

2012

PAPUA NEW GUINEA

MINUTES OF PROCEEDINGS

OF THE

NATIONAL PARLIAMENT

No. 16

Tuesday, 27 November 2012

- 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 five minutes past ten o'clock a.m., the Speaker left the Chair.
Resumption of sitting: At half past ten o'clock a.m., the Speaker resumed the Chair, and a quorum of Members being present and in accordance with Standing Order 34, invited Mr Isaac Waigavara (Member for Okapa) to say Prayers.

- 2 **BROADCASTING OF PARLIAMENTARY PROCEEDINGS – STATEMENT BY THE SPEAKER:** The Speaker informed the Parliament that the Permanent Parliamentary Committee on Broadcasting of Parliamentary Proceedings met this morning and resolved that: -

- (a) the National Broadcasting Corporation (NBC) and the National Television Service, “Kundu 2”, would be allowed to respectively broadcast live questions without notice,
- (b) EMTV would be allowed to film questions without notice for news purposes only, and
- (c) Australian Broadcasting Corporation would be allowed to film questions without notice for news purposes only, for the duration of this meeting.

3 **QUESTIONS:** Questions without notice being asked.

Suspension of standing orders - Extension of time for questions without notice: Mr Belden Namah (Leader of the Opposition) moved – That so much of the standing orders be suspended as would prevent the time for questions without notice this day being extended by twenty minutes.

Question – put and passed with the concurrence of an absolute majority.

Questions without notice continued.

4 **SUSPENSION OF STANDING ORDERS – PRESENTATION OF PROPOSED**

LAW: Mr James Marape (Leader of Government Business), by leave, moved – That so much of the standing orders be suspended as would prevent the Prime Minister presenting the *Constitutional Amendment (Motions of No Confidence) Law 2012*.

Question – put and passed.

5 **CONSTITUTIONAL AMENDMENT (MOTIONS OF NO CONFIDENCE) LAW 2012 – REFERENCE TO PERMANENT PARLIAMENTARY COMMITTEE ON CONSTITUTIONAL LAWS AND ACTS AND SUBORDINATE LEGISLATIONS:**

Mr Peter O’Neill (Prime Minister) presented a proposed Law to alter the *Constitution* to increase the period for vote of no confidence to thirty months.

Proposed Law read a first time.

Ordered – That the proposed Law be referred to the Permanent Parliamentary Committee on Constitutional Laws, Acts and Subordinate Legislations.

6 **APPROPRIATION (RECURRENT EXPENDITURE 2013) BILL 2012, APPROPRIATION (JUDICIARY SERVICES 2013) BILL 2012, APPROPRIATION (NATIONAL PARLIAMENT 2013) BILL 2012, APPROPRIATION (NATIONAL DEVELOPMENT EXPENDITURE 2013) BILL 2012 AND APPROPRIATION (PNG LNG 2013) BILL 2012:** The

orders of the day having been read for the resumption of debate on the question - That the Bills be now read together a second time –

Debate resumed.

Mr Joseph Lelang (Shadow Minister for Finance and Treasury) delivered the Opposition's Budget Speech-in-Reply.

Leave granted for the remainder of the speech of Mr Leo Dion (Deputy Prime Minister and Minister for Inter-Government Relations) to be incorporated in Hansard.

Debate continued.

Leave granted for the remainder of the speech of Mr Sam Basil (Deputy Leader of the Opposition) to be incorporated in Hansard.

Debate continued.

Question – put and passed.

(a) **APPROPRIATION (RECURRENT EXPENDITURE 2013) BILL 2012:**

The order of the day having been read for the resumption of debate on the question - That the Bill be now read a second time –

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

Mr Don Polye (Minister for Treasury), by leave, moved – That the Bill be now read a third time.

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

(b) **APPROPRIATION (JUDICIARY SERVICES 2013) BILL 2012:** The order of the day having been read for the resumption of debate on the question - That the Bill be now read a second time –

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

Mr Don Polye (Minister for Treasury), by leave, moved – That the Bill be now read a third time.

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

(c) **APPROPRIATION (NATIONAL PARLIAMENT 2013) BILL 2012:** The order of the day having been read for the resumption of debate on the question - That the Bill be now read a second time –

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

Mr Don Polye (Minister for Treasury), by leave, moved – That the Bill be now read a third time.

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

(d) **APPROPRIATION (NATIONAL DEVELOPMENT EXPENDITURE 2013) BILL 2012:** The order of the day having been read for the resumption of debate on the question - That the Bill be now read a second time –

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

Mr Don Polye (Minister for Treasury), by leave, moved – That the Bill be now read a third time.

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

(e) **APPROPRIATION (PNG LNG 2013) BILL 2012:** The order of the day having been read for the resumption of debate on the question - That the Bill be now read a second time –

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

Mr Don Polye (Minister for Treasury), by leave, moved – That the Bill be now read a third time.

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

- 7 **CUSTOMS TARIFF (2013 AMENDMENT) BILL 2012:** The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

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

Message from the Governor General – Recommendation of imposition of taxation:

The Speaker announced that he had received a message from His Excellency the Governor General, dated 20 November 2012, recommending the imposition of taxation in accordance with section 210 of the *Constitution* insofar as the Bill relates to and provides for such imposition.

Leave granted for the third reading to be moved forthwith.

On the motion of Mr Don Polye (Minister for Treasury), the Bill was read a third time.

- 8 **EXCISE TARIFF (2013 BUDGET) (AMENDMENT) BILL 2012:** The order of the day having been read for the resumption of debate on the question - That the Bill be now read a second time -

Debate resumed.

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

Message from the Governor General – Recommendation of imposition of taxation:

The Speaker announced that he had received a message from His Excellency the Governor General, dated 20 November 2012, recommending the imposition of taxation in accordance with section 210 of the *Constitution* insofar as the Bill relates to and provides for such imposition.

Leave granted for the third reading to be moved forthwith.

On the motion of Mr Don Polye (Minister for Treasury), the Bill was read a third time.

- 9 **FISCAL RESPONSIBILITY (2013 BUDGET) (AMENDMENT) BILL 2012:** The order of the day having been read for the resumption of debate on the question - That the Bill be now read a second time -

Debate resumed.

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

Message from the Governor General – Recommendation of imposition of taxation:

The Speaker announced that he had received a message from His Excellency the Governor General, dated 20 November 2012, recommending the imposition of taxation in accordance with section 210 of the *Constitution* insofar as the Bill relates to and provides for such imposition.

Leave granted for the third reading to be moved forthwith.

On the motion of Mr Don Polye (Minister for Treasury), the Bill was read a third time.

- 10 **FORESTRY (2013 BUDGET) (AMENDMENT) BILL 2012:** The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question – put and passed – Bill read a second time.
Message from the Governor General – Recommendation of imposition of taxation:
The Speaker announced that he had received a message from His Excellency the Governor General, dated 20 November 2012, recommending the imposition of taxation in accordance with section 210 of the *Constitution* insofar as the Bill relates to and provides for such imposition.
Leave granted for the third reading to be moved forthwith.
On the motion of Mr Don Polye (Minister for Treasury), the Bill was read a third time.
- 11 **GAMING CONTROL (2013 BUDGET) (AMENDMENT) BILL 2012:** The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question – put and passed – Bill read a second time.
Message from the Governor General – Recommendation of imposition of taxation:
The Speaker announced that he had received a message from His Excellency the Governor General, dated 20 November 2012, recommending the imposition of taxation in accordance with section 210 of the *Constitution* insofar as the Bill relates to and provides for such imposition.
Leave granted for the third reading to be moved forthwith.
On the motion of Mr Don Polye (Minister for Treasury), the Bill was read a third time.
- 12 **INCOME TAX (2013 BUDGET) (AMENDMENT) BILL 2012:** The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question – put and passed – Bill read a second time.
Message from the Governor General – Recommendation of imposition of taxation:
The Speaker announced that he had received a message from His Excellency the Governor General, dated 20 November 2012, recommending the imposition of taxation in accordance with section 210 of the *Constitution* insofar as the Bill relates to and provides for such imposition.
Leave granted for the third reading to be moved forthwith.
On the motion of Mr Don Polye (Minister for Treasury), the Bill was read a third time.
- 13 **INCOME TAX, DIVIDEND (WITHHOLDING) TAX AND INTEREST (WITHHOLDING) TAX RATES (2013 BUDGET) (AMENDMENT) BILL 2012:** The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.

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

Message from the Governor General – Recommendation of imposition of taxation:

The Speaker announced that he had received a message from His Excellency the Governor General, dated 20 November 2012, recommending the imposition of taxation in accordance with section 210 of the *Constitution* insofar as the Bill relates to and provides for such imposition.

Leave granted for the third reading to be moved forthwith.

On the motion of Mr Don Polye (Minister for Treasury), the Bill was read a third time.

- 14 **INTER-GOVERNMENT RELATIONS (FUNCTIONS AND FUNDING) (2013 BUDGET) (AMENDMENT) BILL 2012:** The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

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

Message from the Governor General – Recommendation of imposition of taxation:

The Speaker announced that he had received a message from His Excellency the Governor General, dated 20 November 2012, recommending the imposition of taxation in accordance with section 210 of the *Constitution* insofar as the Bill relates to and provides for such imposition.

Leave granted for the third reading to be moved forthwith.

On the motion of Mr Don Polye (Minister for Treasury), the Bill was read a third time.

- 15 **NATIONAL ROADS AUTHORITY (2013 BUDGET) (AMENDMENT) BILL 2012:** The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

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

Message from the Governor General – Recommendation of imposition of taxation:

The Speaker announced that he had received a message from His Excellency the Governor General, dated 20 November 2012, recommending the imposition of taxation in accordance with section 210 of the *Constitution* insofar as the Bill relates to and provides for such imposition.

Leave granted for the third reading to be moved forthwith.

On the motion of Mr Don Polye (Minister for Treasury), the Bill was read a third time.

- 16 **SUSPENSION OF STANDING ORDERS – RE-ARRANGEMENT 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 proposed *Constitutional Amendment (Motions of No Confidence) Law 2012* being called on forthwith.

Question – put and passed.

17 CONSTITUTIONAL AMENDMENT (MOTIONS OF NO CONFIDENCE) LAW

2012: The order of the day having been read for the First Vote –

Mr Richard Mendani (Chairman – Constitutional Law and Acts and Subordinate Legislation), by leave, made a statement in connection with the proposed Law.

Mr Peter O'Neill (Prime Minister) moved – That the proposed Law be now read a second time, and commenced the first required opportunity for debate.

Debate ensued.

Question – put and passed.

Mr Peter O'Neill (Prime Minister) moved – That the proposed Law be now agreed to without amendments.

Question – That the proposed Law be now agreed to without amendments – put.

Ordered – That the Bells be rung.

First Vote: The Parliament voted (The Speaker, Mr Theo Zurenuoc, in the Chair).

Ayes, 101

Mr Aide Ganasi,	Mr Gordon Wesley
Dr Allan Marat	Mr Havila Kavov
Mr Anderson Agiru	Mr Isaac Waigavara
Mr Ano Pala	Mr James Gau
Mr Anton Yagama,	Mr James Lagea
Mr Asik Tommy Tomscoll	Mr James Marape
Mr Ati Wobiro	Mr Jeffery Kuave
Mr Belden Namah	Mr Jim Miringtoro
Mr Ben Micah	Mr Jim Simatab
Mr Benjamin Philip	Mr Joe Koim Komun
Mr Benjamin Poponawa	Mr Joe Lera
Mr Benny Allan	Mr Joe Sungi
Mr Bire Kimisopa	Mr John Pundari
Mr Bob Dadae	Mr John Simon,
Mr Boka Kondra	Mr Johnson Tuke
Mr Byron Chan	Mr Joseph Lelang
Mr Camillus Dangima	Mr Joseph Yopyyopy
Mr Charles Abel	Mrs Julie Soso Akeke
Mr Charlie Benjamin	Sir Julius Chan
Mr Daniel Mona	Mr Justin Tkachenko
Mr David Aore	Mr Kelly Naru
Mr Davis Steven	Mr Ken Fairweather
Mr De Kewanu	Mr Kerenga Kua
Ms Delilah Gore	Mr Kila Haoda
Mr Don Polye	Mr Koi Trape
Mr Ereman ToBaining Jnr	Mr Labi Amaiu
Mr Fabian Pok	Mr Leo Dion
Mr Francis Awesa	Mrs Loujaya Toni
Mr Francis Marus	Mr Louta Atoi
Mr Francis Potape	Mr Lukas Dekena
Mr Garry Juffa	Mr Mai Dop
Mr Gisuwat Siniwin	Mr Mao Zeming

Mr Mark Maipakai
 Mr Mehrra Minne Kipefa
 Mr Mogerema Sigo Wei
 Mr Michael Malabag
 Mr Nixon Duban
 Mr Nixon Mangape
 Mr Noah Kool
 Mr Pias Wingti
 Mr Paru Aihi
 Mr Patrick Pruaitch
 Mr Paul Isikiel
 Mr Pesab Jeffery Komal
 Mr Peter Ipatas
 Mr Peter O'Neill
 Mr Philip Undialu
 Mr Powes Parkop
 Sir Puka Temu
 Mr Richard Mendani
 Mr Rimbink Pato

Mr Richard Maru
 Mr Robert Atiyafa
 Mr Robert Ganim
 Mr Ron Ganarafo
 Mr Ronny Knight
 Mr Roy Biyama
 Mr Sam Basil
 Mr Sasindra Muthuvel
 Mr Solan Mirisim
 Mr Steven Kamma
 Mr Titus Philemon
 Mr Tobias Kulang
 Mr Tony Aimu
 Mr Wera Mori
 Mr Westley Nukundj
 Mr William Duma
 Mr William Powi
 Mr William Tongamp

Noes, 0

And so it was resolved in the affirmative, with the concurrence of a two-thirds absolute majority, as required by the *Constitution*.

Proposed Law read a second time.

Ordered – That the second required opportunity for debate (third reading and Second Vote) be adjourned to another meeting separated by two months, as required by the *Constitution*.

- 18 **SPECIAL ADJOURNMENT:** Mr James Marape (Leader of Government Business) moved – That the Parliament at its rising adjourn until Tuesday, 5 February 2013 at two o'clock p.m.

Question – put and passed.

- 19 **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 five o'clock p.m. adjourned until Tuesday, 5 February 2013 at two o'clock p.m.

MEMBERS PRESENT: All Members were present (at some time during the sitting), except Mr Douglas Tomuriesa, Mr John Hickey, *Mr Ludwig Schulze, Mr Malakai Tabar, Sir Michael Somare, Mr Paul Tiensten and *Mr Ross Seymour.

SIMON ILA

Acting Clerk of the National Parliament

*On sick leave.