

THIRD DAY

Thursday 13 February 2020

DRAFT HANSARD

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THIRD DAY

Thursday 13 February 2020

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

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

Sitting suspended.

The Speaker (**Mr Job Pomat**) took the Chair at 10:40 a.m., and invited the Member for Samarai-Murua, **Honourable Isi Henry Leonard** to say Prayers:

“Our Heavenly Father, mipela tenkim yu long dispela moning for giving us this opportunity to meet in this House, we yu yet imakim na wokim. Dispela Haus, we mipela igat bikpela responsibility long directim na providim lidasip long lidim dispela kantri. This morning mipela sanap long ai bilong yu and we are not worthy to call your name because we are just mere human beings. Mipela ino righteous na fit long singautim nem bilong yu. This morning, mipela askim yu, look beyond our weaknesses and our failures, but see our potential, long wokim dispela wok insait long dispela Haus. That is why, mipela askim long mercy na forgiveness bilong yu. Long blut bilong Jisas yu klinim mipela. So, this morning, wanem askim mipela mekim long yu, long throne na grace bilong yu, plis harim na bekim. This morning mighty God, I commit our Prime Minister, em igat bikpela responsibility long lidim dispela Kantri. Blesim em, wantaim grace bilong yu na helpim em long lidim dispela session. Mi komitim ikam long yu, our Speaker of the House, blesim em so that, em iken lidim dispela discussion long wei bilong lidim na gaidim dispela Haus. Mi komitim olgeta minista, memba na Lida blo Oposisen tu. Inspire us, enable us to contribute meaningfully in the discussions and the business of today, Amen.”

QUESTIONS

Student Loan Assistance Scheme

Mr KONI IGUAN – Mr Speaker, my question is directed to the Minister for Higher Education and I would like the Ministers for Finance and National Planning to take note.

The school year has started and I stand here to commend the Government of the day for their wisdom in creating the student loan scheme to ensure our children make it through their tertiary education.

02/03

Mr Speaker, now the responsibility is coming back to us, where some of our students are seeking school fee assistance from us the local Members. We have assisted them through our DSIP funds in the previous years. But, today we are have this system in place.

(1) Can the Minister inform this House, whether the students are already having access to this student loan scheme?

Having this information at hand will assist us to know whether or not to assist students as many requests for school fee assistance have already been received.

(2) If they have no access to this loan then can you tell us why?

(3) How soon can this student loan be effective?

Student NID

In the last Parliament sitting I asked the Minister for National Planning, how effective it was for the students to be issued NID or rather the National Identity Registration, so that it will be possible for them to have access to the student loan scheme.

(4) Can you inform this Parliament whether the NID process has made it possible for some students to have access to the student loan or not?

Science Laboratory-Leron-Wantoat

(5) Can you liaise with the new Education Minister, on the commitment you made for my school at Leron-Wantoat, for a K1 million science laboratory?

Mr NICK KUMAN – Thank you, Member for Markham.

Can I answer your questions, starting with the last question? I think the Governor of Morobe asked the same question last year and was assured by the Minister for Education that, he will make sure the K1 million commitment for the science laboratory is funded. I was verbally told by the Minister that the funds were not available last year. Hopefully there are some monies available for him to fund it this year, but I will leave that to the Education Minister to deal with it.

As for the HELP program, on Tuesday, I did articulate the intent of that loan scheme for the tertiary institutions throughout the country. I am glad that some districts and provinces are supporting our students. It is important that we continue to work in partnership.

The loan program called HELP is available to all tertiary institutions right throughout the country, even if they are under the TESAS program, which is the Academic Excellence Scholarship (AES) and Higher Education Contribution Assistance Scheme (HECAS). This also applies to private students as well.

Mr Speaker, my conversation on Tuesday was, the government will only know the level of funding that will be made available in all the institutions when registrations close this week. I will inform in due course after the Cabinet confirms the level of funding that each student can obtain. There will be a maximum amount made available to all our students, both undergraduate and post-graduates.

03/03

It will be available in April as we have continuously informed our students, their parents and the institutions right throughout the country. As soon as we know the total number of students in the system, we can then inform the institutions. As I mentioned on Tuesday, don't turn away students who have earned their places in all our institutions in the country.

The Government's HELP program will be effective in April when all the applications are received. We will commence processing after the closure of registration tomorrow. Over 24 000 students were in our system last year. We are expecting the same number with an increment of 5-10 per cent. Therefore, the student population would approximately be 25 per cent.

It will take a while for us to process this. We will advise students and institutions throughout the country through the media that students' applications will be processed and appropriate funding for the first quarter of this year will be made available to all the institutions. This means that by the last quarter of this year, the total amount of loan the students obtain through the scheme will be paid to those respective institutions in the country.

The intention of the government is twofold; the undergraduates and the post graduate programs.

Under the leadership of the Minister for Planning and our National ID office, we have worked on this program since the Cabinet gave approval to implement the HELP program.

We are working in partnership, beginning at the university level and then to the non-university institutions throughout the country.

We are giving the students three months after the registration. If they obtain the loan, it's compulsory to register under the NID system because students will pay back the loan when they start work.

I will be bringing amendments to Parliament as soon as the Cabinet has worded amendments to the taxation laws. This is to make sure that this is in effect so when they can repay the student loans through taxation. This will not kick in until the students have secured employment.

This is as far as I can say. It is a progressive matter and it's the first time we're going to implement the loan scheme. There may have been others before that I'm not aware of, but I want to structure it properly so it works for our students in the country and relieves the parent's burden.

As leaders of this country, we complain in Parliament that school fees in our universities are too high for the parents to afford.

This is a very smart intervention by this Government. Therefore, we must fully support this and embrace this change. This will teach our young leaders to become more responsible. Because when they obtain the loan, they will know that after they complete their studies and work, they will pay this loan back.

Provide Scholarships for ABG Students

Mr PETER IPATAS – My question is directed to the Prime Minister.

04/03

Mr Speaker, I was fortunate to travel with Prime Minister when he visited` to Bougainville just after the Referendum. It was very encouraging to see how the people appreciated the Prime Minister after his speech.

I noticed that people of Bougainville were relieved by the Prime Minister's statement.

I also observed that there were many youths among the population. I thought to myself, how many of these youths had come to mainland since the conflict.

It seems, about 98 per cent of these youths have had no outside interaction. They have been isolated for so long so when they voted, they chose to leave.

When I came back, I came up with an idea that as a leader in Enga province, I will offer some scholarships to the children of Bougainville to come study here in Enga.

Enga might not be a better place to study but we have an institution and I feel I will give opportunity to Bougainvillean students to come to Enga.

In that same context, I feel that the national government must now see and give special consideration to the children of Bougainville in our institutions here in Papua New Guinea.

It's important that children must come study and interact with us Papua New Guineans. When the children come then their parents will come as well as their relatives.

Whilst we are talking about the relationship with the Autonomous Region of Bougainville and the ABG Government, I also think that we as a people have to interact.

So Prime Minister, I have had a short discussion with you. If you can undertake and assist the people of Bougainville. And if this Parliament can assist by giving preference to Bougainvilleans in our higher learning institutions. That way, we show our people that we really care for them.

JAMES MARAPE – Thank you, Mr Speaker, and let me thank the Governor for asking a good question.

I thank the Governor and the few leaders who were with me when we visited Bougainville right after the Referendum was conducted.

Let me appreciate the Governor's proactiveness. He has already embarked on something which he just spoke about. He gave some places to students from Bougainville to study in Enga teachers college. He has also opened up Enga school of nursing and he is now in the process of partnering with the national government to build Enga politech institution.

So, congratulations to the Governor for your proactiveness in the face of education.

I'd like to correct you that the Enga is not a last place.

Mr Speaker, Enga has been around, and the services and the institutions that you have set up are serving not only Enga students but all Papua New Guinean students who study there.

I saw for myself, how Papua New Guineans are working there and students being enrolled and attending schools that you initiated as a leader of the Enga Province.

05/03

Arranging education institutions and putting quota for students from Bougainville is something that we can look at. I will get the two Education Ministers to look into this space. But first things first, also as a government, we have given commitment and initial funding to start up and restore Arawa School of Nursing, if the government on the ground feels that Arawa is the place that the School of Nursing must be re-built in.

We have also given commitment to start up a technical school in Bougainville. The Governor is really correct. There is a huge population of uneducated Bougainvilleans there. Those who grew within the crisis era.

For instance, if a child who was born in 1988, today speaking, that child would be a 31-year old adult. That person would have lived through a period in which education system was not functioning in the region.

So there is a need for us to assist in ensuring that Bougainvilleans are given all forms of education from lower level certificates in technical and trade skills to college certificates and diplomas, as well as university degrees. The need is there. The Minister for Bougainville will take note of this one and as we sit during the JSB meeting, we should converse further on it.

During our visits to Bougainville, under my leadership, we have also indicated to them our willingness to set aside 10 per cent of our SME funds to remit back to the region for resuscitation of the agriculture and other SMEs there. But that is not possible and cannot be done so if the population is not fully aware and educated properly.

So the issue on us establishing a specific quota for Bougainvillea students can be looked at in the affirmative. We will start the process next year as we go through trying to migrate those who qualify as Grade 12 to come to our universities and colleges' right across the country and the interface can take place.

When in Bougainville, I also witnessed, few students who have come out of Dauli Teachers College. Dauli Teachers College is in the Huli Basin, about 10 kilometres out of Tari Station and they are still serving today.

Last weekend I was up there, I saw coastal students also being enrolled there in the school. We have our education system that is building cohesiveness and unity amongst our diverse nation and country. That is a good tool and good strategy to ensure that Bougainvilleans know that we still do care for them. I encouraged the two Ministers to ensure specific placing is given to Bougainville students to assist them pick up the pace and get back into where they were before the crisis. Thank you, Mr Speaker.

Release K10 Million for Sepik Highway

Mr RICHARD MARU – I rise to ask a question to the Prime Minister and I would like the Minister for Works to take note.

Mr Speaker, last year the National Government in the Development Budget allocated a total of K10 million to upgrade and seal a road from the Sepik Highway. The road is supposed to be built at a place called Yegimbole into the Sepik Plain for the large scale agriculture project called the Sepik Chicken Grain and Cocoa Project. This project is being built by a company that is jointly owned by the State, the East Sepik Provincial Government, the local landowners and the Israeli investor Innovative Agriculture Limited.

The purpose of this road is to ensure that we have a road into the project site so that before we go into production in May this year. Sepik Province would for the first time have its own chicken, eggs and grain being produced for our consumption in the province and throughout the country.

06/03

Container trucks will be able to access the processing plant and move the products out onto the main Sepik Highway and obviously take it down to the wharf and distribute the products throughout our province.

This is an important economic road.

When I was Planning Minister, not only did the government appropriated the specific project in the Budget, we released K10 million to the Department of Works. Then on receipt of the money, they tendered the project and awarded the contract to a contractor six months ago.

My Speaker, up till now, not even one toea has been released to the contractor so work can start on this road. What is even more frightening is that the construction phase of this project will be completed by April, and in May production starts and we will start taking the goods to market.

For reasons known only to the Department of Works, no funds have been released even though funds have been released to them. To make matters worse, Parliament needs to understand, at the end of last year when we received K1 billion in Australian loan, K300 million was given to the Works Department to retire debts. And even with that money, they cannot even find that K10 million.

Mr Speaker, this is entirely unacceptable when our government and the Prime Minister rightly has been telling the World that our focus as government, is to support the growth of the agriculture industry to underpin the economy of this country as opposed to our over-reliance on the extractive sector.

The Prime Minister is right but we are not backing our statements with walking the talk and providing the funds to the sector. If the Prime Minister is serious about this matter, I would like him to undertake in this Parliament today that he will personally intervene and ensure that at least K2 million is released so that work can start.

Mr Michael Nali – Point of Order! I do not want to put up an argument with my brother but we are communicating; him and I, me and the Secretary and I am also trying to get some clarity from the Secretary for National Planning – the Prime Minister can answer the Member’s question later but the point I am trying to make is that we are communicating. I am also trying to cross-check with National Planning and until I do that and verify the fact that the warrant was released to the Department of Works and if the Department has abused that process in diverting that money somewhere –

Mr SPEAKER – What is your point of order, honourable Minister?

Mr Michael Nali – My point of order is that, we should not be using Parliament to discredit the system. I am here! If he wants an answer; ask me. Isn’t the Works Minister here and yet you go direct to the Prime Minister?

Mr SPEAKER - Your point of order is out of order. The honourable Member has a right to ask a question to whom ever he wishes to direct the question to. The honourable Member for Yangoru-Saussia, you were making a statement so, please ask your questions.

Mr RICHARD MARU – I need to just give some clarity to what the Minister is saying. I wrote to him and called him last week but he said he was too busy to see me. That’s the fact! I cannot continue to wait for him. We have been waiting for six months for this road to be built. My questions are:

(1) Can the Prime Minister assure this Parliament that our government is serious in developing the agriculture sector?

(2) Can the Prime Minister intervene so that at least K2 million can be released to start the construction of this road?

07/03

Our government cannot be embarrassed like this

Mr Speaker, I would like the Prime Minister to intervene and sort this mess out.

Thank you, Mr Speaker.

Mr JAMES MARAPE – Thank you, Mr Speaker.

I thank the Member for Yangoru-Saussia for asking a pertinent question. He has every right to ask this question whether it is right or wrong, we are here to ask questions and get answers so that we can do the right thing.

This Agricultural Project in the East Sepik does not belong to Yanggoru-Saussia or East Sepik alone but a national impact project which will benefit the country.

The Sepik Plain is the biggest plain we have available for us to use for agriculture space so I thank the former Minister for Planning for having a keen interest in this national impact project. I ask all the other leaders of East Sepik to rally around so that we can make this project to work.

Now, coming back to the issue of the funds mentioned, Mr Speaker, again through you, I would also want to inform the country that there are many outstanding arrears when we took office as the new government.

For Works Department contracts alone, there were over K500 million worth of contracts nationwide. The past government was giving too many contracts out but there was no money to match this. Some of us can claim that they are the king of infrastructure but they are king of loans and debts with no actual monies matching the contracts issued.

The Minister for Works can confirm that, for the first time, we gave actual cash to the Works Department before passing the Supplementary Budget last year.

In the past when I was the Minister for Finance I only saw the paper work because money disappeared along the way, even the Department of Works did not receive it.

The Department of Works has presented its report on how the K300 million was distributed. We gave them the funds in 2019 before the close of accounts. When we gave them these funds, we advised them to distribute the money equally to all the contracts

nationwide. Although, the Marape-Steven Government did not award these contracts, we directed that all contracts should receive some money.

Mr Speaker, I do not intend to speak for the Works Department but if there is a live contract there and it is running they would have given consideration to this road and through this reply I am asking them to consider this road because it is a national impact project which will serve the people of Papua New Guinea.

So, to answer this question, I would like the Works Department to look at this road and try to support this road. I would like to also make it clear that we have put money for many feeder roads which link to provincial, commercial roads and national highways.

We have a five to ten year outlook in the Connect PNG Program that we envision that will open up this country by linking roads and power infrastructure across our country. Those roads that already have contracts attached to them, we want to retire in the first instance, so we have to provide support funds for them. It's improper to award new contracts when the existing contracts are still outstanding.

These issues are being looked at in totality with the National Works Department under the leadership of Minister Michael Nali, in partnership with the Minister for Transport. They are getting to us a government Program that should systematically start to fund all these outstanding projects that we have all over the country.

08/03

At the same time embrace on few key economic roads we feel can link coffee, copra, cocoa or go to where the forestry is, go to where the fish are so that our economy is shifting elsewhere and not to be just based on Port Moresby based infrastructure that is actually going nowhere except giving the comfort that we need in Port Moresby.

Thank you, Mr Speaker.

Mr BELDEN NAMAHA – Thank you Mr Speaker. Mr Speaker, I would like to seek leave of the Chair to ask the Chair a question.

Mr SPEAKER – Leave Granted!

No funding for Opposition

Mr BELDEN NAMAH – Thank you, Mr Speaker. Mr Speaker, my question to you is in relation to the office of the Opposition and the funding to the office of the Opposition.

Mr Speaker, Opposition plays a very important role on this Floor of Parliament. I've been Opposition Leader about three times and what I have found, Mr Speaker, is that there is a lack of funding to the office of the Opposition. Opposition plays a very important role to keep the government in check to make it transparent and accountable to the people of this country.

My question, Mr Speaker, is that, why hasn't the Opposition been getting the funding required to run the office of the Opposition? I've been the Opposition leader for the last five months and we haven't received any funding for the office.

I understand that the office of the Opposition gets funding direct from Parliament which you administer as the Speaker of the House.

Every time my officers check with the Clerk and the CFO, they are saying there is no funding to Parliament.

Mr Speaker, it makes it difficult for the Opposition to function. We can't even pay our legal bills, I pay my own tickets to travel back and forth as the leader of the Opposition and many other operational requirements for the Opposition to function is lacking.

My question is, Mr Speaker, does the office of the Opposition have its own funding and if it has, how much funding does it receives every year? And if it comes directly under Parliament, can you instruct your Clerk to create a separate vote for the Opposition so that Opposition can have direct funding and run their office.

Mr Speaker, I understand that the office of the Opposition is not established under the *Constitution*. Mr Speaker, we are now 44 years old as a country.

Mr Pila Niningi – Point Of Order! With respect to the Opposition Leader, the time is limited and he should ask his question any other time. But, the time for the question should be given to other Ministers so that they can use this time to talk. I believe that the time will be taken up so allow the other Members to talk.

Thank you, Mr Speaker.

Mr SPEAKER – Point of Order is out of order. The Opposition Leader has the right to ask this question to the Chair.

Mr BELDEN NAMAHA – Thank you Mr Speaker, thank you Minister for trying. Mr Speaker, the office of the Opposition, I believe, should be established under the *Constitution* so that it can be properly funded through a budgetary reprocess.

Mr Speaker, I am asking the Chair if the Chair can initiate the process of bringing a bill to Parliament for the office of the Opposition to be established under the *Constitution*.

It is not for me. It is for the people of this country. If the Speaker cannot do it, I am prepared to bring a Private Members Bill to Parliament so that the office of the Opposition can be established under the *Constitution*.

Thank you, Mr Speaker

09/03

Mr SPEAKER – Thank you honourable Leader of the Opposition for your good question to the Chair, all Members, here today in Session have heard you. If you were to be the Opposition Leader tomorrow, I believe you would also ask this question, because it is a important question I may say and you would feel the same way the Opposition Leader today is feeling. I will try to do my best to address this issue with the Clerk of Parliament and –

Mr William Powi – Point of Order! Can you inform the Parliament, from the appropriations that the National Government appropriates to National Parliament, how do you support the Opposition to function as an entity?

Mr SPEAKER – Your Point of Order is out of order, because I was coming to that honourable Governor. I want to make it clear to the Opposition Leader that over the years when Parliament has sent numerous requests through the Prime Minister to the executive Government regarding their needs.

As per provisions of the constitutional law; the Parliament or the National Court requests must be adhered to; yet the executive arm have not done that up until today.

I say this because when a request is lodged by the Office of the Opposition Leader, the Parliament falls short in honouring that request because of lack of funding from the executive arm of Government.

Today, a warrant has been raised every fortnight unlike before where Parliament appropriations were paid quarterly or every six months. The *Constitution* states clearly that Parliament appropriations must be given in full or quarterly but this law is not adhered to.

Honourable Members, the national Government now views the National Parliament as an ordinary government department, which should not be the case.

I bet you if one of you members becomes the Speaker, you will echo the same sentiments as I am stating today on this Chair.

I fully acknowledge your concerns and we will try to amicably solve your plight and the issues that you have raised to the Chair today.

Mr GARRY JUFFA – Mr Speaker, I direct my questions to the Prime Minister but before I do so I ask extension of question time

SUSPENSION OF STANDING ORDERS – EXTENSION OF TIME FOR QUESTIONS

Motion (by **Mr Garry Juffa**) agreed to –

That so much of the *Standing Orders* be suspended as would prevent time for questions being extended for a further 20 minutes.

NID Status and Costs Update

Mr GARRY JUFFA – Mr Speaker, I thank all the colleague Members for supporting the extension of question time.

My question is in regards to one of the subjects which causes a lot of anxiety; the national identification status.

Mr Speaker, this issue is causing a lot of inconvenience for our citizens, provincial governments and the districts.

For instance in Northern Province, our NID office was burnt down and no effort has been made to rebuild it.

What will happen?

10/03

Citizens from the province or other provinces come into Port Moresby to collect their NID cards and then wait for a long period of time to get it.

This was a very expensive project which was launched in 2014, and one of the reasons for it was it was going to assist us with the national elections.

It cost K230 million and the initial K50 million was spent by the Electoral Commission, the National Statistical Office and the Department of Community Development. They have never made public any information on how that K50 million was spent. By 2016 only 150 000 cards were issued. and the problems continue. Some of you got photos and never received your NID cards, for example like the Governor Mr Powes Parkop and Member for Markham too.

My questions are:

(1) Will the NID Project be completed before 2022, and will it feature in the 2022 National Election?

(2) Can those Departments alleged to have received the K50 million come out and explain to the public how that money was spent?

(3) Can we quantify what the exact cost on NID is?

Not K230 million allocated, but the additional costs the provinces and districts have to bear because of the prolonged delay in its completion. Thank you.

Mr JAMES MARAPE – Thank you, Mr Speaker. I wish to acknowledge the Governor for Northern for his questions.

I am gladly answering all these questions. There are also some Ministers sitting here, let them earn their salary by answering these questions; nonetheless, I am happy to answer all these questions.

Mr Speaker, on the issue of NID, I concur that the intention was good for us to have an identification system that accounts for every citizens in our country. But the obligation or the program has gone off track a little: it's quite massive inside. The new Planning Minister has taken it on board and is trying to streamline and make it more effective and accessible.

Under our leadership, the provincial government and districts are partnering and actually conducting these activities instead of Waigani based NID officers pushing big targets all over the country, collecting allowances, hiring cars and moving all over the place.

Mr Speaker, we've run government programs in the past that has good intention, but always in money making schemes for people who engaged to contractors participating in those programs.

So the planning Minister is trying to simplify this, and we already have agents of the government through the provincial government system and to the district officers.

As I was responding to a question on census yesterday it is my view that all these programs can be run at the sub national government level effectively by public servants we already have in paid positions engaged in our public service in the provinces and districts.

The Planning Minister will very soon announce a way in which we will conduct census 2020 and link census 2020 to NID and then that census 2020 and the NID will be all part of our generic activities every year in all our government systems in districts and provinces throughout the country.

Population is not Moresby-based only. Port Moresby holds only under 10 percent of our country's population. The rest of the 90 percent are in the provinces and districts.

We will be calling upon all Provincial Governors and Open Members and their districts to participate in census 2020.

11/03

Whilst running the census, the NID will piggyback and run with it so that we are not wasting money running two similar programs under two different activity pathways.

The NID and the National Census 2020 will go hand in hand so that we tidy up this so that as we move towards 2022, we have accounted for population in our country that is participating in national events like the 2022 Elections and beyond.

I give you my highest assurance that we will tidy the issue of NID including the reporting on the use of fund. There is a lot of public demands for us to account for the funds that have been used.

The Planning Minister is studying that report, he shall come back and we should all know what happened to all those funds that were allocated previously, in order to go into the future with a tidy and a much neater way.

All provincial governments must take ownership of all these programmes in the provinces and account for it. I would like every provincial government to make a designation available in their provincial structure at the highest level, possibly the deputy administrator level, to work with our national planning team, to be the contact point in which the Census 2020 and NID programmes run including the preparations for 2022 National Elections.

We want to have a real time computerised electronic database for voters in 2022 so we do it smarter and in a more modern 21st century way, instead of having those legacy common roll, legacy census type of data that we had in the past.

This will be a major activity for us in 2020 and keep a look out for the Planning Minister's announcement to link all provincial administrations and all district administrations together to participate in this programmes, Census 2020, the NID clean-up as well as our preparation for our digital voting system for 2022. Thank you, Mr Speaker.

Clarify Mining Licence Issuance Process

Mr ALLAN BIRD – Thank you, Mr Speaker.

My question is directed to the Minister for Mining. It is regarding the process involved in issuing a mining licence.

In East Sepik, we have plenty of alluvial prospects where the landowners intend to mine to generate money .The MRA has issued numerous licences to the people of my province but we are not happy with some of the licenses issued.

A licence was issued to a foreigner who was shot by a gun by the villagers three months ago. The MRA issued the licence without any consultation with my province. Several national departments have showed their interest to work with the province but do not consult my people and when there is a commotion they come running back to my province and this is just one of the many types of situations.

Three landowner groups from Maprik came to see me three weeks ago. I directed the groups to MRA. I now want to understand the process of issuing mining licences.

My understanding is that all alluvial minerals belong to the landowners so when a foreigner is issued an exploration licence, landowners still have the right to claim the alluvial minerals within that exploration area.

A foreigner was issued a licence and stopped all the landowners from collecting alluvial and I am not happy with this treatment by the foreigners.

12/03

I therefore support my landowners in my province.

My questions are as follows:

The MRA must print the Minister's response in the daily newspapers so that all landowners in the country can have a print or copy of the response?

This is because our people are not well versed with many of these regulations and MRA has not done its part in carrying out proper awareness to educate our people about what is happening.

(1) Can the Minister clarify the rights of landowners with regard to alluvial mining on their land?

(2) When MRA gives license to foreigners, what happens to the rights of genuine landowners with regard to their minerals?

I know that their rights are guaranteed by law.

(3) What recognition is given to the landowners and foreigners involved in mining an area?

(4) Does MRA exist to protect the interest of landowners or the interest of foreigners?

(5) When will MRA including other Government Departments consult provincial administrations when there are conducting business in any province so we can work together?

Mr JOHNSON TUKE – I thank the Governor of East Sepik for his questions.

I will try to answer all your questions but it would be better if you can give them to me in writing so that my Department can give you a proper detailed response.

With regard to landowner rights, under our laws, alluvial mining belongs to the landowners. Companies can get an exploration license but alluvial mining license is confined to and belongs to the landowners. If the landowners do not have the capabilities to conduct large scale mining or any other form of mining then they can come up with a tribute agreement with companies. It is the landowner's right to decide on whoever they want to make agreements with foreigners to conduct mining activities. Therefore under our *Constitution* alluvial mining belongs to the landowners.

However, MRA under its Mining Advisory Council sits to determine who is qualified to take up mining exploration and or conduct mining activities. There is a process in MRA which conducts a wardens hearing. Many a times when wardens go out to conduct wardens hearing, the challenge is that they do not conduct it where it was originally planned for. Sometimes local authorities like provincial governments, ward councillors or district administration do not turn up. Therefore many small groups turn up for these meetings –

Mr Garry Juffa – Point of Order! You do not inform provinces about the wardens meetings. Many times you people conduct it where landowners are not present. You instead

meet with bandicoots and tree kangaroos and then come back and claim that you have had consultations with landowners.

13/03

Mr Minister, I need to correct you so you can go back to your ministry and correct them.

Mr JOHNSON TUKE – A lot of times, we send letters but we don't receive any response. Thank you for the advice, I will need to talk to MRA and my Department regarding warden hearings as to why they don't advise of their hearings.

Referring back to questions asked by the Governor of East Sepik regarding the landowners rights.

I want to advise companies with licenses, that if landowners want to do alluvial mining in EL areas they have all the right to do so and companies with EL licenses you don't have the right to stop the landowners.

Supplementary Question

Yandera Mining Licence

Mr PETER YAMA – I don't have much to say, I came to your office already to talk to you about an issue in Madang called "Yandera". This area is my place of origin.

There was an international company who was based in this area for about 17 years and later sold their license to the stock markets in Vancouver or Australia and other parts of the world. This company continued to do this for some time, the money was going offshore and not helping Yandera. When will the mine in Yandera start?

After the last warden's meeting, we stopped this company from going back to Yandera but why has your department continue to issue this company the mining license to go back to Yandera?

(Laughter in the chair)

Mr PETER YAMA – Why did your department award them the license to come back to Yandera? I will put them in a box and send them to you here in Port Moresby and you send them back to their country.

This company must not come back to Yandera, award the license to Yandera Holdings, my people must hold the license. We will raise the capital, invite investors to come and work in Bundi. Madang. We don't want international companies coming to our land and making money out of our resources. We have already stopped this company from going back to Yandera. This is not their land. Please tomorrow this license must be returned to us. Thank you, Speaker, please tell the Minister to give back our license.

(Laughter in the chair)

Mr SPEAKER – Before the Minister for Mining answers the questions asked by the Governor of Madang. Governor of Madang, you made a statement “putim inside lo box yah” it has a lot of meaning. Can you withdraw your statement? It does not sound good

Mr PETER YAMA – I withdraw the statement but this is coming from the people and that's what they said. They won't come back in a box but those are the words of the people of Yandera, the people of the mountains of Madang, the highest mountain. 16 000 feet, closer to the highest mountain of Papua New Guinea, Mt. Wilhelm.

Mr SPEAKER – So you have withdrawn the statement

Mr PETER YAMA - That's where I belong to. I have withdrawn the statement.

Mr JOHNSON TUKE – Thank you, Governor, for the Supplementary Question. A lot of times we have issued licenses to companies to conduct exploration. We must all understand that in Papua New Guinea it's very challenging.

14/03

Mining is one of those areas that involves a lot of capital expenditure, sometimes trying to raise funds is very challenging, and most of the work is never fulfilled on time. That is why we extend the license but often I feel that some of these companies lie to us.

Mr Peter Yama – Point of Order! Can you tell us if you are going to stop the license or not? For the company in question, Era Resources, put a stop to it because the Marengo has

made the changes, the handover-take over was made in Australia and the landowners have no idea.

Now this company is holding onto the license for our land. During the last warden meeting, we have decided that the license must be withdrawn, so what other meeting are we waiting for? So, can you look into this and advise your officers to put a stop to the license and give it back to the people, the landowners.

Mr JOHNSON TUKE – They go through a process to acquire the license and there are legal implications that come with it. I will look into this matter and correspond to you personally but for me to say that I will put a stop to it; I will have to follow a process.

Education – Clarify Subaru Limited’s Involvement

Mr GINSON SAONU – Thank you, Mr Speaker for giving me the opportunity to ask this important question.

My question is directed to the Education Minister. As you should know the Morobe Provincial Government signed a Memorandum of Agreement with the National Department of Education on November 1, 2018. The MOA decentralized the National Government’s TFFE policy, including its management and implementation functions.

Under this MOA, all monies that were subjected to the TFFE in Morobe should have been released to the Morobe Provincial Government to manage.

In a number of letters to you, since you took over the Ministry from your predecessor, I have not received any satisfactory response as to why the National Department of Education is not honoring that MOA. Instead of honoring that MOA, my government has heard and was surprised through the media this week that a company called Subaru Limited has been contracted for K4.5 million to deliver the TFFE supplies to schools throughout Morobe.

I am deeply concerned that once again the Department of Education has ignored the advice given to it by my government and placed this contract on tender. When the Department knows that the Morobe Provincial Government already had a standing contract with a company to deliver school materials throughout Morobe. I am also disturbed because the appointment of the Subaru Limited is not above board and it will force my government to take legal action to prevent public monies from being paid to this company.

I want to advise this Parliament that it looks very suspicious and is very likely corrupt. I ask the honorable Minister to answer the following questions, so the people of Morobe can

know that it's not my provincial government's doing but that of the National Education Department.

15/03

(1) Can the Honourable Minister explain to the nation, who owns the company known as Subaru Limited and who is the sole foreign shareholder?

(2) How did this foreign shareholder from China secure this contract?

(3) Can the Honorable Minister explain how and why Subaru Limited was chosen by the National Procurement Commission to deliver TFFE and school materials to Morobe Province when this company has no knowledge whatsoever of Morobe Province, has no base and logistical support in Lae which could enable it to serve the delivery to all schools in Morobe and has no past experience whatsoever in the delivery of school materials.

(4) Can you give assurance that you will withdraw this contract and honor the MOA signed on the November 1st 2018 between the Morobe Provincial Government and the National Department of Education to deliver TFFE to Morobe Province.

Mr JOSEPH YOPYYOPY – I thank the good Governor for Morobe for asking his questions.

The Department has signed five agreements with five provinces and Morobe is one of the provinces. In the agreement it was clearly specified that the grants to schools will be managed by those five provinces. We will eventually go out to the other provinces and sign agreements and have their provincial Governments manage their grants.

In terms of the procurement, the material supply, it will be kept by the Department because we want to standardize and to maintain uniformity right across the country. In doing this we can have the same materials supplied to all the schools around the country.

Regarding your other questions in relation to the contract that was awarded, I also don't know the contractor and I have raised a few questions because the new *Procurement Act* has made it so difficult for our local contractors to bid for the contracts. One clause in that *Act* states that if a local contractor wants to bid for a contract worth K10 million, the contractor must have 40 per cent of that amount in the account. That is K4 million and I don't think most of our local contractors would have that kind of money in the account.

I have raised the matter and I want us to have a look at it and change the *Act* so our local contractors can fully benefit in that sense.

The contract was advertised and it was given the opportunity for everyone to apply but then, National Procurement Commission had the upper hand. They made the decision to give the contract to Subaru Limited. I don't know who owns the company but I can find out for the Governor and let him know.

Mr Speaker, before I sit down, let me clarify one of the questions that was asked by the Opposition Leader to the Higher Education Minister regarding the breakdown of the grants to all the schools. He was saying that the Prime Minister had announced a percentage sharing of 50:50. The Government to pay 50 percent and parents to pay 50 per cent.

16/03

In the budget paper or the budget book that came out last November, it was actually 486 million that was appropriated for what used to be TFFE but now it's called the government tuitions fee subsidy K486 million.

And out of that, normally we use to dish out K616 million every year but because of the cut it was only 29 percent cut its not 50 percent I just want to make it clear, it's not 50% its 29% cut from the actual amount that we use to distribute out to schools.

When we calculate that its 63% paid by the government and 37% paid by the parents and not just parents but I am very thankful that some of the local Members have come good to support their own electorate because of the hardship parents are facing at the moment.

We will continue to do that and thankyou everyone for supporting the 37 per cent that was going to be paid by the parents.

Thank you very much.

**ACKNOWLEDGEMENT OF VISITORS (SENIOR SCOUT MEMBERS OF NCD) –
STATEMENT BY THE SPEAKER**

Mr SPEAKER – Honourable Members I just want to let you all know that we have in our public gallery the Senior Scout members from the Scout Association of Papua New Guinea who live in the National Capital District. On behalf of Parliament, I extend to you a warm welcome.

**DEPARTMENT OF THE PRIME MINISTER AND NEC – ANNUAL REPORT,
2018 – PAPER AND STATEMENT – MOTION TO TAKE NOTE OF PAPER**

Mr JAMES MARAPE (Tari-Pori – Prime Minister) – I present the following paper pursuant to statute:

*Prime Minister and NEC Act 2002 –
Annual Report 2018*

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

Leave granted.

Mr Speaker, I stand before this honourable House to present the Department of Prime Minister and NEC 2018 Annual Report.

This is a statutory requirement consistent with *section 22* of the *Prime Minister and NEC Act 2002*.

And Mr Speaker, I am meeting my official obligation as the political head of the Department of Prime Minister and NEC by submitting this annual report for Parliament's noting, formal acceptance, and endorsement as a matter of public interest.

Mr Speaker the non-financial APEC report 2018 claim of harnessing of inclusive opportunities and embracing digital future has been successfully achieved under the previous Government's policy priority of policy outcome No.1 - improving connectivity and deepening regional integration promoting sustainable and inclusive growth, and strengthening inclusive growth through structural reports.

Mr Speaker, the Department of Prime Minister and NEC mandated the department to coordinate policy advice, monitor government policy actions and facilitate policy implementation and importantly, provide government leadership and public management oversight within the three levels of government system.

In providing government policy oversight, there is government policy coordination and government policies are monitored by the Department of Prime Minister and NEC, making sure that government policies are successfully implemented.

I want the department of Prime Minister and NEC to undergo a major organisation restructure to align my government's policy and programmes.

17/03

This in my view, will ensure that the government is going forward into the future has a flatter structure, leaner so that the bureaucratic red-tape have been systematically eliminated. The organisers on the review will coordinate, monitor and elevate the performance and management standards of all departmental heads, MDs and CEOs of statutory organisations and all senior contract officers of the public service. Performance measurement systems will be instituted to monitor, coordinate and evaluate the performance outcome of all senior contract officers as per the key result areas and key performance indicators as stipulated under the department's corporate plan 2019-2022.

Mr Speaker, the design intent is to revitalize not only the performance management standards of the Department but also culturally transform the public service by eliminating wantok system, nepotism, cronyism, bribery, complacency, laziness that has killed the spirit of public service for the last 40 plus years.

This cultural re-integration process will be piloted in the Department of the Prime Minister and NEC and rolled out to the CACC/Line Departments and eventually to the second and third levels of government system as an organization reform policy under my Government.

Mr Speaker, successfully hosting of 2018 APEC Leaders' Summit revealed that the Government achieved at that time 92 per cent of its Key Results Areas (KRAs) consistent with its Key Performance Indicators (KPIs).

The Office of Legislative Counsel's drafting of 40 pieces of Legislation and publication of 540 Statutory Instruments and Notices for publication in the National Gazette.

The National Executive Council (NEC) hosted 42 Cabinet Meetings to consider 513 NEC Policy Submission that resulted in 428 Cabinet Decisions: Total NEC Policy Submission were 339, Statutory Business Papers 141, Information Papers 30, Verbal Submission only three bringing the total to 513 NEC Policy Submissions.

Mr Speaker, the Department of Prime Minister and NEC has launched the Department website as the country and the department modernize into the digital age and internet revolution.

The Department has also launched its Corporate Plan 2019-2022 that clearly articulates it's Key Results Areas (KRAs) and Key Performance Indicators to provide the Department's Vision, goals and objectives for the next four years 2019-2022.

The Department's Corporate Plan will also be reviewed to re-align its administrative apparatus to accommodate our Government Policy on Nationalization of all economic resources laws of the country as the catalyst for national progress and development.

Not only that but also the reinvigoration of the Agriculture Sector where the SME will play a critical role in empowering the rural masses by giving hope and job security as we continue to advocate government for our people.

Mr Speaker, the 2018 Annual Report gives an accurate and true reflection of the overall performance of the Department of Prime Minister and NEC.

It now gives me great pleasure, Mr Speaker, to table this report to the rest of the Parliament of Papua New Guinea. Thank you Mr Speaker.

Motion (by **Mr Rainbo Paita**) agreed to –

That the Parliament take note of the Paper and the debate be made an order of the day for subsequent sitting.

Debate adjourned.

MOTION BY LEAVE

Mr RAINBO PAITA (Finschaffen – Minister for Finance and Rural Development) – I ask leave of the Parliament to move a motion without notice.

Leave granted.

18/03

SUSPENSION OF STANDING ORDERS – REARRANGEMENT OF BUSINESS

Motion (by **Mr Rainbo Paita**) agreed to –

That so much of the *Standing Orders* be suspended as would prevent notice number 173, Private Business being called on forthwith.

UNITED CHURCH IN PAPUA NEW GUINEA (INCORPORATION) BILL 2019

First Reading

Bill presented by **Mr Sam Akoitai** and read a first time.

Second Reading

Mr SAM AKOITAI (Central Bougainville) – I move –

That the bill be now read a second time.

Mr Speaker, as one amongst our leaders raised under the United Church in our National Parliament, today it gives me great pleasure that I, on behalf of our people throughout the nation, and the members and leaders of the United Church use the occasion to inform this honourable House of the importance of this Bill, United Church in Papua New Guinea (Incorporation) Bill 2019.

The United Church in Papua New Guinea is one of our pioneering churches that has worked with our people since the arrival of its first missionaries in 1870s.

Beginning as the London Missionary Society (1871) and the Methodist Church (1875), the two main churches in Melanesia area they are amongst many smaller missions outreaches in Port Moresby. The union of Christian Churches began by way of a duly executed deed of union in January 19 1968 as an indigenous United Church being fully autonomous.

Mr Speaker, that union became known as the United Church in Papua New Guinea and the Solomon Islands. The United Church in Papua New Guinea and the Solomon Islands were located in three separate nations, being the then Territory of Papua, the Territory of New Guinea and the British Solomon Islands.

Mr Speaker, the journey has been long and challenging for the church in Melanesia, and indeed in this country. Many challenges have occurred over the years including a decision to release the United Church in Solomon Islands and members who want to assume their own independence.

Mr Speaker, as part of the growth and development of the United Church and to celebrate the Church's 40 years as an indigenous church in 2008, 72 people of different

backgrounds, equal in gender and age met to consult on the challenges and priorities of the church for the next 40 years.

19/03

Mr Speaker, as a result of this consultation, a 40-page document titled, "The Poreporena Consultation 2007" was approved by the Subsequent General Assembly Meeting, being the highest policy rules making and governing authority of the United Church.

Mr Speaker, "The Poreporena Consultation 2007" gave birth to the church's first 5-year strategic national mission development plan (2010-2015). This document continues to be reviewed to keep up with today's landscape of development in the country.

Last year (2018) the church celebrated her 50 years as an indigenous church in the country and is poised to work with other Christian churches, the government and development partners.

The need for legislation to capture the changes and to lay the foundations of the United Church going into the future has been recognised and supported by successive leaders of the church.

Mr Speaker, today, is therefore a momentous moment for the leaders and members of the United Church as this honourable House deliberates on the Bill.

Mr Speaker, the 2019 Bill before the honourable House recognises the United Church of Papua New Guinea in its current structure and enables the church to fulfil her vision going into the future:.

"The United Church in Papua New Guinea exists to teach, preach and live the good news of Jesus Christ in her faith, life and witness."

Mr Speaker, and honourable Members in today's language, the United Church in Papua New Guinea aspires to be a faith-based organisation that is empowering communities in the country for sustainable livelihood for her membership and others.

Mr Speaker, the United Church in PNG continues to be a relevant development partner with the current government's public policies on, amongst other things, the following:

- Community development,
- Free education, in-partnership with the Department of Education,
- Free primary health care, in partnership with the Department of Health and the Christian Health Services,
- Wash,

- Youth programs,
- Gender and gender based violence (ending all forms of violence),
- Climate Change Adaptation;
- Disaster and Emergency Response,
- People living with disabilities,
- Church-State partnership program, along with the Australian Government's Church Partnership Program (CPP) of over 15 years.
- District Development Authority,
- Provincial Health Authority,
- Community Law and Order with relevant agencies
- National Food Security,
- Church Wide Programs Advocacy on Human Rights, Environment Protection, Refugees, Child Protection and Children's Rights, Women Fellowship,
- Advocating the employing an affordable life insurance scheme in partnership with the local company, Being Life Insurance Corporation (PNG) LTD, the said insurance scheme, which is currently operational, is more specifically designed for all her approximately 750 members and others, and exercising a prophetic voice for the marginalised, and the downtrodden.

Mr Speaker, the United Church is a founding member of the PNG Council of Churches and has been a partner in delivery of education and health services in our country prior to and since Independence.

Her leadership are very mindful of PNG's 2050 Vision, the current Government's Development Aspirations as spelt out under the Papua New Guinea Development Cooperation Policy 2018-2022, and the Medium-Term Development Plan III 2018-2022 (volumes one and two).

Mr Speaker, the document speaks of securing the Nation's future through inclusive sustainable economic growth by a well-defined planning framework and strategic priorities, and also a well-defined implementation framework and investment plan.

20/03

Mr Speaker, at this juncture, the National Parliament, upon approving this Bill will be supporting the United Church in Papua New Guinea to be partner in higher education as the United Church resolve to establish fully the United Church University currently known as the

college of higher education to provide quality education and training in Theology, Health and community development and leadership.

Mr Speaker, as stated, the Bill will be positioned to support the United Church and initiatives that will bear good fruits for the common good of our people and our nation.

Mr Speaker, the United Church recognizes the independence under our country's *Constitution*, democratic principles and she will not hold back but speak against unbiblical influence, injustice, corruption in the church, in the public and private sector and the community at large.

Mr Speaker, in light of the following remarks, I commend this Bill to the National Parliament. Thank you.

Sir PUKA TEMU (Abau – Minister for Bougainville Affairs) – Thank you, Speaker. I stand to support the honorable Member for Central Bougainville in supporting the Bill that has been presented. Also, admitting being the member of the United Church, I stand in support of the Bill.

I just want to emphasize one point which the United Church has been known for all these years and that is, the strongest backbone of the United Church is the women's fellowship within the entire United Church movement.

The experience within the United Church is that the skills training, the structure of women's fellowship at the local congregation of village level right up to the next level which we call Circuit, and then the next level we call region and the national.

The way that the women's fellowship has been structured right from the village right through to the national level is something that I as a leader in the country fully admires and support.

And this Bill will help to strengthen that particular structure which I believe is a very strong backbone of this fully localized church in this country.

A minor point that I would make in support of this important Bill as a way going forward for this church organization in Papua New Guinea, is that the United Church membership totaling approximately less than a million in this country fully contribute to support the church.

We do not have any outside organization like some of the mainline churches have in this country or the membership of the church contribute out of pocket in paying the salaries of pastors, the ministers, the bishops, and the moderators.

The church is self-sustaining and is run by itself and I commend all church organization. And in this debate, I commend the membership of the United Church in sustaining this organization by themselves rather than depending on other organizations like other churches we have in this country.

So, I stand to support this important Bill and I call upon the Honorable House to stand behind it. Thank you.

Mr ALLAN BIRD (East Sepik) – Thank you, Mr Speaker. Mr Speaker, I speak as a Member of the Private Business Committee that eventually gave its concurrence for this Bill to be brought to this honorable House.

21/03

I wanted to speak about some of the difficulties that the Committee had which resulted in us taking a long time to give this clearance.

One of the things that the Private Business Committee struggled with, is the issue of separation of Church and State. I want it to go on record in the House, so that future Parliaments, in case there is a rush of many more faith-based organizations trying to come through using this particular track. We noted that previous Parliaments had allowed some churches to use the Floor to pass similar Bills and it was on that basis that the Private Business Committee agreed to entertain and bring before Parliament, this particular Bill. Having said that, the Private Business Committee particularly with the current membership still has great concerns about Churches bringing their Bills to the House.

The issue of separation of Church and State goes back a long way and it asks the questions; why do we Members of the Parliament change the laws of churches? But we struggled. Therefore, I don't want you other Members of the Parliament to think that the Private Business Committee has not done its job, we have. We sat on this matter no less than over four Parliament sessions. That's how long it took us, we really struggled.

I want it to go on record on the *Hansard* on behalf of the Committee that, we really don't want to encourage Churches to come through this track. There is another way through the Investment Promotion Authority, where they can incorporate the church's associations and there is a way to manage it. Because, the problem is, every time a Church wants to change a law in their Church, the amendments will have to come through the Private Business Committee and then to this House. So, the question we are asking is, is it the

Members job to legislate for the Churches or not? It's a question of principle. And unfortunately, previous Parliaments allowed it. They have opened the way for this to happen and we are therefore caught up in this mess. They never asked the question where this parliament is now asking. All Members must be aware that we didn't speed up this process. We did our duty to all of you as Members of this honorable House, we sat on it, we got legal advice. In fact, the legal advisers were conflicting. One supported, the other went against. So, at the end of the day, we leave this in the capable of hands of all the Members. But I want to point out that, going forward my personal preference is that we should not be entertaining Church matters on this Floor. However, our leaders before, now seated here in this House allowed this to happen and we are still following the same track. But this House needs to ask itself the question, should we continue to with sort of things into the future in terms of making laws on behalf of the Churches. Do we have the authority? Yes, the laws states that we have but do we have the authority over the man above? So, I leave this with learned and respected Members of the House. Thank you, Mr Speaker,

Mr JUSTIN TKATCHENKO – Thank you Mr Speaker, I would also like to support this Bill from the Member of Central Bougainville and I thank you, the Governor for East Sepik for his approval and words of deliberation that they had in this particular Bill. The United Church is one of the oldest Churches in Papua New Guinea.

22/03

The London Missionary Society first came about, sheltering on the hill looking over Hanuabada Village, and spread its wings through our country, serving our good country. It plays a big role especially, in my electorate in Moresby South, where the Church has a big impact of good through the Word of God especially, throughout Motu Koitabu villages, and our Central people, and our Papuan people. It is self-funded as Minister for Bouganville Affairs said, and they raise funds to support their activities throughout the whole country themselves, and are very diligent in doing so. The Church provides a lot of good that I see throughout our villages, settlements and our communities throughout our country, and has been there for a long time in servicing our people.

This Bill will also inspire and enhance the church going forward in featuring activities especially through education and others, and will make them bigger and better to do the right thing for our communities and our people. Putting the word of God into our people is a good

thing when our people have nothing in a lot of areas and strengthen them to be better people in our society. That's why I support this Bill and that's why I support this church, because I know the programs and activities they do, like many other churches, will serve good in our communities and for our country. Thank you.

Mr PILA NININGI (Minister for Inter-Government Relations) –Thank you Mr Speaker, I want to commend the Member for Central Bougainville for standing up for what is right, Churches play an important role in the lives of many Papua New Guineans, and United church is one of which play a very important role so this Parliament must give the recognition for the services granted to this country.

Secondly, while commenting on this, I want to talk a little bit on this Bible that we have in Parliament. One of the Baptist Church member may raise a similar Act of Parliament so we protect that old Bible in this country which we are privileged to have.

The private Members Bill may come forward to this Parliament so we can protect the Bible that sits over there, and I don't need a Bible, but the principles contained in the Bible is so important that, we all said so by demonstrating it that we must pass the Acts in the Parliament to protect the Bible and protect what the Bible intends to do, that all this Bible we have here, that who removes and destroys, if there is any penalty? So, this has to be filled up in the Acts of Parliament, I believe that we have the acts to raise as a government, because it is in Parliament, maybe.

Mr Speaker, that you will take it on Board that we have Parliament that we have an act on the parliament to protect the bible and if not one of the private members will take up, I believe one of the seven Baptist church members can take up with the next legislation that we can debate on it, thank you Mr Speaker.

Mr SOROI EOE (Kikori – Minister for Public Service) – I also congratulate and thank the Member for Central Bougainville for presenting this important Bill to the Floor of parliament, I think it goes without saying that Papua New Guinea as a Christian country is slinging our *Constitution* and Papua New Guinea continues to enjoy the service of churches, regardless of which church we are cognisant with ourselves.

23/03

The United Church has played very significant roles, as alluded to earlier by former speakers, as far back as the 1800s and continue to do so today, just like any other church in this country.

Churches are playing very significant roles in the lives of our people: Churches are playing roles where there is lack of government presence especially in the remotest parts of Papua New Guinea in terms of services such as education and health. Churches are there taking care of their responsibilities as corporate citizens of this country and therefore we need to recognise their contributions. The United Church like any other denomination has been doing exactly that.

Some of us go to United Church and we stand here and acknowledge this particular Bill. It is also our heritage and our history that we came through that United Church system and continue to do that. As a leader of this government, I have also given great support to this Church over the last 10 years or so, particularly in the areas of responsibility that have been ignored or not been addressed because of their own limitations. This church raises its own funds unlike other churches and they are proud of it. They struggle; many leaders have continued to support the churches in trying to meet their annual “boubous” and their requirements.

I believe by passing this piece of legislation, we will give them the legal basis to move particularly where government supports are concerned, especially areas that inter-relates to education, health and other social services. Churches are already in and therefore this particular Bill is quite important as also for us providing the legal basis for United Church to move forward. Thank you, Mr Speaker.

Dr ALLAN MARAT (Rabaul) – Thank you, Mr Speaker. I support the Member for Central Bougainville for presenting the Bill in Parliament.

There were two main Churches from the beginning. When the explorers came to our shores, there were no Churches, the first of course, was the London Missionaries Society in 1871.

The second was the Methodist Church which later changed its name to the United Church of Papua New Guinea and the Solomon Islands in the early ‘60s. And I think 10 years later, the Catholic Church arrived in Papua New Guinea. So, these were the three mainline Churches that were established in in the 1800s.

Today we see many Churches-and our *Constitution* gives individuals the right to start their Church as associations-the right to freedom of association and freedom of Religion. Many here take advantage of that constitutional provision. There is also no limitation and that is why we have mainline Churches and ministries who register their associations with IPA and some years later they change into a Church. I think that is an area that this country has to clear; whether we continue to leave this right of freedom of religion in the *Constitution* unamended or we amend it and put some limitation if not we will be the same and always have problems going into the future.

24/03

For now, I support this because before this *Act* it was the United Church of Papua New Guinea and Solomon Islands. However, some years ago the United Church in the Solomon Islands had to break away because the countries were two independent nations. I agree with the Member for Central Bougainville with this new Act for this bill which we can call United Church of Papua New Guinea.

Mr STEVEN DAVIS (Esa'ala – Minister for Justice and Attorney General) – Mr Speaker, I also stand in support for the Member for Central Bougainville in this debate and offer some clarifications.

Before I do so I wish to register on the *Hansard* the appreciation and the opportunity to speak on behalf of the people of Esa'ala who have sent me here knowing very well the important contributions that the churches have given. The United Church, the Catholic Church, SDA Mission and many others.

Mr Speaker, let me in this juncture of my statement explain why this Bill is different. I heard what the Member for the Parliamentary Committee on Private Members Bill has mentioned. But this Bill ought to be seen for what it is. The facts are that the original legislation was passed in 1968. It is a precolonial legislation. As history has shown, that was a law that had to be adopted upon independence as part of the revised laws of the Independent State of Papua New Guinea.

It was registered as we have heard as the United Church of Papua New Guinea and Solomon Islands. Needless to say, this Bill and this Church and the law that is now before us was passed well before the *Associations Incorporation Act* which the honourable Governor for East Sepik is referring to. When the Governor refers to the difficulty that the

Parliamentary Committee was having, I too had difficulties as a member of that Church and as a lawyer who was involved in the preparation of this Bill.

I acknowledge the opportunity to be able to speak to the Committee and to explain that if this honourable Parliament does not have the opportunity now, then who is going to change the Bill because it is only Parliament that can amend a legislation. It is not for the United Church with the greatest respect to go the IPA.

Mr Speaker, my position this afternoon in supporting this Bill that if in the future we take the position that the Parliament ought to be left out on the debate of whether churches should be incorporated then that is a policy decision that must be made and announced properly to our people. But it has been raised in the debate that somehow the State and Religion ought to be separated. This debate can lead to controversies. It is a topical debate elsewhere and maybe we should leave that to another time and another opportunity.

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But I would like to remind us today that in our own preamble of our own *Constitution* which says that, “We the People of Papua New Guinea united in One Nation pay homage to the memory of our ancestors, the source of our strength and the origin of our combined heritage, acknowledge the worthy customs and traditional wisdom of our people which have come down to us from generation to generation, pledge ourselves to guard and pass onto to those who come after us our noble traditions and the Christian principles that are ours now”.

Mr Speaker, if we are talking about Christian principles then we are confining religion to a specific faith. If the *Constitutions* mandate about being a Christian country is not important enough then we are going to leave it to authorities like IPA to deal with this issue. We can open the door, allow and register everyone that claim to be faith based. They can come in and proliferate their faith and belief but the question is, is it Christian?

I think the time has come for leaders of this country to decide what we do with our foundations. Our *Constitution* is clear. Our ancestral beliefs, our values are all based on Christian principles. This Government is grateful to the former Government for allowing the Bible into this Parliament. There was no protestation amongst our people. When the Bible was brought into their House, it was received with happiness with understanding. Why? Because we are a nation that has professed to be a Christian country and we have seen the benefit of the Christian faith. But in a time like this when this question now arises as to

whether this Parliament and our people should be left to decide as to their faith then we must rise up as leaders to take a position.

Mr Speaker, I am happy that the Minister for Lands has now assured us that instead of a Mormon Church being built at the end of the boulevard, he has done his best to respond to the Christian Churches so that land be made available Council of Churches to erect a Christian chapel for worshipping. I am also happy that the Prime Minister has also agreed to open dialogue with you as the Speaker on the question of the unity pillar. This are matters that have been agreed before.

Mr Speaker, in supporting this Bill, I urge this honourable Parliament to start thinking about these issues about where we stand in respect to our faith. Thank you.

Mr LEKWA GURE (Rigo – Minister for Civil Aviation) – I rise on behalf of my people of Rigo to support this very important Bill. This is because the Rigo District is a predominately a Christian and particularly a United Church district. Our district headquarters also host one of the important institutions of this Church. It hosts the East Central Papuan Regional Headquarters at Guatoka. I am therefore in full support of this Bill being presented by the Member for Central Bougainville.

Mr Speaker, in the 1870s many missionaries arrived on our shores including those from the London Missionary Society and other churches as well. The Methodist Church later became known as Papua Ekelesia. In 1968 it became known as the United Church of Papua New Guinea and Solomon Islands.

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I also want to refer to some great men of God who rose through the ranks to be the leaders of this Church, in the likes of Reverend Jack Sharp, Reverend Lesley Bosito of Solomon Islands and Reverend Edea Kidu, Reverend Samson Lowa and our current Moderator, Reverend Bernard Siai.

These are the men who have led this indigenous church. When people talk about the early missionaries, they talk about the missionaries that came from England, but I want to make mention of the important contribution that was made by the Pacific Islanders. Many of them from the Cook Islands, Fijians, Samoans and Niue who came and ministered in our land and some have lost their lives in their work. It is also important that when we talk about the history of our church, we must acknowledge the contributions of our neighbors.

One of the important things that the early missionaries did was the important work of translating the Bible into the local languages, which served many purposes. Firstly, for the people to read the word of God in their own language but to also preserving the languages as part of our culture. A particular example that I always like to refer to is the Motu Bible that was translated by the late Sir Percy Chatterton. He did a wonderful job and that Bible captures the Motu language very well. I want to finish by emphasizing two points that were made by previous speakers. Firstly, this is an indigenous church and it does not receive funding support from other mother churches from overseas.

Mr Speaker, all the money that is raised to run this church is from the pockets of the people through their annual thanksgiving (Boubou). The second point which was also in the Bill today is the United Church College of Higher Education. This is the University of the United Church of Papua New Guinea. Perhaps, I am appealing to the Government that in these two areas, the Government should consider supporting the church financially and support the establishment of this United Church College of Higher Education.

Mr JAMES MARAPE (Tari-Pori – Prime Minister) – Thank you Mr Speaker, I would like to join the Ministers and Members who supported the Member for Central Bougainville in bringing this Bill forward. And I rise to especially pay my respect to the United Church. Just like the few of our main line churches supporting the work of our country. They are spread right across the country and in the areas where they are operating with the highest standard of Christian service. And this Bill is commendable and I challenge all Members of this Parliament to join in and give support to the Church in this manner. Where I come from the church is a major provider of education and health services to our people in the Hela Province and they also engage in the frontlines to mediate in conflicts to make sure conflicts are solved peacefully, so, it is timely we join in and support this Bill. They are also venturing out to ensure that they upgrade from just providing colleges to looking at medical and other universities and ensuring that these institutions are given greater support.

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These are members in our society who have taken the gospel message and to partner Government in ensuring that education and health is served to our people. I'm not seeing United Church only from a pulpit perspective but I see them clearly in partnership with our Government in serving our country in terms of education and health. They are a bigger

provider of health and education services in our country. At this time, I would like to commend the Church and I ask every Member of Parliament to join me in supporting this Bill that is before us. Congratulations United Church, you've come a long way and you will be part of our country into the future. And all its members who have supported this lovely church in ensuring that it keeps on sustaining itself and serving our country. I'd like to appeal to all members of Parliament that this is historic. Our Parliament will be given recognition for its effort in consolidating one of our great churches in our country and I ask every Member to join me in supporting this Bill.

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

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

Bill read a second time.

Third Reading

Bill by Leave, read a third time.

CONSTITUTIONAL LAW REFORM COMMISSION – ANNUAL REPORTS 2011–2017 – PAPERS AND STATEMENT – PAPERS NOTED

Mr STEVEN DAVIS (Esa'ala – Minister for Justice and Attorney – General) – I present the following Papers pursuant to Statute:

*Constitutional Law Reform Commission Act 2004 –
Annual Reports 2011 – 2017*

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

Leave Granted.

The annual report highlights the performance of the Constitutional Law Reform Commission for the periods stated.

Mr Speaker, in spite of challenges faced by the Commission, it has completed all annual reports for the years I have highlighted. Pursuant to its reporting obligations under *Section 10* of the *Constitutional Law Reform Commission Act 2004* and also its obligations under *Section 32(1) (a)* of the *Public Service (Management) Act 1995*.

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The vision of the Commission is for Papua New Guinea to have and maintain a just, fair and efficient legal system for a peaceful society based on democratic principles and the rule of law and the advancement of the nation's economic and social interest.

In accordance with that vision Mr Speaker, the Commission is determined to provide to government, at high level of independent advice on constitutional and law reform matters to promote community understanding of the law and legal system in Papua New Guinea.

This is reflected in the data provided in the respective annual report that are now before the honourable House.

Mr Speaker and the Members of the honourable House, before you are copies of seven annual reports outlining annual activities under the leadership and guidance of three (3) successive Ministers for justice that have served before me.

The report covers years 2011 to 2013 when the Minister for Justice and Attorney-General then, the Honourable Kerenga Kua, worked closely with Commission during those three (3) years there was a total of eleven (11) terms of references issued by the Minister for Justice and Attorney-General, one (1) Supreme Court reference that was on the issue of polygamy, 12 committees with representatives from the Commission. In that same year 27 conferences, workshops and seminars were held by commission in which they participated, 13 legislative reviews and request from other state agencies were attended to in that period, 10 officers received approval for further studies in the interest of capacity building for the Commission.

Mr Speaker, for the years from 2014 to 2016 then Minister for Justice was Honourable Ano Pala. He worked with the Commission for the period that is covered in that report.

In 2014, the Commission launched its first 5 year corporate plan for the year 2014 to 2018. That corporate plan provides information for stake holders and the public on the Commission's powers, functions role and responsibilities.

In addition to the corporate plan, there was also the creation of 5 in-house policies relating to Publication, HIV and AIDS, Domestic Violence, Housing and Training.

In 2015, the Commission had its first organisational restructure, the purpose of the restructure was to cater for the increase demands in legislative reforms as PNG continues to be exposed to the changing global environment.

The staff ceiling increased from 27 to 57 with the review of job descriptions and job classifications as the Commission was attending to challenges in attracting, rewarding and retaining qualified skilled staff.

Mr Speaker during those 3 years, there was in total one terms of reference issued by the minister of Justice, 17 committees with representatives from the Commission, 14 conferences and workshops and seminars that the Commission either had participated in or hosted, 15 legislative reviews and request from other state agencies.

In the same period 8 officers from the Commission received approval for further studies.

There was also one research training undertaken by all staff of the Commission.

Mr Speaker, the Constitutional Law Reform Commission for the period 2017- that is the period in which I had assumed oversight of the Commission. In that period there was no terms of reference issued instead the Commission was encouraged to progress on all outstanding terms of references.

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Mr Speaker, during that period one (1) new Special Supreme Court Reference was initiated in partnership with the Ombudsman Commission that challenged that Draft Organic Law on Elections on the Nomination Fees introduced by the government at that time.

That period the Commission in its monitoring of the development of the Underlying Law function, in partnership with the Higher Judiciary hosted our country's second Underlying Law Conference. 21 committees with representatives of the Commission occurred in that time, 5 conferences, workshops and seminars that the Commission either has

hosted or participated in, 15 Legislative Reviews and requests from other state agencies and 13 officers received approval for further studies in the continuing capacity building program.

Mr Speaker, the Commission's performance output during this period illustrates an improvement of services and more importantly, delivering on its performance commitments for those years.

Finally, Mr Speaker, I have directed that the Commission ensure that Annual Reporting obligation is strictly observed. With those short remarks, I submit the Constitutional Law Reform Commission Annual Reports for 2011-2017 to this honourable House. Thank you.

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

That the question be now put.

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

The Parliament take note of the paper.

ADJOURNMENT

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

That the Parliament do now adjourn.

The Parliament adjourned at 1.05 p.m.