minister for Public Service) – Mr Acting Speaker, I thank the good Member for Menyamya for the debate.

I would like to say that in 2014 this Government made an Amendment to *Public Service Management Act of 1995*, and alot of changes has been made in *2014 Public Service Management Act*.

I would like to ask our members or DDA Chairman to improve the accountability processes when handing out the cheques to our district CEOs.

After the CEO appointment, the Department emphasises on the implementation of *Section 26* of the *Public Service Management Act*, where it talks about the performance management systems which is important. When the CEO is appointed, consult with consult to my department to establish the key performance indicators for the CEOs, this also applies to provincial governors and their provincial executive councils to make establish the key performance indicators requirements, as required by the Ministers. This also applies to Ministers and Departmental Heads and Managing Directors.

Mr Acting Speaker, in other words, we need to maintain and improve this accountability process to keep check and balance. There is a system in place which is not been followed.

Let me say this, I believe if we adhered to these system, no one public servant will appointed permanently in his or her position. There is no permanent position in our public service in this country.

There are dues and processes that are there to guide the public servants. Those who are not punctual at work, it is very clear that they must report to their supervisor and give an account of their lateness.

It is also stated clearly in the *Public Service General Order* in 15.59 and 15.60 talks about public servants smoking. There are disciplinary cases and can amount to termination. Similarly for those who are chewers of betel nut, it is very clear.

But, it is a question of how are we implementing these particular regulations.

I urge that this accountability process must be strengthened because after the amendments to the *Public Service Act*, it is clear and we have to put all our efforts into tightening up all the loop holes.

Mr Acting Speaker, with the implementation of these measures to get the public service working and improving, you can see that we are now suspending public servant and departmental heads who are not performing and many have been terminated.

I believe we will continue to do this. If I can do this at the highest level in consultation with portfolio ministers, I don't see why CEO's and those that are at the LLG Level cannot be held accountable.

Mr Acting Speaker, today we have around 116,000 public servants and about 6,000 are unattached officers. The unattached officers are there because currently there are reviews done on their structures and if the process of recruitment is in place they can be recruited. We are doing this to reduce this huge number of unattached officers.

Again there are some officers that need to go because of non-performance and I urge the departmental heads to look into these kinds of officers and calculate their final entitlements so they can exit the service properly.

Mr Acting Speaker the Government is committing more than K180 million every year to fund these 6,000 unattached officers at the moment.

The issue we are faced with is, more than 2,000 officers are over the age of 65 years old and they are still in the public service.

Let me make it clear that these people who are above that age are required to exit the public service where they have reached the compulsory retirement age.

Mr Acting Speaker, I appeal to the departmental heads that those who are responsible for these cases can consult with my department so we can be able to clear the system.

Abuse of Delegated Powers in Provincial Governments

Mr Acting Speaker, while I have this opportunity, let me make it clear that my department has concluded the Audit that we started in Southern Highlands Province Administration.

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I was informed that there is a lot of gross abuse of human resource delegated powers back to the province. We will also do the audit in Hela Province, Western Province and the rest of Highlands Provinces by the end of first quarter this year.

Mr Acting Speaker, we have seen a lot of abuse to date and I will be presenting a report to NEC because the report that we received is not good and I urge the government to engage an external auditor to clean up the huge mess in our payroll system at the moment urgently.

Mr Acting Speaker, this is a major issue of continuous blow-out of the Public Service salary.

But, I also want to acknowledge the Australian Government today for instilling the value-based and ethical Public Service practices which is encouraged and supported through the Pacific Leadership and Precincts Program.

In the last few years, we have witnessed the Institute of Public Administration being changed to the Pacific Institute of Leadership and Governance (PILAG). This changes has been made to instil value and good ethic in our Public Service system. With that I urge all the support from all of us to change the mindsets of all our public servants in the country.

To conclude, no Public Service position is permanent and everyone must perform their job and if they don't perform then there is no place for them in the Public Service.

Motion – That the grievances be noted – agreed to.

SUPREME COURT REFERENCE – STATEMENT BY Mr ACTING SPEAKER

Mr ACTING SPEAKER – Honourable Members the Chair advises that the on Monday August 13, 2018, a Supreme Court Reference was filed by the Attorney-General, Honourable Steven Davis, pursuant to *section 19* of the *Constitution*.

The application which is Supreme Court Reference No.4 and SER No.5 of 2018, is an application to the Supreme Court for its opinion so as to clarify and determine whether the decision in SEC No.3 of 2016, which forms part of the law of Papua New Guinea of the

Supreme Court constituted as three man bench of the Supreme Court on July 12, 2016, is inconsistent with the constitutional laws and invalid concept concerning the proceedings of the Parliament and its Committees and the calling of meeting of Parliament.

Honourable Members the Supreme Court is being asked to provide an opinion on the proper interpretation or application of *section 11, 18, 19, 99, 108, 111, 115, 122, 124, 133, 134, 141, 142, 143, 145, 155 and 162 of the Constitution and section 2 and 3 of the Organic Law* on the calling of meeting of Parliament in light of the decision made in SCC No.3 of 2016, on July 12, 2016. The Supreme Court decision has raised several questions on the non-justiciability of the Parliamentary Committees and their procedures. Generally the decision made on July 12, 2016 directly affects the duties of the Speaker and the Clerk and their ability to perform their duties.

Honourable Members, the Chair is of the view that the decision is of the Supreme Court which is now subject of the Supreme Court reference constitutes an incursion by one of arm government upon the basic functions of another contrary to *section 99 of the Constitution*.

The Parliament joined the above special Supreme Court reference as a party because the issue raised in the above references are very important constitutional issues relating to the powers of the Parliament to regulate its own affairs in terms of Sittings and conduct of, within proceedings with reference to the Courts powers to interpret the *Constitution*. The above reference will settle issues relating to

(1) The independence and powers of the Parliament in accordance with the Constitution,

(2) The extent of the Courts powers with the relation to the Parliament's conduct of its business ,

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(3) The question of how the Court should test the constitutional validity of its own decision, and

(4) Processes and procedures of a Motion of No Confidence against the Prime Minister. The Judiciary, the Parliament and the National Executive Council are all equal and are subject only to the dictates of the *Constitution* regarding their respective functions as mandated by the *Constitution*.

Honourable Members, the Supreme Court reference is important as it will settle the above issues once and for all.

On this basis, the Chair has decided to join the office of the Speaker together with the office of the Clerk to ensure that the legislator is adequately represented.

Thank you, honourable Members.

SPECIAL ADJOURNMENT

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

That the Parliament at its rising adjourn until Tuesday 7 May 2019 at 2 p.m.

Mr Acting Speaker, before I move for adjournment let me thank every member of the House for their punctuality and presence in the last two weeks that Parliament sat.

I also pay my respect to the Leader of Opposition for paying his respect to the House and sitting right through and in fact on this day.

Mr Acting Speaker, on the continual outburst on Vote of No Confidence issue and Parliament rising at this point in time, let me stress to this House that the Vote of No Confidence period is live all the way till 2021, which is 12 months before the issue of writs, so Parliament will sit as normal and as planned.

We have important programs in the middle of this year, such as the Local-level Government Elections and the Bougainville Referendum issue in June.

So in between all these, we will continue with normal Parliament sitting dates, its business as usual. As for us on Government side, the number is firm and we make this intention known for us to have a full program this year. So there is no need to speculate on social media about Parliament rising in avoidance of the Vote of No Confidence Motion.

That processes of Parliament is still there and at any time the Opposition may deploy if they think that they want to use that avenue.

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ADJOURNMENT

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

That the Parliament do now adjourn.

The Parliament adjourned at 1.p.m.