

FIRST DAY

Tuesday 18 January 2022

DRAFT HANSARD

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PARLIAMENTARY DEBATES

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HARRY MOMOS

Principal Parliamentary Reporter

FIRST DAY

Tuesday 18 January 2022

The Parliament met at 2 p.m., as per the terms of the resolution of 10 December 2021.

The Acting Speaker (**Mr Koni Iguan**) took the Chair.

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

Sitting suspended.

The Acting Speaker again took the Chair at 2.46 p.m., and invited the Member for Jimi and Minister for Community Development Youth & Religion, **Honourable Wake Goi**, to say Prayers:

‘Heavenly Father, thank you for the new year. Thank you for giving us good and bad times, but after all you are in control. We thank that you will bring us through this election period, the pandemic and all sort of different viruses that are arising and you alone know about these things that are happening; we thank you that you are in charge of the situations. We also pray that you will be with us today as we go through the business of the day this session. We also thank you for guiding and protecting us especially, the leaders of this nation in these trying times when we are pressured by our people with so many issues. Father only you know the truth and can speak through your people, so that they will understand things better. I pray and commit us all in to your mighty hands.’

LEADERSHIP TRIBUNAL DECISION – MEMBER FOR WAU-BULOLO OPEN – HONOURABLE SAM BASIL –STATEMENT BY Mr ACTING SPEAKER

Mr ACTING SPEAKER – Honourable Members, I present the decision and subsequent orders in the matter of a reference by the Leadership Tribunal pursuant to *section 27(6) of the Organic Law on Duties and Responsibilities of Leadership* in the matter of the leader, Honourable Sam Basil, Member for Wau-Bulolo Open Electorate and member of the Morobe Provincial Assembly.

The Tribunal on Friday, 3 December 2021 ordered that;

(1) Allegations 1-5 is Dismissed; and

(2) The suspension of Honourable Sam Basil, Member for Wau-Bulolo Open Electorate and member of the Morobe Provincial Assembly, under *section 28* of the *Organic Law on Duties and Responsibilities of Leadership* is lifted and discharged forthwith.

LEADERSHIP TRIBUNAL DECISION – MEMBER FOR ABAU OPEN – HONOURABLE SIR PUKA TEMU – STATEMENT BY THE ACTING SPEAKER

Mr ACTING SPEAKER - Honourable Members, I present the decision and subsequent orders in the matter of a reference by the Leadership Tribunal pursuant to *section 27(1)(a), (2) and (3)* of the *Constitution* in the matter of Honourable Sir Puka Temu, KCMG, RBE, Member for Abau Open Electorate and member of the Central Provincial Assembly.

The Tribunal on Thursday, 30 December 2021 ordered that;

(1) The no case to answer submission by the leader is upheld, and that the leader is found not guilty and acquitted of two counts of misconduct in office; and

(2) The suspension orders dated 24 November 2021 be uplifted and the leader be reinstated as the Member for Abau Open Electorate.

02/01

CERTIFICATION OF ACTS

Mr ACTING SPEAKER – Honourable Members, I have to inform the Parliament that as the Acting Speaker and in accordance with *section 110* of the *Constitution* certified 6 (six) Acts made by the National Parliament.

1. *Central Banking (Amendment) Act 2021;*
2. *Connect PNG (Implementation and Funding Arrangements) Act 2021;*
3. *Curfew (Amendment) Act 2021;*
4. *Dangerous Drugs (Amendment) Act 2021,;*
5. *National Capital District Commission (Amendment) Act 2021;and*
6. *Supplementary (Appropriation) Act 2021*

**DEATH OF MEMBER- HONOURABLE SAM AKOITAI-
STATEMENT BY THE ACTING SPEAKER**

Mr ACTING SPEAKER - Honourable Members, I wish to inform the Parliament of the death of Honourable Sam Akoitai, MP, on 17 December 2021. He was first elected to the Sixth National Parliament (1997 to 2002) and Seventh National Parliament (2002 to 2007) as Member for Central Bougainville Open Electorate.

After the 2017 General Elections, he filed an election petition and on 13 April 2018, he was declared duly elected following a recount ordered by the Court of Disputed Returns. He was sworn-in as Member of Central Bougainville Open in the Tenth National Parliament (2017 to 2022) on 19 April 2018.

During those terms, he served as Minister for Bougainville Affairs from July 1997 to January 1999, then Minister for State from January 1999 to July 1999 and Deputy Chairman of Broadcasting of Parliamentary Proceedings, Privileges and Plans and Estimates Committee from November 1999 to December 2000, Minister for Mining and Environment, Conservation and Correctional Institutional Services in the caretaker cabinet, then Minister for Mining on 13 August 2002.

As a mark of respect to the memory of the late honourable gentleman, I invite all honourable members to rise in their places.

All Honourable Members stood in their places to observe a minute of silence in memory of the late Gentleman.

QUESTIONS

Hiritano Highway Maintenance

Mr PETER ISOAIMO – Thank you Mr Acting Speaker, my questions are directed to the Minister for Works.

In recent media releases the Government has announced the funding of a number of roads. On behalf of my people of Kairuku-Hiri, I wish to ask the Minister for Works; whom I know is fully aware of these questions. The Hiritano Highway, the portion between Laloki

Bridge at the NCD border to my home in Brown River is about 22 kilometers and this portion has been left to deteriorate for the last 15 years.

03/01

His department is playing political football on this road, in that, contractors without machinery and experience have been engaged time after time depleting Hiritano Highway maintenance funds, including the K10 million allocated for last year. The same contractor is again engaged to do the Bereina turn-off, the Apanaipi portion of the road which is another 35 kilometres of the Hiritano Highway or the Trans-Highlands Highway.

(1) Is the Minister aware that officers within his department, especially in the High Impact Project Division, are entertaining dubious claims on contractors?

They are paying-out millions of kina to the same contractors who is not delivering quality service while there are other contractors out there who could be paid to do a better job.

I thank the World Bank for taking on the Kuriva-Brown River portion. The Minister has advised me that there is another variation for Brown River to Tasiama which is another 10 kilometres.

(2) Can he confirm to the people of Kairuku-Hiri and this House when this variation will take place?

(3) Can he also assure the people of Kairuku-Hiri that all the bad practises cease in his department so that we see good quality outcomes of the money spent by the people of Papua New Guinea.

The current contractor has a very bad record because they are taking gravel from the landowner's land without paying them. These are issues brought to my office which I have raise to the Minister concerned so that he can address them immediately in his capacity as Minister and to tell us what plan he has for the people of Kairuku-Hiri especially the road from Laloki to Brown River.

Thank you, Mr Acting Speaker.

Mr MICHAEL NALI – Mr Acting Speaker, I would like to thank the Member for Kairukr-Hiri for asking these questions which he raised in the last sitting of last year. I did answer some of his questions but I will repeat them.

Mr Acting Speaker, the road starting from Laloki Bridge all the way to Kerema, there has not been any major funding from the governments in the past and even the present; to rehabilitate any section of this road.

The first section of the road from Brown River, Kuriva all the way to Bereina was funded by World Bank and it has already been completed. It was not a major rehabilitation; it is more like a patch-up work but the contractor which is Dekenai Construction has done a very good job.

Now coming back to the section from Laloki to Brown River, the member is telling the truth; it is really bad. But in the last Parliament I mentioned that the World Bank agreed to give more funding to maintain this section. This has already been done and the submission has been approved by NEC.

04/01

As soon as the contract is signed and all the formalities are finalized by World Bank and Department of Works construction work will start, but it does take time. So, this is also coming at the back of the road from Bogia to Awar and Epo-Kerema; they all come under the World Bank funded projects.

So, it's taken care of and I wish the department had the money to do major maintenance work along these sections but the number of kilometres of highways that we have in our country is much bigger and longer than the amount of money that comes into the department to do actual maintenance.

Mr Peter Isoaimo – Point of Order! Government has money and last year allocated K10 million and this year allocated K8 million for Hiritano road maintenance. The Department of Works is mismanaging these funds and not awarding contracts to the competent contractor to do sectional sealing therefore road conditions are deteriorating. I am also grateful for another 10-kilometre road variation for further extension coming down. But the other 10 kilometers, I think K8 million is enough to do sectional sealing and patching. So, I want you to fix your department.

Mr ACTING SPEAKER – Honourable Member, can you allow the Minister to answer the questions. You are debating on the question you raised.

Mr MICHEAL NALI – Mr Acting Speaker, I concur with the issues that the member is raising because the road condition is deteriorating. So, there are no grudges against this.

Mr Acting Speaker, many of our roads including this road leading to Hiritano had been falling apart. In order for us to rehabilitate and reseal one particular section of the highway it

will cost the Department of Works K3.5 million per kilometre depending on the materials and the condition of the road. We cannot rehabilitate a major section of the highway with K8 million or K10 million.

What the department does - when you look at funding of 5,6,7,8 or K10 million and below - it spreads that money throughout the section of that particular road. So, the department is not doing any major rehabilitation work. We are doing maintenance work meaning that grass cutting is going on, drainages are being unblocked and potholes are being patched. We cannot do any major work on that section of the highway until we get proper funding from government or development partners.

That's the best answer I can give, but mentioning the particular contractor in the past and present, these are small Papua New Guinean contractors. All the provinces have Department of Works outlets which are headed by regional works managers and then goes to provincial work managers and we have provincial work engineers around.

I am pretty sure these guys are not silly enough to just give away money to contractors. They award contracts to small contractors that are capable of doing such small work but sometimes, unfortunately, we expect too much from little amount of money. But in this particular case I am sure that some little maintenance work is going on but we don't have the money to do major rehabilitation work.

Thank you, Mr Acting Speaker.

National Census

Mr ALLAN MARAT – Mr Acting Speaking, my questions are directed to the Prime Minister.

- (1) In the absence of a National Population Census, can the Prime Minister tell this House the official population for Papua New Guinea?

05/01

- (2) Of that population, what is the number of eligible voters in the country?

(3) This is absolutely crucial for the 2022 National Elections because how is he going to stop explosion in the number of eligible voters around the country now that the common roll updating is way behind and we are allowing politicians and councillors to do the counting for us?

(4) What reliable numbers will he hold the common roll figures against to determine if they are accurate?

Mr Acting Speaker, there is reasonable fear that we are headed for troubled times ahead. There is a failure in the basic legal requirement to hold the National Census.

Mr JAMES MARAPE – I thank the Deputy Opposition Leader and the Member for Rabaul in asking these important questions which are fundamental in the way we plan. Not just planning for important everyday government programs but more importantly as we face the 2022 National General Elections without an up-to-date population data or a 2022 Common Roll update that the Electoral Commission will facilitate.

Mr Acting Speaker, he is correct to point out that what was required by law for us to conduct our census in 2020 was not held. There were a couple of reasons why the 2020 Census was not possible. He would be very familiar with both the Covid-19 Pandemic as well as the March of 2020 power play in politics. This sort of thing derails the big picture and big government programs that we would engage upon.

Mr Acting Speaker, having said that, I have given assurance that we will try to do a head count of all our people to be used or engaged from a councillor's perspective. This should go back to back with the common roll update that should be taking place now as we speak. The Electoral Commissioner has given us an indication that the common roll update will be taking place and we will be briefed accordingly this Thursday to update all Members of Parliament and the general public on where he is with regard to the update.

However, let me assure the Parliament and our citizens that the common roll update is very important because knowing our population figures is very important. Whilst the latest population update may have not taken place, let me point one important fact. The population growth rate of our country is known. The projected rate on average on minimum of 3 per cent, 3.1 per cent, 3.2 per cent or 3.3 per cent so when you peg against that population growth rates knowing that the base data in 2011 can be a reference point then there should not be an abnormal explosion on the population in all our electorates in the country unless there was a drastic evidence-based shift from one area to another area. If you project against population growth rate or a carefully conducted common roll it can be measured against the retrospective data we have.

For instance, the Common Roll of 2017 Elections, the Common Roll 2012 Elections as well as the population data established in 2011 can be extrapolated to point to what should be a forecasted population in a ward, LLG, district or the whole country.

Mr Acting Speaker, I am not privy to the latest population data. I may be indicating something that is outside of the actual reality. On average we have been saying our population is about eight million but the actual figure I do not have because I will be lying to this parliament if I say I do. I do not have the actuals of our population growth or statistics as we stand today in 2022.

In regard to the question on how the Electoral Commission or how the Government can assure our country the integrity or reliability of our population data for the 2022 Elections, let me inform our country including the Members of this Parliament that when the common roll update is taking place, every citizen has the right to know what is taking place in their electorates. There should be no extraordinary blow out in a polling place, village, LLG or a district for that matter. Pegged against the population in 2017 or in 2012 and what was the national population in 2012 as per the national census in 2011, based on the gross rate of an average of 3 per cent, 3.1 per cent and 3.2 per cent, the Electoral Commission will be guided to know the range of population growth they should be dealing with as far as the update of our population of the common roll is concerned.

Let me assure everyone in this Parliament and throughout our country, we are very conscious of the need to have good data and common roll update to ensure the integrity of the elections process is of a high standard.

This is something that we are thinking of and I encourage all leaders to assist the process and use 2017 and 2012 as benchmark rolls to eliminate those that have died or bring into the common roll those who are now eligible to vote respectively.

We are conscious of the need to have a high integrity population data base for us to facilitate the 2022 Elections.

I give great assurance to our country that I will personally oversee of this process so we do not have extraordinary inputs in some places other than what is consistent based on population growth to be covered across our country.

Eviction Exercise - Civil Aviation

Mr JOHN KAUPA – Thank you, Mr Acting Speaker. Since the Minister for Civil Aviation is not present today, I redirect my question to the Prime Minister as he is fully aware of this question that I'm about to ask.

Firstly, I would like to know about the eviction that is taking place in my electorate, a metropolitan electorate in the National Capital District. Every time, when I am on the Floor of Parliament, I usually ask about eviction status. I believe certain members and ministers might

be thinking and saying, is the member playing politics with the settlers at his electorate. But, I appeal to the Members of Parliament that three-quarters of these people that reside in my electorate are settlers; some migrated in from the city and some were there before I was mandated into this Parliament. So, this continuous eviction has affected so many families in my electorate.

I would like to ask the Prime Minister for clarification and answers so that they can be compensated.

With the recent eviction at Garden Hills, all settlers were removed. We did raise concern but this was a private land.

07/01

Another eviction was issued by the National Airport Corporation on land owned by the government under the *Aerodrome Act*. The NAC had issued an eviction notice to the settlers in Saivara, Erima and Konedobu. I don't know whether we have an airport at Konedobu but the land is claimed under that same *Act*. They have no land title except a Certificate Authorising Occupancy (CAO) document. The people living there come from three or four generations of families. When the eviction notice was served, they come to us but what could we say. However, after investigating, we found that the *Aerodrome Act* cannot claim land outside of the airport area.

I, therefore, want the Prime Minister to discuss it with the Minister for Lands and the Minister for Civil Aviation to review the gazettal G71 of 2010 which gives powers to Lands Minister to compulsorily occupy a land under the *Aerodrome Act*. The runway is there and the part that comes under the grass is the aerodrome. Business concession area is where the hangers are built. The perimeter fencing is the boundary separating the airport from the area outside. So, that was also a concern raised by the landowners and a court order was issued.

Can the Prime Minister discuss it with the Minister for Lands and Minister for Civil Aviation and review the gazettal number G71 of 2010 so that we can know the exact aerodrome area and rightful ownership of the land that is being claimed by the citizens. We can review it for greater clarity for the benefit of new ministers.

Mr ACTING SPAEKER – Honourable Member, get to the point and ask your question.

Mr JOHN KAUPA – These questions have to be in detail because of the new minister.

My questions are:

(1) Can the Prime Minister sit with the two ministers and review the *Aerodrome Act*?

We have had the Covid-19 pandemic and this eviction makes it a double pandemic.

(2) Can the eviction be stopped because NAC does not have a title? They only have a CAO and they are using this to evict the residents. This has affected them socially and it has further traumatised the school children when they hear that machines will come and demolish their homes. This is indirectly affecting the people who have been on the land for some times.

Mr Acting Speaker, the Prime Minister can address these two questions so that everyone can know. I think some of you have relatives who also live there.

I would like to thank the Prime Minister and the Lands Minister for negotiating with Nambawan Super at Saivara in Bushwara area for the win-win situation which we addressed together with the governor. Otherwise, the two questions are very important and the people in my electorate are eager to know. They may be watching the live broadcasting or are here today.

Mr JAMES MARAPE – Mr Acting Speaker, I thank the Member for Moresby North-East for the very important questions that deals with lives of our people who are living on the land that National Airport Corporation feel's theirs.

Firstly, I have heard the concerns raised by the Member for Moresby North-East. You are here to represent your people.

08/01

I asked the NAC to put on hold some of their operations so that we find a better solution and do proper planning in as far as Land title is concerned. There are also people living in that area and better solutions have to be made.

I also would like to assure the Member for Moresby North-East and his people that, the proposed eviction that was made by the NAC is not going to proceed because, we consulted them to put that proposed eviction on hold while we work towards finding a permanent solution. The same applies to the people who have been evicted from Garden Hills.

The Minister for Lands, NCD Governor, Housing and Urban Development Minister and the Members for Moresby North-West and North-East have collaborated to find a permanent solution to Garden Hills eviction and the current issue with the NAC.

As a Government, I would like to announce that there is a program that we have now started. The Lands Minister has been instructed not to issue land titles to big developers. If

there are vacant land available, put them on hold while we properly plan our urban areas like NCD, Lae, Kokopo, Hagen, Goroka and Madang. In this way, we will do away with settlement issues and set up proper residential structures for our people in all urban areas and at the same time maintain respect for our indigenous landowners in those areas.

What happened at Garden Hills is not good on humanitarian grounds. Eviction proceeded because it was legitimate and court order was issued. Let that be an example to all Papua New Guineans. If you do not have a title, just don't build anything or touch anything that belongs to the State.

Today we are faced by this ongoing pandemic, the school year is about to commence and people are suffering so on humanitarian grounds, evictions will be held back. We will reorganise by starting here in NCD and Lae, where settlement must be out of the picture.

Instructions have been given to the Lands Department to hold back any vacant land that belongs to the State, so that planning will be underway. Sometimes the processes and access to State land is too complex for the people and they just go ahead into settling anywhere.

Let me take this question to inform all the Papua New Guineans not to settle on a land that is untitled or do not have a title. If this practices of settling without titles carries on, you won't be given a chance in years to come. No more settling on land that is untitled in as far as State land is concerned. No more settling on customary land if you are not from that part of our country. If you make deals to go grab a land and when the rightful owner of the land shows up, they will kick you out from that area. So, if you are thinking of settling on customary land, do not settle if you are not the owner of the land.

09/01

There is a process for acquiring customary land that is available at the Department of Lands. If the you are a landowner trying to make a sale or any other land deal, follow the law.

There are legitimate processes to follow so that you acquire the lands through lawful processes to avoid being moved or brought to any kind of eviction, should there be one done to the particular land on which you choose to settle. Do not go ahead and start claiming customary land through personal deals with just K5,000 or K10,000 because if we follow due process and the Lands Department come after you, you will not have no choice but to be evicted on the spot with no guarantee of getting back your money.

As of this statement, I am hereby making the announcement that there will be no more eviction. For the case of the Capital City, we will sit together and discuss with the Lands Minister, Housing Minister and the respective Electorate Members and the Governor to try and

design or find out ways to ensure planning of the existing settlements into proper residential compounds. This will ensure affordable homes and better services for average Papua New Guineans in the city., especially those who a second or third generation urban dwellers and those who are employed and run SMEs in the city.

I want to assure the Member for Moresby North-East that those people residing NAC land, the ATS and surrounding areas. NAC has given notice for us not to carry out eviction until, we find a solution to this problem as well as those settlers at Garden Hill. And that does not mean, you go back and rebuild or settle until we verify the land and come up with possible and favorable solutions.

Settlers, please I urge you to go back to your respective places of origin and settle there and if anyone wishes to settle elsewhere other than that, follow the right process to acquire the land before settling.

Police Harassment

Mr JOHNSON WAPUNAI – Before I go onto my question, on behalf of my people of Ambunti-Drekirkir and my family, I wish to convey my belated New Year greetings to everyone.

My question is in relation to the death of a policeman in Erawaki district as reported in *The National* newspaper on Monday 17 January 2022. My question is directed to the Prime Minister and I ask the Police Minister to take note.

Saturday 14th January 2022 was a sad day for the people of Erawaki District, Telefomin. The community lost two lives and had two injured persons, while the RPNGC lost one of its police officers. Most of the remote communities are law abiding citizens and do not need police presence but it is a pity that a police officer died after he shot one and injured two civilians. The community retaliated resulting in the death of the policeman by chopping the policeman to death with a grass knife.

This is a sad situation but the deployment of policeman and woman is done by logging companies to man their logging camps in the remote parts of the electorate. Most of these operations are illegal and so the people take the law into their hands. And yet the people used the government issued firearm to shoot their own people.

It is sad that it had to happen at the beginning of the year. It truly contradicts the Prime Minister's statement before he took over the Government in 2019; and the Forest Minister's announcement in Parliament that there will no more exporting of round logs

10/01

The Forest Minister stated that 2019 will be the end of the export of round logs but yet he allowed the extension of round logs to continue until all the hard wood were depleted in the forest.

Mr Acting Speaker, this part of the area does not need police presence and yet police have been deployed into the area. The newspaper reported that the police were sent down there to capture the escapees and that is not true. No one has run away from that area, they are all waiting for police to go so they can report their side of the story.

The police presence in my area have been harassing a lot of people, burning down houses, destroying properties, threatening people and et cetera. These are Papuan New Guinean Police paid by the Papua New Guinean Government. It seems that the loggers operating in these areas, should they continue, will affect the peace and welfare of the people.

Mr Acting Speaker, my questions to the Prime Minister are as follows

(1) Why are the policemen armed between the East and West Sepik border, in the area of Erawaki and Arma?

(2) What command are they operating under?

(3) Who issued the command and what was the purpose that resulted in the death of the police officer and seizure of the state-issued firearm?

This has been an on-going issue in the country and the police reserves are becoming dangerous in the rural communities.

(4) Does their hierarchy have any command and control when the policemen are deployed to rural areas?

Cease Round Log Exports

(5) When will you actually discontinue the round log exportation?

(6) Mr Prime Minister, I humbly request your office to arrange the conduct of fair and neutral investigation for the police operation in all the logging sites in Papua New Guinea, including Erewaki and Arma.

Mr JAMES MARAPE – Thank you, Mr Acting Speaker. I would like to thank the Member for Ambunti-Drekikir for asking these important questions regarding the recent incident which transpired in his electorate.

This is the first time that I am hearing of this incident so I would ask the Member to give his questions in writing especially on the aspect that the police engaged in shooting some of the villagers resulted in the villagers retaliating and killing a policeman.

I will direct the Police Commissioner to investigate the issue. I do not want the rest of the country to experience or contest law and order. Allow us to deal with some parts that are facing this sort of issues.

I agree with him that in some parts of the country we do not need to use excessive force but nonetheless I cannot step in to do the work of the police. I ask that the question be given to my office in writing and I will get the Police Commissioner to furnish a brief report to us to satisfy this Parliament in respect to these questions.

I will call for a detailed investigation into exactly what transpired so that if the officers of State have not complied with the law then due discipline process will take its course. No policeman or no person is above the law for that matter.

11/01

In regard to the question on round log export, my government came with a clear policy view that there must come a time in which we must stop round log export and introduce downstream processing. And that commitment still stands. When we came in, we said 2020 onwards, no licenses would be issued for new companies to do round log export. The only exception will be local, national, landowner and provincial government companies. That is my government's policy led by Pangu Pati and we have faith in it.

The year 2020 would serve as the benchmark where no logging licenses are issued to foreign companies who will be engaged in just cut and round log export. Any logging companies who apply to do logging in our business as of 2020 would have satisfied requirements of doing downstream processing in our country.

We only allow licenses for landowner and local companies as well as provincial government companies to engage in round log business but as they all migrate towards post 2025, we want every logging company in our country to go into downstream processing mode.

That is our government policy, and we may be far from what we want to do for our country but we will take stock of where we are. And before this Parliament rises for the elections in April, I will be presenting a full audit on what has been done pegged against our government policy. The presentation will include the number of permits we have issued since 2019, how many of those permits were issued to local companies and how many went to overseas companies with downstream focus, and how many went to local companies for round log export with the view of migrating downstream by 2025. So, all these reports will be presented in April when we are giving a score card as we go into preparation to rise for the end of the tenth Parliament.

So, for the important questions raised by the Member for Ambunti-Drekikir regarding the logging policy, I will give a full report in April and indicate to Parliament to what we have done in the last two and half years. But on the police matter, and I thank you for raising this on the Floor of Parliament, I'll get the Police Commissioner to report back on what has happened and I will make a statement to Parliament later this week. A detailed investigation will be conducted in this matter. Thank you very much.

Supplementary Question

Preserve Hustein Range

Mr POWES PARKOP –Mr Acting Speaker, my question is short but I will preface. We all feel sad for the police officer who lost his life. Whether he was performing his public duty well or not is a question that remains with the community and police out there.

Mr Acting Speaker, the incident happened on a logging site in an area we call Hustein Range. From my understanding, Hustein Range is supposed to be a protected area which we want to declare as a World Heritage site for carbon trading to take place.

Mr Johnson Wapunai – Point of Order! Mr Acting Speaker, Hustein is a name of a local level government area. He is supposed to refer to Hustein LLG and not Hustein Range. Thank you.

Mr ACTING SPEAKER – Honourable Governor, can you rephrase your supplementary question because it seems that you are raising a new question.

Mr POWES PARKOP – Mr Acting Speaker, it's not a new question. If I may, the report stated that the incident occurred within an LLG where I understand logging is not supposed to take place as it is within a protected area.

Mr Wera Mori – Point of Order! The conservation area is away from the logging activities. The April Salome area is further to the south-west and it goes north-east and south-east right across the headwaters of the Sepik up on the Bismark Ranges. The logging activities are not in the conservation area.

12/01

Mr ACTING SPEAKER – Please allow the Governor to ask his questions.

Mr POWES PARKOP – If there is logging activity happening within a protected area or a world heritage site then how did it happen?

Secondly, when will we act to protect this area so that it becomes a world heritage site or move into carbon trading?

Mr JAMES MARAPE – I thank the Governor for asking his supplementary question. I will add them to my response at a later date. I just have to get confirmation that it is in that area that you have mentioned. If it is in that area then how did they get a permit for what is supposed to be a preserved or a conserved area? Let me get facts before I respond accordingly.

**DEPARTMENT OF LANDS AND PHYSICAL PLANNING – MINISTERIAL
STATEMENT – MOTION TO TAKE NOTE OF PAPER**

Mr JOHN ROSSO (Lae- Minister for Lands and Physical Planning) – I rise to present my ministerial statement.

Mr Acting Speaker, let me remind this Honourable House that we as a government are accountable to the people of Papua New Guinea. Hence, I am pleased to present a summary on the achievements, reforms and projects initiated by the Department of Lands and Physical Planning over the last two years since my assuming office in May of 2019.

As you are aware, Lands has been a department embroiled in controversy and labelled as corrupt and inefficient for many years. Faced with these challenges, myself and my newly appointed secretary had a mammoth task confronting us to correct and fix a lot of these issues and reform the department. These issues cannot be fixed overnight; it takes persistence, patience and continuity.

Amidst the reforms undertaken and the projects initiated over the last two-year period, we have faced many challenges both externally and internally. We have navigated through these challenges to achieve some policy reforms and initiated some major projects within our limited budget. The Covid-19 Pandemic which we did not foresee also contributed to making it more difficult in achieving our aims and aspirations.

Clarification of State Land.

Mr Acting Speaker, due to much misunderstanding by our people, let me once again clarify to this House and our people that the Independent State of Papua New Guinea is the owner in perpetuity or the forever owner of all state land in the country upon the acquisition of it from former customary land owners or through sales and purchase. Since the State is the owner, it through the Department of Lands & Physical Planning as the administering agency, apportions and leases parts of the land either in allotments and sections or portions to persons or entities for a period of time not more than 99 years through the Land Board allocation process.

Upon the expiry or lapse of the leased period of 99 years, the land always and still reverts back to the underlying owner, which is the State. There is misconception and is not true that the land will revert back to the former customary land owners after the expiry or lapse of the 99 years leases. The land will always remain as state land and is owned by the State for perpetuity. It is the same as you buying a car from Ela Motors and that you cannot go and return it.

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Delegation of Functions to Provinces

Mr Acting Speaker, an important function under my Ministry is the establishment of the Provincial Land Boards and the Provincial Physical Planning Boards. The Physical Planning Board and the Land Board are important boards. These Boards determine how our District, Towns and Cities should be developed in line our government's, provinces' and districts' visions. I am disappointed to advise this Honourable House that a lot of provinces do not have these important boards established in their Provinces.

For the Physical Planning Boards, only a few provinces have established Physical Planning Boards and these provinces are, Enga, Western Highland and Jiwaka in the Highlands Region. However, the Western Highlands and Jiwaka Boards are dormant meaning that the boards have not been sitting or functioning in their respective provinces. In the Momase Region, only West Sepik (Sandaun) and Morobe have established and functioning boards. All the provinces in the Islands Region have established Physical Planning Boards except for Manus. The Autonomous Region of Bougainville also has an established board but it is not functioning due to the position of the Chief Physical Planner not filled. For the Southern Region, Central, Milne Bay including NCD have established and functioning Physical Planning Boards. Almost all provinces do not have established Provincial Land Boards. The

only provinces that have existing Provincial Land Boards are West Sepik (Sandaun), Central and Oro and Autonomous Region of Bougainville. Manus Provincial Land Board has been appointed but the board members' appointments yet to be published in the National Gazette before they can be sworn in. -me Morobe, ENB, Milne Bay and NIP Boards expired and the new boards are yet to be established like the rest of the provinces.

Mr Acting Speaker, let me clarify that the establishment of the Provincial Physical Planning Boards and Provincial Land Boards are the prerogative and the responsibility of the Provincial Governments and their Provincial Administrations to liaise with my department to ensure that these boards are established and running. The Provinces have to submit their nominees for the composition of the boards after being endorsed by the respective Provincial Executive Council (PEC) to the Minister for appointment and gazettal. During my term, we have established the West New Britain Lands and Physical Planning Boards, the Oro Provincial Lands Board and we are in the process of establishing the Sandaun and Manus Provincial Land Boards. One of the critical boards that also has been outstanding since 2017 is the Papua New Guinea Physical Planning Appeals Tribunal which was finally established late last month.

Special Agricultural Business Leases (SABLs)

Mr Acting Speaker, the SABL issue has been and is a challenging and controversial issue that the department is dealing with. The original SABL concept was part of the overall policy of accessing customary land and issuing bankable titles over the customary land to a person or an entity nominated by the customary landowner(s) under the Lease Back Policy where the customary land is leased from the customary landowner(s) and is then leased back to the landowner(s) with a State guaranteed bankable title. Some of the notable developments using the SABL titles are the developments between the Mt Hagen City and the Kagamuga Airport corridor. Unfortunately, this SABL concept was abused when huge tracks of land were issued SABL titles in disguise of AGRO forest projects which led to the Commission of Enquiry into the SABLs established. About 70 SABLs were identified by the COI to be cancelled. The department was in the process of cancelling them when an aggrieved SABL title holder went to court and obtained restraining orders from cancelling the SABLs and also using the findings of the COI. A moratorium on dealing SABL is in place and a Customary Land Advisory Committee comprising of the Secretary for CLRC, Director for NRI, State Solicitor, Deputy Secretary for Customary Lands and Director Customary Leases was established by the previous government to look into all SABLs on a case by case basis. A total of 30 SABLs were recommended for cancellation and about 20 have been cancelled so far. The others could not

be cancelled as the SABL title holders have filed court proceedings against the cancellation but will deal with them once the court proceedings are concluded.

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Since my appointment, I have instructed my Departmental Head to institute further investigations through the Customary Lands Advisory Committee into these SABLs with the view to cancel those SABLs that are controversial and illegal.

Also, investigations are currently also underway into Agriculture Leases that are not compliant with the covenants of the lease and once confirmed, will be subjected to forfeiture utilizing my ministerial powers.

Mr Speaker, the Lands Department has been tagged as corrupt and inefficient and my ambition and vision is to address that. With this in mind, in the last two years, I have directed the secretary to review the some of the ways we do business and hence the department has gone into a transformation and is changing its structure and business processes for land dealings to achieve these outcomes.

Electronic Systems

The department has commenced working on the automation of all its business processes and the land information to have all records digitized into a computerized information system to have all records scanned and digitalized into computerized information system. This is a work in progress that will take couple of years. Once completed, it shall make the Lands Department more efficient in effectively delivering land services throughout PNG and the days of manual files, missing files and fraudulent titles, double titles will hopefully be a thing of the past.

The department has entered into an agreement with Niupay Limited to build and recreate the current system after clearance and approval was granted by the office of the State Solicitor. Niupay has now built a new system for the department called eLands which was launched by our Prime Minister, Hon. James Marape, in August of 2020. The National Executive Council (NEC)'s Decision No. 171/2021 in its special meeting No. 12 has approved the engagement.

Most rentals and leases are now paid online and very soon all other land related fees will be paid also online once the Finance Department implements part of that NEC decision by ceasing the collection of all land-related fees including land rentals through IFMS or PGAS systems. Once completed, Lands Department hopefully forecasts an approximate revenue

generation per annum of K100 million plus an outstanding land rental of nearly K400 million that sits in our system. We currently collect 28 million per annum.

Let me point out here that we at Lands do not want to usurp the Finance Department's mandate to collect public monies but we as a department need to reconcile all payments against our records before remitting them into the consolidated revenue account within 24 hours. Currently, my department faces huge difficulties in trying to reconcile manual records and payments made through finance offices. Therefore, the land and payments records are in disarray as many leaseholders are not meeting their lease rental obligations thus depriving government of much needed revenue. This system is a game changer in rectifying the way the lands does business making more efficient and transparent.

I must say that it is the most successful e-Government platform ever developed and deployed in Papua New Guinea. E-lands payment options continue to be developed and now accepts payment methods using any cards that display the Visa, Master Card or Union Pay logos; local cards such as Kina Bank, Kina Cards, MiBank MiCards, and ANZ Bank Cards; as well as Bank Transfer (known as EFT or direct deposit) with general response by e-lands users as being favourable, with users appreciating the foresight and efforts of the department to deliver an online system. You only need a smartphone, tablet, laptop or desktop personal computer, and an internet connection to use this system which is currently at your fingertips 24 hours a day, seven days a week.

E-Lands has revealed that there is about K400 million in outstanding land rental revenue for 2014 to 2021 (K35.6m for 2021). It is expected this revenue will increase as further revenue is unlocked by processing backlogs and further development by the department's technology partner NiuPay.

In addition, certain land processes including forfeiture, land allocation and title registration have already commenced using the system and this will improve record keeping and transparency and eradicate fraud in the department. The vision of the department is for this country to have an electronic titles system in two to three years from now.

Let me also point out this important fact that this system did not cost the State or the Department one single toea to establish and use.

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Unlike previous systems that resulted in approximately K50 million being wasted with achieving good outcomes.

Strata Titles

Mr Acting Speaker, another achievement of the Department is the introduction of Strata Titles Policy into the country. Three new Bills will be introduced and tabled in the House to accommodate the high-rise buildings in high density areas in our towns and cities and also to accommodate the more than one house on one parcel of land like detached dwellings/units.

The National Executive Council (NEC) of Decision No. 143/2021 in its Meeting No. 04/2021 approved the drafting of the Strata Title Legislations and the bills are currently being drafted by the First Legislative Council (FLC). These bills include; (i) Strata Title, (ii) Strata Title Registration and (iii) Strata Title (Management). The bills will be brought to Parliament within this term of Parliament for debating and enactment.

When enacted by Parliament, a legal framework would be provided for State leases to be issued and registered over units and floors of high-rise multi-storey buildings and to improvements/houses on one parcel of land which will create jobs for property developers in the real estate industry, thus generating revenue for the Government through fees, duties and charges. The current practices only allow for subleases for floors, units and houses. This will also be a revenue game changer and will allow our people to own apartments, units and houses within the same facilities.

Let me also inform this Honourable House that we are also reviewing the *Land Act* to improve it with the view to cater for people's aspirations and their land rights guaranteed and protected.

Mr Acting Speaker, another achievement for the Department since my appointment as Minister was the establishment of a standard procedure to provide a check and balance on the stamp duty paid by purchasers and vendors on the sale and purchase of properties.

It was established when I took office that some purchasers and vendors had been evading taxes (stamp duties) to the Internal Revenue Commission. The Secretary has now established a strong mechanism to check the payment of all stamp duties on land transactions, including payment of all outstanding land rentals and statutory fees before it is approved by the Minister. This has resulted in increased revenue despite Covid-19 and other impacts affecting our economy and this will improve further once it is done electronically. We are also in discussion with the Internal Revenue Commission (IRC) to interface and share information for purposes to rectify tax avoidance.

Mr Acting Speaker, I am also to inform this House that in my term as incumbent Minister, all Land Powers under the *Land Act* 1996 administered by me as the Minister were transferred to the Minister for Lands of Autonomous Bougainville Government on the 11th of June 2021 at the Bel Isi Park in Buka, AROB. The Minister for Lands in the ABG can now

execute all powers in administering land in the Region. My department was one of the first departments that have transferred powers to ABG as per the Peace Keeping Agreement.

Other powers yet to be delegated will be the processing of the ILG and customary leases processing powers. Once the AROB has enacted its own relevant legislations, the registration powers will also be transferred. We continue to provide technical advice and training to achieve capacity building.

Land Reforms

Mr Acting Speaker, apart from the achievements, the department also undertook and is undertaking some reforms in how it should conduct its business and serve our citizens and its stakeholders better.

The agenda on Land Reform has quite a long history. My special thanks to my predecessor Hon. Justin Tkatchenko who noted the importance of land reform and took the leadership to ignite the process to revive the land reform program in early 2019 by special focus on reforming customary land in PNG. I continued these reforms in my capacity as Minister ensuring the 2019 National Land Summit's 17 resolutions endorsed by Cabinet were implemented. After going through the underlying rationale behind the reform initiatives, I was convinced that this was a way forward for PNG to realize its development aspirations through empowering of our people to utilize their customary land to improve their livelihoods. I remain committed to this great initiative and ensured the implementation of most of these 17 resolutions during the term of this government, with the support of our government.

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Under my leadership, and with the support of our government, the reform initiatives embarked over customary land in PNG will pave the way for sustainable economic growth. Let me make it clear at the outset to all landowners in Papua New Guinea that the Government is not making land reform to take away your land but to empower you in a significant way so that you can actively participate to build a better future for yourselves and our children.

Mr Acting Speaker, the other major reform being undertaken by my department is the introduction of a National Sustainable Land Use Policy of Papua New Guinea. The National Sustainable Land Use Policy aims to effectively promote and implement sustainable land use and management in Papua New Guinea in accordance with the policy objectives and guiding principles.

Papua New Guinea's long-term prosperity, environmental conservation, sustainable economic growth and social inclusion and wellbeing rely on the prudent management and

promotion of the best land use and development patterns. Wise and efficient use of land supports strong, liveable and healthy communities also protecting the environment, public health and safety thus facilitating economic growth and protecting our people's rights.

In 2000, the National Executive Council (NEC) Decision 236/2000 directed the Department of Lands and Physical Planning (DLPP) to develop the Land use Policy. Since then, there has been a lot of research conducted into the field of land use planning, land and resources use.

The National Sustainable Land Use Policy was formulated to provide an enabling framework for sustainable land use and planning which also facilitates land availability for investments and developments in Papua New Guinea (PNG).

The objectives of the NSLUP are to promote sustainable land use management and protect cultural heritage areas, the environment, and natural resources for the benefit of all Papua New Guineans and also to promote people-centred development, participatory decision making, responsible investments and accountable land use administration to support the equitable economic and inclusive development of the country.

It is also to coordinate with all relevant Government Authorities to produce

National Sustainable Land Use Advice and Guidance and disseminate this down to the lower Government levels to inform the bottom-up sustainable land-use planning process.

Mr Acting Speaker, the department is in the process of being re-structured awaiting the approval from the Department of Personnel Management. In the re-structure, the regional offices will be closed and all officers moved to Waigani (Headquarters). The closure of the regional officers is due to the duplication of functions by the Regional Officers and the Provincial Officers in respective provinces. The closure of the Regional Offices will enable Provincial Administration to administer their land related affairs and functions at the Province while interfacing with the National Department with no duplication or usurping provinces land functions.

The re-structuring of the Department also achieves savings to the State in the personnel emoluments as some positions will be made redundant and State will save up to K5 million in Office Rentals and operational costs when the Regional Officers will be relocated to the National Office in Waigani and the regional offices closed. This regions office will be based in be Port Moresby to better serve our people, currently for example we have the regional office in Lae, to serve Momase. if someone in Vanimo wants to do anything with regions that he has to fly all the way to Port Moresby and go to Lae, it makes no senses, instant of going to Lae, you may do it here in Port Moresby. Similar to New Guinea Island region it is centred in

Kokopo, so a person in Manus does not have to fly to Port Moresby and go to Kokopo. they can fly to Port Moresby and get it done here.

Mr Acting Speaker, the department has partnered with customary landowners and potential investors to develop their customary land which has been big issues for us. The department plays a facilitation role by ensuring due compliance of our laws and proper planning and protecting landowners' interests including those of the future generations.

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Two such projects piloted are the Tuhava project outside of Port Moresby at Napanapa, Roku village, where the customary land was converted into a state lease and the landowners are partnering with a developer to develop the land under a joint venture arrangement. This is a concept where the conversion of customary land to state lease actually works. This pilot project was launched by our Honourable Prime Minister on the 28th of October.

We facilitated 585 hectares of customary land which was converted into 99 state titles which are bankable and will be sub-divided for housing allotments. This has given confidence to the development partners and financial institutions. By the time this project matures, there will be approximately K2 billion investment partly owned by the customary landowners. There will be partly owning K2 billion. I would like to commend the landowners at Roku which withstood time and patience. We should do this in all our provinces. For the record, the State did not pay one toea to acquire that land. They are building 4 000 houses over there.

Another project is the Nadzab Satellite Township Development by our government initiated by our Prime Minister, Honourable James Marape, which I have taken carriage in partnership with the Morobe Provincial Government, Huon Gulf District and Lae City Authority administration and the customary landowners to develop Nadzab into a satellite city.

The proposed new satellite city development is in line with the National Government's plan and the Morobe Provincial Government's development plans to upgrade the Nadzab Airport to an international airport along with upgraded road infrastructure to the City of Lae.

Hence, the department has commenced facilitation the land access including land acquisition, land use planning, and allocation to effect both National and Morobe Provincial Governments' development plans including Huon Gulf to develop the Nadzab satellite city.

The proposed city development would feature all basic infrastructure services and utilities. The development concept will be similar to Roku Project where the private sector and super funds will be a major party to drive the development with the State playing facilitators, regulatory and planning role. This will result in very minimal financial outlay by government

resulting in savings of billions of kina to develop the city under this concept. This will be a brand-new city initiated and planned by Papua New Guineans for Papua New Guineans.

The proposed Nadzab satellite township development is supported by the Development Strategic Plan 2010-2030 and Medium-Term Development Plans (MTDP) and the *Vision 2050*, which espouses that '20 per cent of land must be availed for public purposes and for other development purposes by 2030 by the Independent State of Papua New Guinea'. Once the satellite city is developed, it would encourage and complement further redevelopment of the Nadzab Airport to international standard and at the same time creating an opportunity for the development of a mining township for the upcoming Wafi-Golpu Mine Project and the on-going agricultural business driven by New Britain Palm Oil, Ramu Sugar and others within the Markham/Ramu Valley and our mine workers not only for Wafi-Golpu but as far as Lihir, Tolukuma and Hidden Valley. All this people should be able to fly in and out of the Nadzab new city development and go to work and come back home and families living in a quiet peaceful environment. This will also be a great opportunity that we as a government can give to our hard-working tax payers to own a home of their own. Let me add, with the Tuhava Township utilizing traditional land and alienated land at Taurama, there will be 1 000 houses built, 4000 houses at Tuhava, 1300 houses at the Igam development in Lae partnering with Superfund, 2000 houses partnering with Nambawan Super; a total of 8300 homes will be built starting this year, churning K3.3 billion into our economy.

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With the sole purpose of giving our hard-working tax payers, the average person, a good home for an average of K200,000 per home and land package. We are trying to address the huge problem we have with our land ownership.

After that, we are also being currently tasked, as the Prime Minister pointed out, to address lower income earners with good homes with properly subdivided land so that they also can have titles. But this is for tax payers and people who are working - not for loafers.

Mr Acting Speaker, in summary, I wish to assure this Honourable House and our people, citizens and stakeholders that in my capacity as Minister, the Department of Lands and Physical Planning will ensure that we continue to reform and evolve with the aim that the department becomes more efficient, transparent and accountable to our stakeholders, our people and our country.

With this, I would like to commend my statement to Parliament.

Thank you, Mr Acting Speaker.

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

That the Parliament take note of the paper.

Debate adjourned.

ADJOURNMENT

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

That the Parliament do now adjourn.

The Parliament adjourned at 4:10 p.m.