

2012-13-14-15

PAPUA NEW GUINEA

MINUTES OF PROCEEDINGS

OF THE

NATIONAL PARLIAMENT

No. 118

Wednesday, 29 July 2015

- 1 The Parliament met at ten o'clock a.m. pursuant to adjournment. The Deputy Speaker (Mr Aide Ganasi) took the Chair.
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Absence of quorum: The Deputy 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 three minutes past ten o'clock a.m., the Deputy Speaker left the Chair.

Resumption of sitting: At fifteen 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 Ms Julie Soso Akeke (Governor Eastern Highlands) to say Prayers.

- 2 **QUESTIONS:** Questions without notice were asked.

3 **STATEMENT BY THE SPEAKER:** The Speaker acknowledged the presence of visitors from Kiriwina-Goodenough Ward Council, and on behalf of the National Parliament, extended a warm welcome to the visitors.

4 **CIVIL AVIATION SAFETY AUTHORITY OF PAPUA NEW GUINEA – ANNUAL REPORT, 2013 AND CORPORATE PLAN 2012 – 2015 – PAPERS AND STATEMENT – MOTION TO TAKE NOTE OF PAPERS:** Mr Davis Stevens (Minister for Civil Aviation) pursuant to statute, presented the following papers:

Civil Aviation Safety Authority of Papua New Guinea -
 (i) *Casa Annual Report – 2013; and*
 (ii) *Corporate Plan, 2012 - 2015*

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

Mr James Marape (Leader of Government Business) 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 **PAPUA NEW GUINEA TOURISM PROMOTION AUTHORITY – ANNUAL REPORTS, 2011, 2012 AND 2013 – PAPERS AND STATEMENT – PAPERS NOTED:** Mr Charles Abel (Acting Minister for Tourism, Arts and Culture), presented the following papers:

*Papua New Guinea Tourism Promotion Authority –
 Annual Reports, 2011, 2012 and 2013*

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

Mr Tom Kulang moved – That the Parliament take note of the papers.

Debate ensued.

Closure: Mr De Kewanu (Member for Mendi) moved – That the question be now put – put and passed.

And the question – That the Parliament take note of the paper was put accordingly, and passed.

6 **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 notice Nos. 242, 219, 240, 241, 257 and 195, (Government Business) being called on forthwith.

Question – put and passed.

7 **OATHS, AFFIRMATIONS AND STATUTORY DECLARATION (AMENDMENT)**

BILL 2015: Mr Ano Pala (Minister for Justice and Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Oaths, Affirmations and Statutory Declaration Act* (Chapter 317) and for related purposes.

Bill read a first time.

Leave granted for second reading to be moved forthwith.

Mr James Marape moved – That the Bill be now read a second time.

Debate ensued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr James Marape, the Bill was read a third time.

8 **MENTAL HEALTH BILL 2015:** Mr Michael Malabag (Minister for Health) presented a Bill for an Act to provide for the administration and necessary infrastructure for –

- (a) Mental health care services; and
- (b) The conditions of admission of persons suffering from mental disorders; and
- (c) The treatment and the conditions of living of patients at mental health care centres; and
- (d) The protection of the rights of mental patients; and
- (e) The principles applicable to accused persons who plead mental disorder or are found to be unfit to plead to criminal charges, and for related purposes.

Bill read a first time.

Leave granted for second reading to be moved forthwith.

Mr Michael Malabag moved – That the Bill be now read a second time.

Debate ensued.

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

Message from the Governor-General – Recommendation of the imposition of taxation: Mr Speaker announced that he had received a message from His Excellency the Governor General, dated, recommending the expenditure of public monies of Papua New Guinea in accordance with Section 210 of the *Constitution* insofar as the Bill relates to and provides for such expenditure.

Leave granted for third reading to be moved forthwith.

Mr Michael Malabag moved – That the Bill be now read a third time.

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 Aide Ganasi	Mr Koi Trape
Dr Allan Marat	Mr Labi Amaiu
Mr Ano Pala	Ms Loujaya Toni
Mr Anton Yagama	Mr Louta Atoi
Mr Ati Wobiro	Mr Mai Dop
Mr Ben Micah	Mr Malakai Tabar
Mr Benjamin Poponawa	Mr Mao Zeming
Mr Benny Allan	Mr Nick Kuman
Mr Bob Dadae	Mr Nixon Mangape
Mr Byron Chan	Mr Noah Kool
Mr Charles Abel	Mr Paias Wingti
Mr Charlie Benjamin	Mr Patrick Pruaitch
Mr Davis Steven	Mr Paul Isikiel
Mr De Kewanu	Mr Pesab Jeffrey Komal
Mr Douglas Tomuriesa	Mr Peter Ipatas
Mr Elias Kapavore	Mr Peter Isoaimo
Mr Ereman Tobaining Jnr.	Mr Peter O'Neill
Dr Fabian Pok	Mr Philip Unduali
Mr Francis Marus	Mr Powes Parkop
Mr Gisuwat Siniwin	Sir Puka Temu
Mr Isaac Waigavara	Mr Richard Maru
Mr James Marape	Mr Robert Ganim
Mr Jeffery Kuave	Mr Ron Ganarafo
Mr Jim Kas	Mr Roy Biyama
Mr Jim Miringtoro	Mr Salio Waipo
Mr Jim Simatab	Mr Sam Basil
Mr Joe Lera	Mr Sasindra Muthuvel
Mr John Sungi	Mr Solan Mirisim
Mr John Pundari	Mr Wera Mori
Mr Joseph Lelang	Mr Westley Nukundj
Mr Joseph Yopyyopy	Mr William Duma
Mr Justin Tkachenko	Mr William Powi
Mr Kila Haoda	Mr William Tongamp

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 **PUBLIC HEALTH (AMENDMENT) BILL 2014:** Mr Michael Malabag (Minister for Health), pursuant to notice, presented a Bill for an Act to amend the *Public Health Act 1973* by amending the Long Tide and repealing Part VIII as a consequence of the *Mental Health Bill 2014* and for related purposes.
Bill read a first time.
Leave granted for second reading to be moved forthwith.
Mr Michael Malabag moved – That the Bill be now read a second time.
Debate ensued.
Question – put and passed – Bill read a second time.
Leave granted for third reading to be moved forthwith.
On the motion of Mr Michael Malabag, the Bill was read a third time.
- 10 **CRIMINAL CODE (AMENDMENT) BILL 2014:** Mr Michael Malabag (Minister for Health), pursuant to notice, presented a Bill for an Act to amend the *Criminal Code Act* (Chapter 226) to make provision for the trial of persons with unsound mind as a consequence of the *Mental Health Bill 2014* and for related purposes.
Bill read a first time.
Leave granted for second reading to be moved forthwith.
Mr Michael Malabag moved – That the Bill be now read a second time.
Debate ensued.
Question – put and passed – Bill read a second time.
Leave granted for third reading to be moved forthwith.
On the motion of Mr Michael Malabag, the Bill was read a third time.
- 11 **CONSTITUTIONAL AMENDMENT (DUAL CITIZENSHIP) LAW 2015:** Mr Peter O’Neill (Prime Minister), pursuant to notice, presented a proposed Law to alter the *Constitution* to implement Dual Citizenship and for related matters.
Proposed Law read a first time.
Ordered – That the proposed Law be referred to the Permanent Parliamentary Committee on Constitutional Laws and Acts and Subordinate Legislation.
- 12 **ORGANIC LAW ON SOVEREIGN WEALTH FUND 2014:** The order of the day having been read for the second required opportunity for debate and Second Vote – Mr Peter O’Neill (Prime Minister) moved – That in accordance with Standing Order 222F, the proposed Law be read a third time and commenced the second required opportunity for debate.
Debate ensued.
Question – put and passed.
Ordered – That the Bells be rung.

Second Vote: The Parliament voted – (The Speaker, Mr Theo Zurenuoc, in the Chair) –

AYES, 72

Mr Aide Ganasi
 Dr Allan Marat
 Mr Ano Pala
 Mr Anton Yagama
 Mr Ati Wobiro
 Mr Ben Micah
 Mr Benjamin Poponawa
 Mr Benny Allan
 Mr Bob Dadae
 Mr Byron Chan
 Mr Charles Abel
 Mr Charlie Benjamin
 Mr Davis Steven
 Mr De Kewanu
 Mr Douglas Tomuriesa
 Mr Elias Kapavore
 Mr Ereman Tobaining Jnr
 Dr Fabian Pok
 Mr Francis Marus
 Mr Gisuwat Siniwin
 Mr Havila Kavovore
 Mr Isaac Waigavara
 Mr James Marape
 Mr Jim Kas
 Mr Jim Miringtoro
 Mr Jim Simatab
 Mr Joe Koim Komun
 Mr Joe Lera
 Mr John Pundari
 Mr Joseph Lelang
 Mr Joseph Yopyyopy
 Mr Julie Soso Akeke
 Mr Justin Tkachenko
 Mr Kila Haoda
 Mr Koi Trape
 Mr Labi Amaiu

Ms Loujaya Toni
 Mr Louta Atoi
 Mr Mai Dop
 Mr Malakai Tabar
 Mr Mao Zeming
 Mr Mehrra Minnie Kipefa
 Mr Michael Malabag
 Mr Nick Kuman
 Mr Nixon Duban
 Mr Noah Kool
 Mr Paias Wingti
 Mr Patrick Pruaitch
 Mr Pesab Jeffrey Komal
 Mr Peter Ipatas
 Mr Peter Isoaimo
 Mr Peter O'Neill
 Mr Philip Unduali
 Mr Powes Parkop
 Sir Puka Temu
 Mr Richard Maru
 Mr Robert Atiyafa
 Mr Robert Ganim
 Mr Ron Ganarafo
 Mr Roy Biyama
 Mr Salio Waipo
 Mr Sam Basil
 Mr Sasindra Muthuvel
 Mr Solan Mirisim
 Mr Steven Kamma
 Mr Theo Zurenuoc
 Mr Tobias Kulang
 Mr Wera Mori
 Mr Westley Nukundj
 Mr William Duma
 Mr William Powi
 Mr William Tongamp

NOES, 1

Sir Michael Somare

And so it was negated as an absolute majority as required by the *Constitution* had not voted in its favour.

Recission of Second Reading: Mr James Marape (Leader of Government Business), by leave, moved – That the second reading vote be rescinded and made an order of the day for a subsequent sitting.
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 five minutes to two o'clock p.m., adjourned until tomorrow at ten o'clock a.m..

MEMBERS PRESENT: All Members were present (at sometime during the sitting) except *Mr Anderson Agiru, Mr Assik Tommy Tomscoll, Mr Belden Namah, Mr Benjamin Philip, Mr Bire Kimisopa, Mr Boka Kondra, Mr Camillus Dangima, Ms Delilah Gore, *Mr Don Polye, Mr Ezekiel Anisi, Mr Francis Awesa, Mr Francis Potape, Mr James Gau, Mr James Lagea, Mr Jeffery Kuave, Mr Johnson Tuke, Sir Julius Chan, Mr Ken Fairweather, Mr Kerenga Kua, Mr Leo Dion, Mr Mark Maipakai, Mr Paul Isikiel, Mr Richard Mendani, Mr Rimbink Pato, Mr Ronny Knight, Mr Ross Seymour and Mr Titus Philemon.

KALA AUFA

Acting Clerk of the National Parliament

* Sick leave

+ Suspended by the Leadership Tribunal