

2012-2013

PAPUA NEW GUINEA

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MINUTES OF PROCEEDINGS

OF THE

NATIONAL PARLIAMENT

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No. 30

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Wednesday, 27 March 2013

- 1 The Parliament met at ten o'clock a.m., pursuant to adjournment. The Speaker (Mr Theo Zurenuoc) took the Chair.
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*Absence of quorum:* The Speaker reported to the Parliament that a quorum of Members was not present and announced that he would again take the Chair at the ringing of the Bells.

*Suspension of sitting:* At ten o'clock a.m., the Speaker left the Chair.

*Resumption of sitting:* At twenty-five minutes to eleven o'clock a.m., the Speaker resumed the Chair, and a quorum of Members being present and in accordance with Standing Order 34, invited Dr Allan Marat (Member for Rabaul) to say Prayers.

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- 2 **QUESTIONS:** Questions without notice were asked.
- 3 **DEPARTMENT OF PRIME MINISTER AND NATIONAL EXECUTIVE COUNCIL – ANNUAL REPORT, 2011 – MOTION TO TAKE NOTE OF PAPER:** Mr Peter O'Neill (Prime Minister), pursuant to statute, presented the following report: -

*Prime Minister and National Executive Council Act-  
Department of Prime Minister and National Executive Council-*

*Annual Report, 2011.*

and, by leave, made a statement in connection with the paper.

Mr James Marape (Minister for Finance) moved – That the Parliament take note of the paper, and was granted leave to continue his speech when the debate is resumed at a subsequent sitting.

- 4 **TEACHING SERVICE COMMISSION – ANNUAL REPORTS, 2009, 2010 AND 2011 – MOTION TO TAKE NOTE OF PAPERS:** Mr James Marape (Minister for Education), pursuant to statute, presented the following reports: -

*Teaching Service Commission Act –  
Teaching Service Commission -  
Annual Reports, 2009, 2010 and 2011,*

and, by leave, made a statement in connection with the papers.

Mr Mao Zeming (Minister for Fisheries and Marine Resources) moved – That the Parliament take note of the papers, and was granted leave to continue his speech when the debate is resumed at a subsequent sitting.

- 5 **SUSPENSION OF STANDING ORDERS – REARRANGEMENT OF BUSINESS:** Mr James Marape (Leader of Government Business), by leave, moved – That so much of the standing orders be suspended as would prevent the Minister for Transport presenting: –

- (a) Notice Nos. 40, 41, 42, 43 and 44; and
- (b) (i) *Marine Pollution (Liability and Cost Recovery) Bill 2013;*  
(i) *Marine Pollution (Ballast Water Control) Bill 2013;*  
(ii) *Marine Pollution (Preparedness and Response) Bill 2013;*  
(iii) *Marine Pollution (Sea Dumping) Bill 2013; and*  
(iv) *Marine Pollution (Ships and Installations) Bill 2013,*  
being presented together and debated as one; and
- (a) separate questions being put on their second and third reading.

Question – put and passed.

- 6 **MARINE POLLUTION (LIABILITY AND COST RECOVERY) BILL 2013; MARINE POLLUTION (BALLAST WATER CONTROL) BILL 2013; MARINE POLLUTION (PREPAREDNESS AND RESPONSE) BILL 2013; MARINE POLLUTION (SEA DUMPING) BILL 2013, AND MARINE POLLUTION (SHIPS AND INSTALLATIONS) BILL 2013:** Mr Ano Pala (Minister for Transport), presented –

- (a) *Marine Pollution (Liability and Cost Recovery) Bill 2013:* A Bill for an Act-

- (i) to provide for the establishment and operation of a National Marine Pollution Fund (POLFUND); and
  - (ii) to provide for liability, insurance, the recovery of costs and the payment of compensation relating to pollution damage in, on or to Papua New Guinea waters, coastline and related interests from vessels and oil or chemical handling facilities; and
  - (iii) to incorporate into the law of Papua New Guinea relevant provisions of certain international Conventions relating to marine pollution liability, cost recovery and compensation; and
  - (iv) to repeal the *Protection of the Sea (Shipping Levy) Act 2004*; and
  - (v) to make ancillary and related provisions.
- (b) ***Marine Pollution (Ballast Water Control) Bill 2013***: A Bill for and Act –
- (i) to prevent, reduce and control the introduction of harmful aquatic organisms and pathogens to Papua New Guinea waters via ships' ballast water and sediments; and
  - (ii) to incorporate into the law of Papua New Guinea relevant provisions of the *International Convention for the Control and Management of Ships' Ballast Water and Sediments*; and
  - (iii) to make ancillary and related provisions.
- (c) ***Marine Pollution (Preparedness and Response) Bill 2013***: A Bill for an Act –
- (i) to provide for the effective response to and control of spills of oil, chemicals or any other pollutant from vessels or any other sources within Papua New Guinea waters or which pollute or threaten to pollute Papua New Guinea waters, aquatic resources, coastline or related interests; and
  - (ii) to provide for effective cooperation with neighbouring countries in matters pertaining to marine pollution preparedness, response and control; and
  - (iii) to incorporate into the law of Papua New Guinea relevant provisions of certain international Conventions relating to marine pollution preparedness, response and control; and
  - (iv) to make ancillary and related provisions.
- (d) ***Marine Pollution (Sea Dumping) Bill 2013***: A Bill for and Act –
- (i) to provide for the prevention and control of marine pollution from the dumping and incineration of wastes and other matter in Papua New Guinea waters and from any Papua New Guinea vessel; and

- (ii) to incorporate into the law of Papua New Guinea relevant provisions of certain international Conventions relating to the dumping and incineration of wastes and other matter; and
  - (iii) to repeal the *Dumping of Waste at Sea Act*,
- and for related purposes

(e) **Marine Pollution (Ships and Installations) Bill 2013:** A Bill for an Act –

- (i) to provide for the prevention and control of marine pollution from any vessel and any offshore installation in Papua New Guinea waters and from any Papua New Guinea vessel and any Papua New Guinea offshore installation wherever it may be; and
- (ii) to incorporate into the law of Papua New Guinea relevant provisions of certain international Conventions relating to marine pollution prevention and control; and
- (iii) to repeal the Prevention of *Pollution of the Sea Act* and the *Prevention of Pollution of the Sea Regulation*; and
- (iv) to make ancillary and related provisions.

Bills read together a first time.

Mr Ano Pala, by leave, moved – That the Bills be now read a second time.

Debate ensued.

#### 7 **MARINE POLLUTION (LIABILITY AND COST RECOVERY) BILL 2013:**

*Closure:* Mr James Marape (Leader of Government Business) moved – That the question be now put.

Question – put and passed – Bill read a second time.

Mr Ano Pala moved – That the Bill be now read a third time.

Debate ensued.

*Closure:* Mr James Marape moved – That the question be now put.

Question – put and passed.

And the question – That the Bill be now read a third time – put.

Ordered – That the Bells be rung.

The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair) -

*Ayes, 74*

Mr Amkat Mai  
 Dr Allan Marat  
 Mr Ano Pala  
 Mr Asik Tommy Tomscoll  
 Mr Ati Wobiro  
 Mr Ben Micah  
 Mr Benjamin Poponawa  
 Mr Benny Allan  
 Mr Boka Kondra  
 Mr Byron Chan

Mr Camillus Dangma  
 Mr Daniel Mona  
 Mr De Kewanu  
 Ms Delilah Gore  
 Mr Don Polye  
 Mr Douglas Tomuriesa  
 Mr Ereman ToBaining Jnr  
 Dr Fabian Pok  
 Mr Francis Awesa  
 Mr Garry Juffa

Mr Gisuwat Siniwin  
 Mr Gordon Wesley  
 Mr Havila Kavov  
 Mr Isaac Waigavara  
 Mr James Gau  
 Mr James Lagea  
 Mr James Marape  
 Mr Jeffery Kuave  
 Mr Jim Kas  
 Mr Jim Miringtoro  
 Mr Jim Simatab  
 Mr Joe Koim Komun  
 Mr Joe Lera  
 Mr Joe Sungi  
 Mr John Hickey  
 Mr John Pundari  
 Mr Johnson Tuke  
 Mr Joseph Yopyyopy  
 Mrs Julie Soso Akeke  
 Sir Julius Chan  
 Mr Justin Tkachenko  
 Mr Kerenga Kua  
 Mr Kila Haoda  
 Mr Koi Trape  
 Mr Labi Amaiu  
 Mr Leo Dion  
 Mrs Loujaya Toni

Mr Louta Atoi  
 Mr Mao Zeming  
 Mr Mehrra Minne Kipefa  
 Mr Michael Malabag  
 Mr Mogerema Sigowei  
 Mr Nixon Mangape  
 Mr Noah Kool  
 Mr Patrick Pruaitch  
 Mr Paul Isikiel  
 Mr Paul Tiensten  
 Mr Pesab Jeffery Komal  
 Mr Peter O'Neill  
 Mr Powes Parkop  
 Sir Puka Temu  
 Mr Richard Mendani  
 Mr Rimbink Pato  
 Mr Robert Ganim  
 Mr Ron Ganarafa  
 Mr Ronnie Knight  
 Mr Roy Biyama  
 Mr Sasindra Muthuvel  
 Mr Solan Mirisim  
 Mr Titus Philemon  
 Mr Tobias Kulang  
 Mr Wera Mori  
 Mr Westley Nukundj  
 Mr William Powi

*Noes, 0*

And so it was resolved in the affirmative with the concurrence of an absolute majority as required by the *Constitution* – Bill read a third time.

8 **MARINE POLLUTION (BALLAST WATER CONTROL) BILL 2013:**

*Closure:* Mr James Marape (Leader of Government Business) moved – That the question be now put.

Question – put and passed – Bill read a second time.

Mr Ano Pala moved – That the Bill be now read a third time.

Debate ensued.

*Closure:* Mr James Marape moved – That the question be now put.

Question – put and passed.

And the question – That the Bill be now read a third time – put.

Ordered – That the Bells be rung.

The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair) -

*Ayes, 74*

Mr Amkat Mai

Dr Allan Marat

Mr Ano Pala	Mrs Julie Soso Akeke
Mr Asik Tommy Tomscoll	Sir Julius Chan
Mr Ati Wobiro	Mr Justin Tkachenko
Mr Ben Micah	Mr Kerenga Kua
Mr Benjamin Poponawa	Mr Kila Haoda
Mr Benny Allan	Mr Koi Trape
Mr Boka Kondra	Mr Labi Amaiu
Mr Byron Chan	Mr Leo Dion
Mr Camillus Dangima	Mrs Loujaya Toni
Mr Daniel Mona	Mr Louta Atoi
Mr De Kewanu	Mr Mao Zeming
Ms Delilah Gore	Mr Mehrra Minne Kipefa
Mr Don Polye	Mr Michael Malabag
Mr Douglas Tomuriesa	Mr Mogerema Sigowei
Mr Ereman ToBaining Jnr	Mr Nixon Mangape
Dr Fabian Pok	Mr Noah Kool
Mr Francis Awesa	Mr Patrick Pruaitch
Mr Garry Juffa	Mr Paul Isikiel
Mr Gisuwat Siniwin	Mr Paul Tiensten
Mr Gordon Wesley	Mr Pesab Jeffery Komal
Mr Havila Kavov	Mr Peter O'Neill
Mr Isaac Waigavara	Mr Powes Parkop
Mr James Gau	Sir Puka Temu
Mr James Lagea	Mr Richard Mendani
Mr James Marape	Mr Rimbink Pato
Mr Jeffery Kuave	Mr Robert Ganim
Mr Jim Kas	Mr Ron Ganarafo
Mr Jim Miringtoro	Mr Ronny Knight
Mr Jim Simatab	Mr Roy Biyama
Mr Joe Koim Komun	Mr Sasindra Muthuvel
Mr Joe Lera	Mr Solan Mirisim
Mr Joe Sungi	Mr Titus Philemon
Mr John Hickey	Mr Tobias Kulang
Mr John Pundari	Mr Wera Mori
Mr Johnson Tuke	Mr Westley Nukundj
Mr Joseph Yopyyopy	Mr William Powi

*Noes, 0*

And so it was resolved in the affirmative with the concurrence of an absolute majority as required by the *Constitution* – Bill read a third time.

9 **MARINE POLLUTION (PREPAREDNESS AND RESPONSE) BILL 2013:**

*Closure:* Mr James Marape (Leader of Government Business) moved – That the question be now put.

Question – put and passed – Bill read a second time.

Mr Ano Pala moved – That the Bill be now read a third time.

Debate ensued.

*Closure:* Mr James Marape moved – That the question be now put.

Question – put and passed.

And the question – That the Bill be now read a third time – put.

Ordered – That the Bells be rung.

The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair)-

*Ayes, 73*

Mr Amkat Mai	Mr Joseph Yopyyopy
Dr Allan Marat	Mrs Julie Soso Akeke
Mr Ano Pala	Mr Justin Tkachenko
Mr Asik Tommy Tomscoll	Mr Kerenga Kua
Mr Ati Wobiro	Mr Kila Haoda
Mr Ben Micha	Mr Koi Trape
Mr Benjamin Poponawa	Mr Labi Amaiu
Mr Benny Allan	Mr Leo Dion
Mr Boka Kondra	Mrs Loujaya Toni
Mr Byron Chan	Mr Louta Atoi
Mr Camillus Dangima	Mr Mao Zeming
Mr Daniel Mona	Mr Mehrra Minne Kipefa
Mr De Kewanu	Mr Michael Malabag
Ms Delilah Gore	Mr Mogerema Sigowei
Mr Don Polye	Mr Nixon Mangape
Mr Douglas Tomuriesa	Mr Noah Kool
Mr Ereman ToBaining Jnr	Mr Patrick Pruaitch
Dr Fabian Pok	Mr Paul Isikiel
Mr Francis Awesa	Mr Paul Tiensten
Mr Garry Juffa	Mr Pesab Jeffery Komal
Mr Gisuwat Siniwin	Mr Peter O'Neill
Mr Gordon Wesley	Mr Powes Parkop
Mr Havila Kavo	Sir Puka Temu
Mr Isaac Waigavara	Mr Richard Mendani
Mr James Gau	Mr Rimbink Pato
Mr James Lagea	Mr Robert Ganim
Mr James Marape	Mr Ron Ganarafo
Mr Jeffery Kuave	Mr Ronny Knight
Mr Jim Kas	Mr Roy Biyama
Mr Jim Miringtoro	Mr Sasindra Muthuvel
Mr Jim Simatab	Mr Solan Mirisim
Mr Joe Koim Komun	Mr Titus Philemon
Mr Joe Lera	Mr Tobias Kulang
Mr Joe Sungi	Mr Wera Mori
Mr John Hickey	Mr Westley Nukundj
Mr John Pundari	Mr William Powi
Mr Johnson Tuke	

*Noes, 0*

And so it was resolved in the affirmative with the concurrence of an absolute majority as required by the *Constitution* – Bill read a third time.

10 **MARINE POLLUTION (SEA DUMPING) BILL 2013:**

*Closure:* Mr James Marape (Leader of Government Business) moved – That the question be now put.

Question – put and passed – Bill read a second time.

Mr Ano Pala moved – That the Bill be now read a third time.

Debate ensued.

*Closure:* Mr James Marape moved – That the question be now put.

Question – put and passed.

And the question – That the Bill be now read a third time – put.

Ordered – That the Bells be rung.

The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair) -

*Ayes, 75*

Mr Amkat Mai	Mr Joe Koim Komun
Dr Allan Marat	Mr Joe Lera
Mr Ano Pala	Mr Joe Sungi
Mr Asik Tommy Tomscoll	Mr John Hickey
Mr Ati Wobiro	Mr John Pundari
Mr Ben Micha	Mr Johnson Tuke
Mr Benjamin Pophonawa	Mr Joseph Yopyyopy
Mr Benny Allan	Mrs Julie Soso Akeke
Mr Boka Kondra	Mr Justin Tkachenko
Mr Byron Chan	Mr Kerenga Kua
Mr Camillus Dangima	Mr Kila Haoda
Mr Daniel Mona	Mr Koi Trape
Mr De Kewanu	Mr Labi Amaiu
Ms Delilah Gore	Mr Leo Dion
Mr Don Polye	Mrs Loujaya Toni
Mr Douglas Tomuriesa	Mr Louta Atoi
Mr Ereman ToBaining Jnr	Mr Mao Zeming
Dr Fabian Pok	Mr Mehrra Minne Kipefa
Mr Francis Awesa	Mr Michael Malabag
Mr Garry Juffa	Mr Mogerema Sigowei
Mr Gisuwat Siniwin	Mr Nixon Mangape
Mr Gordon Wesley	Mr Noah Kool
Mr Havila Kavov	Mr Patrick Pruaitch
Mr Isaac Waigavara	Mr Paul Isikiel
Mr James Gau	Mr Paul Tiensten
Mr James Lagea	Mr Pesab Jeffery Komal
Mr James Marape	Mr Peter O'Neill
Mr Jeffery Kuave	Mr Powes Parkop
Mr Jim Kas	Sir Puka Temu
Mr Jim Miringtoro	Mr Richard Mendani
Mr Jim Simatab	Mr Rimbink Pato

Mr Robert Ganim  
 Mr Ron Ganarafa  
 Mr Ronny Knight  
 Mr Roy Biyama  
 Mr Sasindra Muthuvel  
 Mr Solan Mirisim

Mr Titus Philemon  
 Mr Tobias Kulang  
 Mr Wera Mori  
 Mr Westley Nukundj  
 Mr William Powi

*Noes, 0*

And so it was resolved in the affirmative with the concurrence of an absolute majority as required by the Constitution – Bill read a third time.

11 **MARINE POLLUTION (SHIPS AND INSTALLATIONS) BILL 2013:**

*Closure:* Mr James Marape (Leader of Government Business) moved – That the question be now put.

Question – put and passed – Bill read a second time.

Mr Ano Pala moved – That the Bill be now read a third time.

Debate ensued.

*Closure:* Mr James Marape moved – That the question be now put.

Question – put and passed.

And the question – That the Bill be now read a third time – put.

Ordered – That the Bells be rung.

The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair) -

*Ayes, 74*

Mr Amkat Mai  
 Dr Allan Marat  
 Mr Ano Pala  
 Mr Asik Tommy Tomscoll  
 Mr Ati Wobiro  
 Mr Ben Micha  
 Mr Benjamin Philip  
 Mr Benjamin Poponawa  
 Mr Benny Allan  
 Mr Boka Kondra  
 Mr Byron Chan  
 Mr Camillus Dangima  
 Mr Daniel Mona  
 Mr De Kewanu  
 Ms Delilah Gore  
 Mr Don Polye  
 Mr Douglas Tomuriesa  
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 Mr Francis Awesa  
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 Mr Gordon Wesley  
 Mr Havila Kavov

Mr Isaac Waigavara  
 Mr James Gau  
 Mr James Lagea  
 Mr James Marape  
 Mr Jeffery Kuave  
 Mr Jim Kas  
 Mr Jim Miringtoro  
 Mr Jim Simatab  
 Mr Joe Koim Komun  
 Mr Joe Lera  
 Mr Joe Sungi  
 Mr John Hickey  
 Mr John Pundari  
 Mr Johnson Tuke  
 Mr Joseph Yopyyopy  
 Mrs Julie Soso Akeke  
 Mr Justin Tkachenko  
 Mr Kerenga Kua  
 Mr Kila Haoda  
 Mr Koi Trape  
 Mr Labi Amaiu  
 Mr Leo Dion  
 Mrs Loujaya Toni

Mr Louta Atoi	Mr Rimbink Pato
Mr Mao Zeming	Mr Robert Ganim
Mr Mehrra Minne Kipefa	Mr Ron Ganarafo
Mr Mogerema Sigowei	Mr Ronny Knight
Mr Nixon Mangape	Mr Roy Biyama
Mr Noah Kool	Mr Sasindra Muthuvel
Mr Patrick Pruaitch	Mr Solan Mirisim
Mr Paul Isikiel	Steven Kamma
Mr Paul Tiensten	Mr Titus Philemon
Mr Pesab Jeffery Komal	Mr Tobias Kulang
Mr Peter O'Neill	Mr Wera Mori
Mr Powes Parkop	Mr Westley Nukundj
Sir Puka Temu	Mr William Powi
Mr Richard Mendani	

*Noes, 0*

And so it was resolved in the affirmative with the concurrence of an absolute majority as required by the *Constitution* – Bill read a third time.

- 12 **LEAVE OF ABSENCE TO MEMBER:** Mr James Marape (Leader of Government Business) moved – That Mr Ken Fairweather be granted leave of absence for the duration of this meeting due to ill health.  
Question – put and passed.
- 13 **ADJOURNMENT:** Mr James Marape (Leader of Government Business) moved – That the Parliament do now adjourn.  
Question – put and passed.

And then the Parliament at fifteen minutes past one o'clock p.m., adjourned until tomorrow at ten o'clock a.m.

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except \*Mr Anderson Agiru, Mr Anton Yagama, Mr Beldan Namah, Mr Benny Allan, \*Mr Bire Kimisopa, Mr Bob Dadae, Mr Charles Abel, Mr Charlie Benjamin, Mr Francis Marus, \*Mr Francis Potape, Mr John Simon, Mr Joseph Lelang, Mr Kelly Naru, \*Mr Ken Fairweather, Mr Mai Dop, Mr Malakai Tabar, Sir Michael Somare, \*Mr Nixon Duban, Mr Paias Wingti, Mr Philip Undialu, Mr Richard Maru, Mr Robert Atiyafa, Mr Ross Seymour, Mr Sam Basil, \*Mr Tony Aimo and Mr William Tongamp.

**SIMON ILA**  
**Acting Clerk of the National Parliament**

\* *Leave of Absence*