

SIXTH DAY

Wednesday 24 November 2021

DRAFT HANSARD

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PARLIAMENTARY DEBATES
CORRECTIONS TO DAILY DRAFT HANSARD

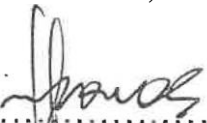
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Amendments cannot be accepted over the phone.

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


.....
HARRY MOMOS

Principal Parliamentary Reporter

SIXTH DAY

Wednesday 24 November 2021

The Deputy Speaker (**Mr Koni Iguan**) took the Chair at 10 a.m.

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

Sitting suspended.

The Speaker (**Mr Job Pomat**) then took the Chair at 10.55 a.m., and invited the Member for Rai Coast, **Honourable Peter Sapia**, to say Prayers;

“Tenku yu papa God long Heaven. Father, tenku yu lon givim niupela laif, niupela strong, mipela kam pinis. Papa God mipela kam long here na mipela askim yu, mipela ol dispela lida bilong yu, lusim olgeta sins na asua mipela mekim long yu God. Papa God yu helpim mipela long dispela dei. Yu blesim Prime Minister bilong mipela, blesim Opposition Lida, blesim olgeta Ministas na olgeta Members nau mipela stap. Papa God, mipela ino gudpela man, plenti time mipela save failim yu but God dispela blesin bilong yu, dispela love bilong yu, dispela gudpela pasin bilong yu olgeta em i pulap lon mipela, tenku. Papa God, mipela tok tenku lon dispela mornin lon wanem disisin na wanem toktok bai mipela mekim lon today God bai yu take lid lo dispela lo mekim gutpla disison na gutpla toktok lo lukautim ol pipol bilong yu insait lo dispela kantri. Papa God mi kam wantaim dispela prayer insait lo name bilong pikini bilong yu, masta na savior bilong mipela, Jesus Christ. Amen”.

ACKNOWLEDGEMENT OF VISITORS – STATEMENT BY THE SPEAKER

Mr SPEAKER – Honourable Members, I wish to acknowledge the presence of the second group of members of the Badiri Youth Project from Mahuru village in Port Moresby South Electorate and members of the Obura-Wonenara District Development Authority who are now in the Public Gallery. On behalf of the Parliament, I extend to the visitors a warm welcome to the National Parliament.

PETITION

Mr Garry Juffa presented a petition on behalf of the civil societies of Papua New Guinea praying that:

(1) Point 4 of the NEC Decision 184/2014, to revoke all SABLs, as recommended by Commission of Inquiry Reports (which stated that they were not even valid in the first place), be actioned without any further delay.

(2) The findings of the Ministerial Committee into the unreported SABLs be tabled and its recommendations actioned without any further delay.

(3) All log exports from TAs (which are illegal anyway) are stopped with immediate effect.

(4) A Moratorium on new FCAs is put in place with immediate effect.

(5) All existing FCAs are investigated by an Independent Review Committee and that, any FCA found to be illegal is nullified.

(6) The Party (Parties) found to be responsible for the illegal issuance of SABLs and FCAs are made responsible to compensate for any social, environmental and economic losses incurred, and the costs of restoration of the area involved.

(7) PNGFA and CEPA be required to appear before a Parliamentary Committee to explain whether or how they approved logging in the proposed Torricelli Mountain Range Conservation Area, a well-publicized internationally acclaimed conservation area.

Petition received and read.

QUESTIONS

Fisheries – Benefits for Coastal People

Mr KEVIN ISIFU – Mr Speaker, thank you for recognising the people of Wewak. My questions are directed to the hard-working Minister for Fisheries. I wish to commend the Minister for playing a significant role in the fisheries sector, in making sure that this sector is contributing well to the economy of the country.

\03/06

We also recognise him for the role that he has played in making sure that the PMIZ project in Madang is now going to be realised soon.

While these important projects are going to kickstart, a considerable amount of tuna quantity from offshore and onshore will be brought into the PMIZ facility to be processed. And a lot of the tuna stock of the country will be also harvested, including those that lie in the vicinity of Manus, Bismarck Sea, Bougainville and in all the other coastal areas of Papua New Guinea. This includes islands of Wewak District which also hosts one of the country's tuna loining plant. We are also contributors to the economy of this country through the stock of tuna.

Mr Speaker, when these facilities are built, so many maritime resources of the coastal areas in this country will be harvested, especially tuna. There will be so much damages in our islands, especially the traditional fishing waters and fishing grounds. There will be trespassing of bigger ships going into our traditional fishing grounds which will interrupt the normal way of fishing in the villages. Many of the fishing stocks will be dispersed.

My questions are;

(1) Does the Minister have any plans for the coastal people of this country?

In the oil, gas and mining sectors, when resources are harvested, royalties are given to the traditional owners of the area.

(2) Will the coastal people also receive similar benefits from the Government?

Our maritime resources will soon be depleted and we need the Minister to come clear to the people of Papua New Guinea and the people of Wewak, especially the islands.

Thank you, Mr Speaker.

Mr LINO TOM – I thank the Member for Wewak for his questions. He has raised some important issues and I will try to respond the best way I can.

Firstly, the fisheries sector is driven by tuna and it generates almost 97 per cent of the revenue when harvested.

04/06

Tuna is a shared resource and we must understand this concept clearly, meaning that tuna harvested in places like Rabaul is also owned by the people of Gulf. This is stated in the *Constitution* of this country, and I am not saying it from my own understanding.

Tuna is a highly migratory fish species and it doesn't stay at one location only. This same species of tuna is claimed and owned by all the Pacific Island countries. But where it is harvested identifies the country it is found.

Before the year 2000, tuna did not earn huge sums of money like we get today. It earned less than K50 million or sometimes less than K30 million. During that time there was no need to establish an authority to manage that resource. And it was once managed by the Department of Agriculture and Livestock.

In 1980s to 1990s it was managed by the Department of Fisheries and Maritime Resources. But since the world realised that harvest of tuna happens at unsustainable level now and the fish stock has depleted, they had to intervene and introduce some systems to manage the harvest of tuna in a sustainable way. And that's when the concept of Vessel Day Scheme (VDS) came on board.

Vessel Day Scheme is simply a scheme applied to sell all our tuna. That scheme is simply used to rent out days; and so, for one day whichever country that comes and fish pays us US\$10 500. Whether it catches any fish or not doesn't matter, as long as it pays this fixed amount of money.

So that VDS tool was basically introduced to make fish become a scarce resource and thereby increasing the value of fish. VDS is basically a conservation management tool used world over to manage the fish stock that we have in our waters today.

So, coming back to the question, oil and gas give royalty payments because our provincial boundaries is well defined in our *Organic Law*. In relation to sea delimitation and delineation of our provincial boundaries, it's yet to happen.

Those little drawings we see on the map are not real borders that we share today. And so, with the issue of Bougainville, which they are requesting for their fishing rights and all this now pushes us into that direction and we have engaged people to work on delimitation on all our provincial waters now. Until the time when we have a clear boundary then we will start paying small portions of development levies to concerned provinces. But for now, it's difficult.

Secondly, five months ago, we were granted a Marine Stewardship Certification, the highest certification in the world acknowledging the good management practices in our country in managing tuna stock. PMIZ will come on board but we will still have this conservation measures put in place to manage PMIZ so that we fish within the level which is sustainable to our country.

I want to assure the Member for Wewak that we will consider his concerns. We all are aware that when Marape Government came on board they asked for the provinces to become small economies.

So, the PMIZ concept is just to conceptualized and make it become real. What we are hoping to do now is as PMIZ comes into fruition, all the provincial governments will be consulted and they will become partakers. With that the NFA has formed a company to basically manage and put in their enabling infrastructures.

So, we will go into partnership with all the provinces because it's a capital-intensive tool to start the fishing business. That's why NFA will come on board to enable all the 14 maritime provinces to some form of income from that.

05/06

So what we plan to do is to put all the enabling infrastructures in place and when it goes into that possessing space, that is where the provincial governments will come with their commercial entities they have to partner with PMIZ vehicle; the special purpose vehicle to actually realize more benefits from the harvest of our resource.

Thank you, Mr Speaker, I hope I answered all the questions that the good brother has asked.

Mr ELIAS KAPAVORE – Thank you, Mr Speaker. Before, I ask my question, I would like to thank the Prime Minister for giving some reassurance to the people of Baining, who are the landowners of Warangoi Hydro, in my province.

My questions are directed to the Minister for Education. I am asking these questions on behalf of the secondary school principals and board chairman.

Every year around this time, about K600 000 to K700 000 subsidy funds comes from the government but as of last month, they only received K300 000 subsidy tuition funds.

(1) Can the Minister confirm if the Government is still going to pay the remaining balance to the schools?

This question is in relation to the MoA that has been established between the Department of Education and the East New Britain Provincial Government, where all funding for schools go to one trust account to the province before it is released to each school account in the province.

For the schools in Pomio, my electorate, the release of funds were quite late; sometimes quarterly or sometimes when the schools are facing difficulties the funds are released bit by bit or sometimes nothing at all.

Pomio is not close to Kokopo and it has more than 60 elementary primary schools, three secondary schools and one high school.

(2) Can the Minister review this MoA between the Department of Education and East New Britain Provincial Government, so that funds can be paid directly into the school accounts and in a timely manner?

In Pomio District, we are doing away with the Outcome Based Curriculum and we will be implementing the Standard Based Curriculum next year. There are many teachers who have been teaching in the schools for more than five to six years without pay.

(3) Will the government pay these teachers for their services?
We intend to implement the Standard Based Curriculum next year.

(4) Can the Minister confirm if the Government has the budget and is ready to implement the new curriculum?

Thank you, Mr Speaker.

Mr JIMMY UGURO – Mr Speaker, I thank the Member for Pomio for his good questions.

For the first question, yes, the government is committed to pay out all subsidies for this year. On record, for the first time, this government released monies in December to pay out school subsidies (GTSF) to all the schools and these funds are paid into the school accounts for them to manage and submit the acquittals when the funds are used.

06/06

As for the MOA with the East New Britain Provincial Government, we are aware that the Education Department releases the funds based on the request from the provincial government. The East New Britain is one of those provincial governments, we had an agreement to release the school fee subsidy to the trust account and they will release the funds to each school in the province.

You raised a very important question and can liaise with East New Britain Provincial Government to make the arrangement.

On the issue surrounding elementary teachers, due to change of government policy, the government has plans for all elementary teachers throughout the country to attain a diploma in teaching so they can continue to teach grade 1, 2, and 3 in the 166 curriculums.

So, I appeal to all provincial governments, district DDAs, and the Education Department, to work together to address teachers' training.

When teachers are registered under the Department of Education, the Teaching Service Commission is tasked to manage all the pay and welfare of the teachers, so, your point is taken I'll instruct the Teaching Service Commission to check on your district elementary teachers who are not on the payroll and reinstate them on the pay.

Regulate Alcohol Production

Mr AIYE TAMBUA – Thank you, Mr Speaker. I wish to direct my question to the Minister for Justice. But, before I ask my question, let me acknowledge and thank the people who had assisted the province to recover from the surge of Covid-19.

Firstly, I want to acknowledge the Prime Minister and Minister for Health, the hard-working doctors and nurses of Goroka General Hospital, who despite losing many nurses to the disease, they stood firm to combat Covid-19. I also acknowledge the hard-working Governor of Eastern Highlands and his team on the ground.

Most importantly, I also want to acknowledge and thank the Government of Australia for supplying medicine and sending specialist medical doctors. Their assistance enabled us to bring Covid-19 breakout into manageable status in Goroka.

Mr Speaker, but we have another pandemic still existing in Goroka. We have a problem of cheap alcohol coming into Goroka. This cheap alcohol is a big pandemic. I am saying big pandemic because in Papua New Guinea, we are more concerned with alcohol than with the vaccination of Covid.

Even leaders are investing in the alcohol industry. So, when we don't take back our youths, how can we take back our country.

Do we have any regulatory body to regulate the alcohol industry, especially on the percentage of the alcohol during its production?

07/06

These days when you purchase alcohol, the percentage of alcohol is very high making people get very drunk. Do we have a regulatory body that regulates the consumption of alcohol?

I am honored to be under the Chairman of a Special Parliamentary Committee on Gender-Based Violence headed by the Honorable Member for Alotau, Charles Abel. We have findings that 90 per cent of abuse in families is caused by parents who abuse alcohol.

If we don't have a regulatory body, can we have one setup quickly in our country? I see that we are producing too much alcohol in our country and this will destroy the future of our children. Thank you, Mr Speaker.

Mr BRYAN KRAMER –I'd like to acknowledge the questions asked by the Member for Goroka. It is certainly an important question as it's an issue we are now facing throughout the four corners of our country. I am sure that every Member and every Governor is facing this issue of alcohol abuse. Recently, the Constitutional Law Reform Committee (CLRC) completed a report which Department of Justice & Attorney General (DJAG) will present through the course of this Parliament Sitting. But to answer this question, the short answer is that there are number of laws;

The Provincial Liquor Licensing Commission in every province has the power to establish and regulate the use of alcohol in their own province and even issue a 21-day ban.

There was a recent issue that occurred in Madang where the Provincial Executive Council (PEC) issued a ban on liquor over the Christmas period but failed to state the period of the ban and they banned on the basis of packaging being bottle. The matter ended up in the National Court and the Court overruled the decision of the Provincial Executive Council to issue a ban on the basis that they will follow the legal process, where there is an actual liquor licensing committee commission set up which is made up of the Provincial Administrator, the Provincial Licensing Officer, the Provincial Police Commander and a number of PEC members and secondly, the Court made a determination that, the PEC didn't have the powers to ban alcohol on the basis of packaging because of the issues with the bottles; that power lies with the people who deal with packaging under the packaging legislation.

There is a *Licensing Act*. On this issue of alcohol, even in my electorate, now we are finding out that it is actually cheaper to buy this alcohol than it is for home brew. We also found out that many of our youths who were engaged in home brew before, have realized that it's easier to purchase this alcohol which is currently on the market and produced by Chinese distributors. It can cost up to K20 for a bottle. So, there is too much effort in making home brew and youths see that it's easier to access alcohol at a higher content and be able to sell it

and buy it. So it's certainly an issue for me as a Member and a great question asked by the Open Member. There is legislation but we may have to introduce greater legislation perhaps at the national level.

I look forward to bringing such amendments that allows national departments instead of waiting for provincial governments because there is a process that they might want to invoke or not to invoke and they may not follow due process. And that doesn't necessarily say it bans the liquor licensing commission under provincial government only provides for 21-day ban. So we need to actually ban certain alcohol

Mr John Kaupa – Point of Order! Mr Speaker, the question by the Member for Goroka is very clear. Do we have a regulatory body, a national body, that will work with Commerce & Industry, Internal Revenue Commission (IRC) or is there a law in place so that they can check the quality, the quantity and the percentage of alcohol? Is there a national body there or not because everybody is manufacturing under the house and everywhere?

08/06

Mr SPEAKER – I think your point of order is about the Minister answering the question from the Member for Goroka. Mr Minister, please answer the question.

Mr BRYAN KRAMER – I did state that there were laws and I also did state clearly the processes in terms of invoking those laws and the limitations on those laws.

Mr Speaker, given that the question is new to me, I would need to do an extensive research in order to respond to him. There is a liquor licencing law prior to independence but we have to really look into it and see if we can address the issue of banning; whether we have to invoke some provisions under the *Dangerous Drugs Act* and declare certain alcohol products as dangerous. In doing so, we can then impose an immediate ban on the commercial supply of such alcohol.

Mr BENNY ALLAN – I wish to direct my questions to the Minister for Works and Implementation. Before I ask my questions, I wish to commend you for an excellent job with regard to our roads in the country.

Mr Speaker, the Okuk Highway is the lifeline for more than 4 million people of the Highlands Region. There are two sections of the highway that we always face problems with during the rainy season. It is usually in the Kassam Pass and the Daulo Pass.

Under the Government of late Grand Chief Michael Somare, two alternative roads were considered. One was the Bena-Ramu Road and the other was the Unggai-Chuave Road. These roads were alternatives in the event that we face problems with the existing one and were given some funding in 2010 under the ADB Loan 709. The Kamalikia-Bekuwia Road was allocated K24 million while the Goroka-Lahameh Road was given K13 million. This road was sealed in 2010, however, the second phase was budgeted under the Multi Trans-Finance in the ADB loan. This loan would cater for the roads in the seven highlands provinces.

Mr Speaker, they were divided into four stages but the two main roads in question were never captured. It could not be funded under trans-four because a 10-year period has already lapsed for this loan period. They then decided to shift the Lahani-Mekabo Road into the K1 billion Highlands Highway rehabilitation. There were 10 roads in total that were identified.

Mr Speaker, I thank the Prime Minister, the Minister for Planning and the Minister for Works and Implementation for your visit to Henganofi on the invitation of the Member for Henganofi. During this occasion, they made a commitment to build a bridge which will connect Ramu with Eastern Highlands to support the idea on alternate routes.

09/06

I think, I have received K2 to K3 million in the last two or three years. From the 2020 funding, the Department of Works awarded a contract to a company to build a road from Bena to Henganofi and to connect Ramu. However, from the K2 million that was allocated, they only gave K1.2 million to the contractor and the remaining K800 thousand is still outstanding from the 2020 Budget.

So, my questions to the Minister are as follows:

(1) When will we give the outstanding balance so that the contractor can continue the road from where they have stopped? We have about one-kilometre of the road still remaining before connecting the Henganofi District. We need the remaining K800 thousand to complete the remaining section of the road.

(2) When will the second phase of Lahami Megabo road connecting Ramu commence? It is listed together with the other ten national roads which will be part of with the Highlands Highway Rehabilitation Program.

(3) Can the Minister inform me and the Member for Henganofi, our people and the people of Eastern Highlands on the status of the bridge that will connect Ramu with the Eastern Highlands?

(4) What plan does the Department of Works has to connect Chuave and Unggai? It is one of the important roads that will connect Chuave and the rest of the Highland's provinces when Daulo Pass experience landslides.

Mr Speaker, I thank the Minister for the good work he has done but I want to know exactly when will some of these questions comes to happen.

Thank you, Mr Speaker.

Mr MICHAEL NALI – I would like to thank the Member for Unggai-Bena for the series of questions. The questions are too long and big so I will try and answer some of them as they are very important.

First being, the Daulo Pass and Kassam Pass, when there is a landslide at the two big hills, the vehicles find it difficult to pass through so he is correct.

So, for the Department of Works, it is true that we used to support it by planning and we acknowledge the statement made by the Member for Unggai-Bena that we need these two alternative roads.

When the Prime Minister and I went to Henganofi, we made a commitment and also declared the road from Ramu to Unggai road as a national highway because it is one of the alternative routes.

For the road from Unggai-Bena to Chuave, it is a very important road. When Daulo Pass has a landslip, definitely we need to find an alternative route.

Mr Speaker, most of these contracts are under the ADB program.

10/06

The Member is correct in saying that when phase one started many roads were built in the Highlands region before the end of the program in 2020.

Phase two of this program is still pending. The Department of Works with the help of the Planning and Treasury departments are still in consultation with ADB to identify the roads that are strategically important for the country. The process is quite lengthy but those two roads are included.

Mr Speaker, the Member also asked about the status of the bridge that will connect Ramu to Henganofi. Yes, this was a commitment made on the Floor. As I speak, we are waiting for the bridge to arrive in the country and when it arrives, it will be constructed.

Mr Speaker, there are many other roads that have been identified under the PNG Road Network Strategy Fund Program. We have split up a lot of these roads as you have seen in 2020.

There is money allocated in the 2022 Budget for this reform so we will put money straight into the districts and provinces concerned and that automatically becomes their responsibility.

Mr Speaker, just in case you do not understand, I want to make it clear that a road that connects two LLG's becomes a district road; a road that connects two districts becomes a provincial road and a road connecting one province to another province becomes a national road.

Mr Speaker, as we build all these roads in our districts and provinces, it also connects onto the major highways. So, as a road connects from the district then into the provinces and eventually the major highway, it increases the national highway component roads.

The Department of Works is available so as soon as you have money coming into your districts or provinces do not just go ahead without consulting with us so that we can help you to build a road that's up to standard.

Mr Speaker, many of my colleagues say that I talk too much when answering questions so I think I have said enough. Unless the member thinks that I did not answer his question, he can remind me.

Mr Benny Allan – Point of Order! Through the Chair, it is not nice to 'shoosh' someone. I am here to represent my people.

The Minister has answered the questions well but there is one question he missed out and that is the balance of the K2 million which is K800 000. The contractor has not received it yet so can he answer that.

Thank you.

11/06

Mr MICHAEL NALI – Thank you, Mr Speaker. The answer to his question is very simple. If we have engaged a contractor through the Department and it is our responsibility to pay that contractor.

As we all know, the country is still growing and our economy is also growing but, we do not have the kind of money the United States or the Australians have. Whatever funds that are coming into my department, we work within our means and pay the contractors.

Mr Speaker, I would like to inform our people and everyone on this Floor that this current government has done a lot of work in the last two years. Many leaders here on the Floor will be thinking that we have not done anything but we have expended about K2 billion on road works.

The new standard we are applying on road works are very good. To answer the Member for Unggai-Bena, yes, we are responsible and the department will definitely pay the contractor.

The Prime Minister is also aware that we owe money to a lot of contractors but this is a usual fee and over the last two years, this Government has not let the Works Department down. When we are in need of funding, the government always allocates funds for us to take care of the contractors.

According to Treasury, a warrant has already been released to us and I assure the Member, that the amount of K800 000 he has mentioned will be given.

Thank you.

Mr LEKWA GURE – Thank you, Mr Speaker, for giving me this opportunity to raise my questions. My questions will be directed to the Minister for Civil Aviation.

Mr Speaker, this question is in relation to the question that was raised last Friday by the Member for Yangoru-Saussia, Honourable Richard Maru on the terminal building at Wewak Airport.

Mr Speaker, let me give a brief background. The three Airports of Madang, Wewak and Vanimo upgrade programs were launched in February, 2019. Specifically, Madang was launched on 12 February, Wewak and Vanimo were launched on 13 February, 2019. So, that is two years and nine months.

This work has been carried out under the multi-tranche funding from ADB through the CADIP Program. It is very disconcerting and disappointing to learn that the funding has lapsed as reported by the Acting Managing Director of National Airports Corporation (NAC) and therefore, the terminal building at Wewak Airport will not be built.

Mr Speaker, I would like the good Minister to advise this honourable House, the Aviation Industry, the people and the business communities of Madang, East and West Sepik on these projects. My questions are;

(1) Has the funding for this airport works really lapsed?

(2) Will the terminal building at Boram Airport as well as Madang and Vanimo be built?

(3) If the terminal buildings will be built, where will the funding come from if we are saying that the funding for those airport works have lapsed?

Thank you, Mr Speaker.

Mr SEKIE AGISA – Thank you, Mr Speaker. I would like to thank the Member for Rigo for his questions regarding the airports at Madang, Wewak and Vanimu.

For the first question, the CADIP Program, we all are aware that in the current program under ADB loan had come to a conclusion on 24 November 2019.

12/06

In relation to the Members' question on the delay of the project which took almost two years, we all know that Covid-19 has really affected most of our programs throughout the country including where Civil Aviation has invested in programs in major airports and terminal buildings.

As I speak, Madang Airport Terminal is 60 percent complete and by the first quarter of 2022, it will be fully completed.

The Wewak Airport Terminal has been delayed because of Covid-19 which has brought about a lot of challenges so Civil Aviation has decided to build a temporary one to operate from because the time has lapsed. But maintenance will be carried out starting next month to the existing terminal. But for the new terminal it's been included in phase two of the program which will commence in the middle of next year.

As for Vanimu Airport Terminal, it's been completed and awaiting the installation of equipment such as x-ray, lifts and pumps which is expected to arrive next month. The opening of the upgraded terminal will be next year.

The Boram Airport Terminal in Wewak as I said, will be included in the second phase of funding by ADB otherwise, most of the programs under the first phase for Civil Aviation are all completed and the final touches are being carried out.

MOTION BY LEAVE

Mr WILLIAM SAMB (Goilala – Minister for Transport and Infrastructure) – I ask leave of the Parliament to move a motion without notice.

Leave granted.

SUSPENSION OF STANDING ORDERS – REARRANGEMENT OF BUSINESS

Motion (by **Mr William Samb**) agreed to –

That so much of the *Standing Orders* be suspended as would prevent Notice No.264, Government Business, being called on forthwith;

13/06

ATTORNEY-GENERAL (AMENDMENT) BILL 2021

First Reading

Bill presented by **Mr Bryan Kramer** and read a first time.

Second Reading

Leave granted to move the Second Reading forthwith.

Mr BRYAN KRAMER (Madang-Minister for Justice and Attorney-General) –I move

That the Bill be now read a second time

Mr. Speaker, the proposed amendments to the *Attorney-General Act 1989* seeks to complement the Public Solicitor Bill 2021 that I introduced to this house earlier on and to strengthen the independence of the Public Solicitor envisioned by *section 176 (5)* of the *Constitution*.

In essence, the amendments ensure that the Public Solicitor, in the performance of his functions is not subject to any direction and control by any person or authority other than the National Court or Supreme Court.

Mr. Speaker, the Office of the Public Solicitor was established to promote and protect the rights of ordinary Papua New Guineans, even if the protection extends to suing the State and instrumentalities of the State. This is an Office that belongs to our people and we owe it to our people to ensure that no one person or authority should give directions to the Public Solicitor.

Therefore, Mr Speaker, the amendments to the *Attorney-General Act 1989* by repealing *section 7 (f) and section 14* gives effect to the independence of the Public Solicitor.

Mr Speaker, *section (f)* provides for the duties and functions of the responsibilities of the Attorney-General and it states; that in accordance with *section 13* to review any decision of the Public Solicitor to refuse legal aid and assistance to perform and to grant such aid and assistance in its absolute discretion in following this review and *section 14* provides for review of a decision to review of granting legal aid and assistance.

So, these two existing provisions in the *Attorney-General's Act* would conflict with the provisions of the *Constitution* that provides that the Public Solicitor in its discretion may make any decision in relation to whether or not to provide legal aid.

Mr Speaker, with that I now commend this draft legislation to this honorable House.

Motion – That the question be now put – agreed to

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

Bill read a second time

Third Reading

Leave granted to move the third reading forthwith

Motion (by **Mr Bryan Kramer**) proposed –

That the Bill be now read a third time

Motion – That the question be now put – agreed to

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

Bill read a third time

14/06

Sitting suspended from 12 noon to 2 p.m.

15/06

ADJOURNMENT

Motion (by **Mr William Samb**) agreed to –

That the Parliament do now adjourn

The Parliament adjourned at 2.05 p.m.