

PROOF

2012

## PAPUA NEW GUINEA

## MINUTES OF PROCEEDINGS

## OF THE

## NATIONAL PARLIAMENT

No. 1

Friday, 3 August 2012

- 1 The National Parliament of the Independent State of Papua New Guinea begun and held in the Parliament Chamber, Port Moresby, ten o'clock a.m., Friday the third day of August, Two Thousand and twelve.
- 2 **STATEMENT BY THE CLERK:** The Clerk informed the Parliament that under Standing Order 5(2), he would preside over the proceedings until the Election of a Speaker.
- 3 On which day, being the first day of the meeting of the National Parliament for the dispatch of business, pursuant to Section 1 (1) of the *Organic Law on the Calling of Meetings of the Parliament*, Mr Don Pandan, Clerk of the National Parliament, Mr Simon Ila, Deputy Clerk, Mr Podi Kohu, First Clerk Assistant and Mr Lalai Vali, Serjeant-at-Arms, attending in the Parliament Chamber according to their duty, the said Notice was read at the Table by the Clerk:

*“CONSTITUTION AND ORGANIC LAW ON THE CALLING OF  
MEETINGS OF THE PARLIAMENT.*

NOTICE OF FIXING OF TIME AND DATE OF THE FIRST MEETING OF THE PARLIAMENT.

I, SIR MICHAEL OGIO, G.C.L., G.C.M.C, K. St. J., GOVERNOR-GENERAL, by virtue of the powers conferred by Section 124 of the *Constitution* and Section 1 of the *Organic Law on the Calling of Meetings of the Parliament* after consultation with the outgoing Prime Minister and Speaker, fix 10 o'clock in the forenoon of Friday, 3rd August 2012 as the time and date on which the 9<sup>th</sup> Parliament shall meet for the first time after the 2012 General Election.

Dated this Twenty-seventh day of July, 2012.

(signed)

**MICHAEL OGIO**  
Governor-General.”.

4 **PRAYERS:** Rev. Oogi Zonggereng, Papua District President of the Evangelical Lutheran Church of Papua New Guinea, said Prayers.

5 **CHIEF JUSTICE TO ADMINISTER THE DECLARATIONS OF LOYALTY AND THE DECLARATIONS OF OFFICE TO MEMBERS:**  
The Honourable Sir Salamo Injia, Chief Justice of Papua New Guinea, having been ushered into the Chamber and conducted by the Serjeant-at-Arms to the Chair, handed to the Clerk-at-the-Table a **Commission**, which he had read and is as follows:—

“*CONSTITUTION*

TO: *THE HONOURABLE SIR SALAMO INJIA, CHIEF JUSTICE OF PAPUA NEW GUINEA*

**GREETINGS!**

WHEREAS the *Constitution* of Papua New Guinea, by Sections 249 and 250 provides, amongst other things, that every Member of the National Parliament shall, before entering upon the duties of or exercising any of the powers of his Office, make the Declaration of Office and the Declaration of Loyalty before a person appointed for the purposes by the Head of State, in the forms set out in Section 6 and Schedule 3 respectively of the *Constitution*.

NOW THEREFORE, I, SIR MICHAEL OGIO, G.C.L., G.C.M.G., K. St. J., GOVERNOR-GENERAL, acting with and in accordance with the advice of the National Executive Council, hereby appoint you to administer the Declarations to those Members of the National Parliament at the first meeting of the Ninth National Parliament after the 2012 General Elections.

Dated at Port Moresby this Thirteenth day of July, 2012.

(signed)

**MICHAEL OGIO**  
Governor-General.”.

And laid upon the Table “the Commission”.

- 6 **RETURNS TO WRITS FOR GENERAL ELECTION:** The Clerk laid on the Table returns to the 106 Writs for the General Elections of the National Parliament held from 18 May to 06 July 2012.

The said Returns showed that the following had been elected:

<u>Electoralates</u>	<u>Members</u>
<b>Bougainville Provincial</b>	<b>Mr Joe Lera</b>
Central Bougainville Open	Mr Jim Miringtoro
North Bougainville Open	Mr Louta Atoi
South Bougainville Open	Mr Steven Kamma
<b>Central Provincial</b>	<b>Mr Kila Haoda</b>
Abau Open	Sir Puka Temu
Goilala Open	Mr Daniel Mona
Kairuku-Hiri Open	Mr Paru Aihi
Rigo Open	Mr Ano Pala
Chuave Open	Mr Wera Mori
Gumine Open	Mr Lucas Dekena
Karimui-Nomane Open	Mr Mogerama Sigo Wei
Kerowagi Open	Mr Camillus Dangma
Kundiawa-Gembogl Open	Mr Tobias Kulang
Sinasina-Yonggamugl Open	Mr Kerenga Kua
<b>East New Briatin Provincial</b>	<b>Mr Leo Dion</b>
Rabaul Open	Dr Allan Marat
Gazelle Open	Mr Malakai Tabar
Kokopo Open	Mr Ereman Tobaining (Jnr)
Pomio Open	Mr Paul Tiensten
<b>East Sepik Provincial</b>	<b>Sir Michael Somare</b>
Ambunti-Drekikir Open	Mr Ezekiel Anisi
Angoram Open	Mr Ludwig Schulze
Maprik Open	Mr John Simon
Wewak Open	Mr Jim Simatab
Wosera-Gaui Open	Mr Joseph Yopyyopy
Yangoru-Saussia Open	Mr Richard Maru

Daulo Open  
 Henganofi Open  
 Kainantu Open  
 Lufa Open  
 Obura-Wonenara Open  
 Okapa Open  
 Unggai-Bena Open

Kandep Open  
 Kompiam Ambum Open  
 Lagaip-Porgera Open  
 Wabag Open  
 Wapenamanda Open

**Gulf Provincial**  
 Kerema Open  
 Kikori Open

**Hela Provincial**  
 Tari Open  
 Koroba-Lake Kapiago  
 Komo-Magarima Open

**Jiwaka Provincial**  
 Jimi Open  
 North-Waghi Open  
 Anglimp South-Waghi Open

**Madang Provincial**  
 Bogia Open  
 Madang Open  
 Middle Ramu Open  
 Rai-Coast Open  
 Sumkar Open  
 Usino-Bundi Open

**Manus Provincial**  
 Manus Open

**Milne Bay Provincial**  
 Alotau Open  
 Esa'ala Open  
 Kiriwina-Goodenough Open  
 Samarai-Murua Open

**Morobe Provincial**  
 Bulolo Open  
 Finschhafen Open

Mr Ron Ganarafo  
 Mr Robert Atiyafa  
 Mr Johnson Tuke  
 Mr Jeffrey Kuave  
 Mr Mehrra Minnie Kipefa  
 Mr Issac Waigavara  
 Mr Benny Allan

Mr Don Polye  
 Mr John Pundari  
 Mr Nixon Mangepe  
 Mr Robert Ganim  
 Mr Rimbink Pato

**Mr Havilo Kavo**  
 Mr Richard Mendani  
 Mr Mark Maipakai

**Mr Anderson Agiru**  
 Mr James Marape  
 Mr Philip Undialu  
 Mr Francis Potape

**Dr William Tongamp**  
 Mr Mai Dop  
 Dr Fabian Pok  
 Mr Komun Joe Koim

**Mr Jim Kas**  
 Mr John Hickey  
 Mr Nixon Duban  
 Mr Assik Tommy Tomscol  
 Mr James Gau  
 Mr Ken Fairweather  
 Mr Anton Yagama

**Mr Charlie Benjamin**  
 Mr Ronny Knight

**Mr Titus Philemon**  
 Mr Charles Abel  
 Mr Davis Steven  
 Mr Douglas Tomuriesa  
 Mr Gordon Wesley

**Mr Kelly Naru**  
 Mr Sam Basil  
 Mr Theo Zurenuoc

Huon Gulf Open  
Kabwum Open  
Lae Open  
Markham Open  
Menyamy Open  
Nawae Open  
Tewai-Siassi Open

Moresby North-East Open  
Moresby North-West Open  
Moresby South Open

**New Ireland Provincial**  
Kavieng Open  
Namatanai Open

**Northern Provincial**  
Ijivitari Open  
Sohe Open

**Southern Highlands Provincial**  
Ialibu-Pangia Open  
Imbonggu Open  
Kagua-Erave Open  
Mendi Open  
Nipa-Kutubu Open

**West New Britain Provincial**  
Kandrian-Gloucester Open  
Talasea Open

**West Sepik Provincial**  
Aitape-Lumi Open  
Nuku Open  
Teleformin Open  
Vanimo-Green River Open

**Western Provincial**  
Middle Fly Open  
North Fly Open  
South Fly Open

Mul-Baiyer Open  
Dei Open  
Hagen Open  
Jimi Open  
Tambul-Nebilyer Open

Mr Ross Seymour  
Mr Bob Dadae  
Mrs Loujaya Toni  
Mr Paul Isikiel  
Mr Benjamin Philip  
Mr Gisuwat Siniwin  
Mr Mao Zeming

Mr Labi Amaiu  
Mr Michael Malabag  
Mr Justin Tkatchenko

**Sir Julius Chan**  
Mr Ben Micah  
Mr Byron Chan

**Mr Garry Juffa**  
Mr David Arore  
Ms Dellilah Gore

**Mr William Powi**  
Mr Peter O'Neill  
Mr Francis Awesa  
Mr James Lagea  
Mr De Kewanu  
Mr Pesab Jeffrey Komal

**Mr Sasindra Mulhuvel**  
Mr Joseph Lelang  
Mr Francis Maru

**Mr Amkat Mai**  
Mr Patrick Pruaitch  
Mr Joe Sungi  
Mr Solan Mirisim  
Mr Belden Namah

**Mr Ati Wobiro**  
Mr Roy Biyama  
Mr Boka Kondra  
Mr Aide Ganasi

Mr Koi Trape  
Mr Westley Nukundj  
Mr William Duma  
Mr Mai Dop  
Mr Benjamin PoPONAWA

- 7 **DECLARATIONS OF LOYALTY AND DECLARATIONS OF OFFICE:**  
The Members whose names are set forth above made and signed their Declarations of Loyalty and Declarations of Office, before his Honour the Chief Justice, as required by the *Constitution*.

The Member-elect for Goroka Open Electorate was absent.  
The Chief Justice then retired.

- 8 **SPEAKER – ELECTION:** Mr Don Poyle (Member for Kandep), addressing himself to the Clerk, proposed to the Parliament for its Speaker, Mr Theo Zurenuoc (Member for Finshaffen) and moved – That he do take the Chair of the Parliament as Speaker, which motion was seconded by Mr William Duma (Member for Hagen).

Mr Theo Zurenuoc informed the Parliament that he accepted the nomination.

Mr Francis Potape (Member for Komo Magarima) addressing himself to the Clerk, proposed to the Parliament for its Speaker, Mr Francis Marus (Member for Talasea) and moved – That he do take the Chair of the Parliament as Speaker, which motion was seconded by Mr Jim Kas (Member for Madang Provincial).

There being no further proposals –

The Parliament proceeded with the ballot; and the ballot being concluded, the Clerk reported the results, as follows:-

Mr Theo Zurenuoc	88
Mr Francis Marus	17

Mr Theo Zurenuoc was thereupon declared elected Speaker and Mr Don Polye and Mr William Duma conducted him to the Chair.

- 9 **SPEAKER – PRESENTATION AND DECLARATION OF OFFICE:** The Speaker ascertained that it would be His Excellency, the Governor-General's pleasure to receive him at the Government House forthwith.

*Suspension of sitting:* At twenty-five minutes to eleven o'clock a.m., the Speaker left the Chair.

*Resumption of sitting:* At two o'clock p.m., the Speaker resumed the Chair and thereupon reported that he had presented himself to His Excellency the Governor-General as the choice of the Parliament and that His Excellency had been kind enough to congratulate him upon his election and also administered the Declaration of Office.

- 10 **COMMISSION TO ADMINISTER DECLARATIONS OF LOYALTY AND DECLARATIONS OF OFFICE:** The Speaker announced that he had received from His Excellency the Governor-General the following Commission:

*“THE CONSTITUTION*

*TO: THE SPEAKER OF THE NATIONAL PARLIAMENT*

GREETINGS!

WHEREAS the *Constitution* of Papua New Guinea, by Section 249, provides, amongst other things, that every Member of the National Parliament shall, before entering upon the duties of or exercising any of the powers of his Office make the Declaration of Office and the Declaration of Loyalty before a person appointed for the purposes by the Head of State in the forms set out in Section 6 and Schedule 3 respectively of the *Constitution*,

NOW THEREFORE, I, SIR MICHAEL OGIO, G.C.L., G.C.M.G. K. St.J., GOVERNOR-GENERAL, hereby appoint you to administer, from time to time, the Declarations to those Members who have not already made their Declarations since their election to the National Parliament.”.

Dated at Port Moresby this Thirtieth day of July 2012.

(signed)

**MICHAEL OGIO**  
**Governor-General.”.**

- 11 **RETURN TO WRITS FOR GENERAL ELECTIONS – ENGA AND WESTERN HIGHLANDS PROVINCIAL ELECTORATES – STATEMENT BY THE SPEAKER:** The Speaker announced that he had received the return to two Writs for Enga Provincial Electorate and Western Highlands Provincial Electorate for the General Elections of the National Parliament held from 18 May to 6 July 2012.

The said Returns showed that the following had been elected:

<u>Electorates</u>	<u>Members</u>
Enga Provincial	Mr Peter Ipatas
Western Highlands Provincial	Mr Paias Wingti

- 12 **DECLARATIONS OF LOYALTY AND DECLARATIONS OF OFFICE:** Messres Peter Ipatas and Paias Wingti were introduced and made their Declarations of Loyalty and Declarations of Office before the Speaker, as required by the *Constitution*.

- 13 **REQUIREMENT OF THE ORGANIC LAW ON THE ELECTION OF THE PRIME MINISTER – STATEMENT BY THE SPEAKER:** The Speaker informed the Parliament of the provisions of the *Organic Law on the*

***Integrity of Political Parties and Candidates***, in relation to the Election of the Prime Minister:

- (a) That under Section 76 of the ***Organic Law on the Integrity of Political Parties and Candidates***, His Excellency, the Governor-General is required to invite the registered political party or parties with the highest number of Members elected in a General Election to form the Government.
- (b) That, in accordance with that requirement, the Governor-General had advised him that he had invited the Peoples National Congress Party to form the Government.
- (c) That His Excellency's invitation for Peoples National Congress Party to form the Government was published in the National Gazette dated 1 August 2012 (Gazette No. G28 11) which he quoted, viz:

“I, MICHAEL OGIO, G.C.L., G.C.M.G., K. St. J., Governor-General, by virtue of the powers conferred by Section 76 of the ***Organic Law on the Integrity of Political Parties and Candidates*** and all other powers enabling me, acting with and in accordance with the advice of the Electoral Commission, hereby invite the Peoples National Congress Party, being a registered political party which has endorsed the greatest number of candidates declared elected in the 2012 National Election, to form the Government.

Dated this First day of August, 2012.

(signed)

**MICHAEL OGIO**  
Governor-General.”

14 **ELECTION OF PRIME MINISTER:** The Speaker, in accordance with that advice and the requirements of the ***Organic Law on the Integrity of Political Parties and Candidates*** and the provisions of the Standing Orders, called upon the People National Congress Party to nominate a candidate for Election as Prime Minister

Mr James Marape (Member for Tari) moved – That Mr Peter O’Neil, Member for Ialibu Pangia, be Prime Minister for the Independent State of Papua New Guinea, which motion was seconded by Mr Mao Zeming (Member for Tewai Siassi).

Mr Peter O’Neil informed the Parliament that he accepted the nomination.

There being no further proposals –

*Closure:* Mr Charles Abel moved – That the nomination be closed.

Question – put and passed

The Parliament voted (the Speaker, Mr Theo Zurenouc, in the Chair) –

**AYES, 94**

Mr Aide Ganasi	Mr Johnson Tuke
Mr Anderson Agiru	Mr Joseph Yopyopy
Mr Ano Pala	Sir Juliusn Chan
Mr Anton Yagama	Mr Justin Tkachenko
Mr Assik Tommy Tomscoll	Mr Kelly Naru
Mr Ati Wobiro	Mr Ken Fairweather
Mr Ben Micah	Mr Kerenga Kua
Mr Benjamin Philip	Mr Kila Haoda
Mr Benjamin Poponawa	Mr Koi Trape
Mr Benny Allan	Mr Labi Amaiu
Mr Bob Dadae	Mr Leo Dion
Mr Boka Kondra	Mrs Loujaya Toni
Mr Byron Chan	Mr Louta Atoi
Mr Camillus Dangma	Mr Lucas Dekena
Mr Charles Abel	Mr Mai Dop
Mr Charlie Benjamin	Mr Mao Zeming
Mr David Arore	Mr Mark Maipakai
Mr Davis Steven	Mr Mehrra Minne Kipefa
Mr De Kewanu	Mr Michael Malabag
Ms Dellilah Gore	Sir Michael Somare
Mr Don Polye	Mr Mogerema Sigo Wei
Mr Douglas Tomuriesa	Mr Nixon Duban
Mr Ereman ToBaining (Jnr)	<u>Mr Nixon Mangape</u>
Mr Ezekiel Anisi	Mr Paias Wingti
Dr Fabian Pok	Mr Paru Aihi
Mr Francis Awesa	Mr Patrick Pruaitch
Mr Francis Potape	Mr Paul Isikiel
Mr Garry Juffa	Mr Paul Tiensten
Mr Gisuwat Siniwin	Mr Pesab Jeffery Komal
Mr Gordon Wesley	Mr Peter Ipatas
Mr Havila Kavov	Mr Peter O'Neill
Mr Isaac Waigavara	Mr Philiip Undialu
Mr James Gau	Sir Puka Temu
Mr James Lagea	Mr Richard Dangma
Mr James Marape	Mr Richard Maru
Mr Jeffery Kuave	Mr Rimbink Pato
Mr Jim Miringtoro	Mr Robert Atiyafa
Mr Jim Simatab	Mr Robert Ganim
Mr Joe Koim Komun	Mr Ron Ganarafa
Mr Joe Lera	Mr Ronny Knight
Mr Joe Sungi	Mr Roy Biyama
Mr John Hickey	Mr Sasindra Muthuvel
Mr John Pundari	Mr Solan Mirisim
Mr John Simon	Mr Steven Kamma

Mr Titus Philemon  
Mr Wera Mori  
Mr Westley Nukundj

Mr William Duma  
Mr William Powi  
Dr William Tongam

### NOES, 12

Dr Allan Marat  
Mr Amkat Mai  
Mr Belden Namah  
Mr Daniel Mona  
Mr Francis Marus  
Mr Jim Kas

Mr Joseph Lelang  
Mr Ludwig Schulze  
Mr Malakai Tabar  
Mr Ross Seymour  
Mr Sam Basil  
Mr Tobias Kulang

- 15 **PRIME MINISTER-ELECT – PRESENTATION AND DECLARATION OF OFFICE:** The Speaker stated that he had ascertained that it would be His Excellency the Governor-General's pleasure to receive the Prime Minister-elect at the Government House forthwith.  
*Suspension of sitting:* At five minutes to three o'clock p.m., the Speaker left the Chair.  
*Resumption of sitting:* At twenty-five minutes to five o'clock p.m., the Speaker resumed the Chair.  
The Prime Minister (Mr Peter O'Neil), reported that he had this day, proceeded to the Government House and presented himself to His Excellency the Governor-General as the choice of the Parliament, and that His Excellency was kind enough to congratulate him on his election as Prime Minister whereupon he also made his Declaration of Office.
- 16 **OFFICIAL OPENING OF NINTH NATIONAL PARLIAMENT:** Mr Peter O'Neil (Prime Minister), informed the Parliament that it would be His Excellency's pleasure to deliver an address on Tuesday, 21 August at ten o'clock a.m., to open the Ninth National Parliament.
- 17 **SPECIAL ADJOURNMENT:** Mr Peter O'Neil (Prime Minister) moved – That the Parliament, at its rising, adjourn until Tuesday, 21 August 2012 at ten o'clock a.m.  
Question – put and passed.
- 18 **CARETAKER GOVERNMENT:** Mr Peter O'Neil (Prime Minister) informed the Parliament of the appointment of the following Members to his Caretaker Ministry as required by Section 144 of the *Constitution*, Mr Don Polye,

Mr Patrick Pruaitch, Mr William Duma, Sir Puka Temu, Mr James Marape, Mr Charles Abel, Mr Mao Zeming, Mr Ben Micah and Mr John Pundari.

19 **INDUCTION PROGRAM FOR MEMBERS OF PARLIAMENT – STATEMENT BY THE SPEAKER:** The Speaker informed the Parliament that an induction program had been organized for Wednesday, 22 August 2012 for Members of the Parliament and urged all Members to attend.

20 **ADJOURNMENT:** Mr Peter O’Neil (Prime Minister) moved – That the Parliament do now adjourn.  
Question – put and passed.

And then the Parliament, at fifteen minutes past five o’clock p.m., adjourned until Tuesday, 21 August 2012 at ten o’clock a.m..

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**MEMBERS PRESENT:** All Members were present.

**DON PANDAN**  
Clerk of the National Parliament