

THURSDAY 20TH AUGUST 2009

The Deputy Speaker, Mr. Kengava, took the Chair at 10.00 am.

Prayers.

ATTENDANCE

At prayers, all were present with the exception of the Ministers for Planning & Aid Coordination; Justice & Legal Affairs; Foreign Affairs & External Trade; Fisheries & Marine Resources; Lands & Housing; Mines, Energy & Rural Electrification; Provincial Government; Infrastructure Development; Public Service and the Members for South Choiseul, West New Georgia/Vona Vona, Temotu Pele, South Vella La Vella, West Honiara, North West Guadalcanal, West Makira, South new Georgia, and North West Guadalcanal.

QUESTIONS AND ANSWERS

Successor Agreement: Kyoto Protocol

80. Mr. OTI to the Minister for Environment, Conservation & Meteorology: In respect of the upcoming negotiations on the successor agreement to the Kyoto Protocol in Copenhagen, what is Solomon Islands input to the issues that will be taken up by the Pacific Island countries parties to the negotiations?

Hon. LILO: I would like to thank the Member for Temotu Nende for his keen interest in asking this question.

The climate change negotiation is ongoing. In fact it started in Bali, in Cope 13, Bali which is the convention of the parties, and then it continued in Bosnan, Poland, Cope 14, and it will end in Copenhagen, which is Cope 15. In between these Cope meetings, there are intensive negotiation meetings of what is called the ad hoc working group on long term cooperative action under the convention. The convention is the United Nations Framework Convention on Climate Change and the ad hoc working group on the Kyoto Protocol. As we all know, Solomon Islands as a party to the UNF Triple C has been actively engaged in these negotiation processes.

In terms of the position we will be taking in Copenhagen, the Solomon Islands' position on the negotiation process of the Kyoto Protocol will be as follows. That we will, jointly with other countries, pursue that the global average surface temperature should be limited to 2 degrees Celsius or less. I will explain the impact of this later. Secondly, we should reduce global emission of Greenhouse gas by at least 50% below 90/90 levels by 2050. Thirdly, we should ensure that global emissions peak no later than 2020 and that we will also call on developed economies to take the lead in setting ambitious and robust mid term emission reduction targets, consistent with the agreed signs and the directions embraced by the major economies for our meeting in July 2009. Fifth, we will be calling on developed economies to strengthen their seriousness and the credibility of their claims here at Copenhagen by putting in place domestic policies and legislation now to achieve emission reduction targets. Sixth, we will call upon each major emitter to show leadership and to demonstrate by their words and deeds that they are willing to make tough decisions, necessary to secure the agreement that we need and not wait for others to show the way forward. These positions are the positions that the Solomon Islands Government has, also jointly with other Pacific Island countries recently, at the Pacific Leaders call to action on climate change in Cairns, Australia, which the honorable Prime Minister attended has taken during the 40th Pacific Islands Forum Meeting.

As we all know, Solomon Islands is a small and least developed country, and realizing our smallness, we as a party cannot just contribute individually but we have to do it collectively with other countries, given the fact that we are a very small country and therefore we have teamed up with other member countries of the Pacific Islands Forum in pursuing the positions I have just mentioned. We are also teaming up with other 42 small island developing states, and we are also members of the alliance of Small Island Developing States in this climate change negotiation process. We are also teaming up with other least developed countries and are members of the least developed countries negotiation group on climate change. As a core member of the Association of Small Island States and the LDC's, Solomon Islands took the position collectively with others that we believe that the stabilization of the atmospheric greenhouse gas concentration should be at level, well below 350 parts per million carbon dioxide equivalent. Secondly, we believe that the global average surface temperature increase should be limited to well below 1.5 degree Celsius above the pre-industrial levels. We take this position knowing very well that Solomon Islands is very much vulnerable to the undesirable effects of climate change.

On the impacts of climate change, we can consider various scenarios as to how we react to this particular issue. Say for instance, if we take the approach of just doing business as usual, we believe that will be devastating for Solomon

Islanders, because as you know our atoll islands are less than one meter above sea level and our artificial islands are also less than one meter above sea level. Say for instance, if we take this doing business as usual approach, it will mean that the increase of global average surface temperature of 2 degrees Celsius scientifically has been proven could equate to sea level rise of some .4 meter to 1.2 meter. That will be the implication, which means will lead to the disappearance of most of the atoll islands we have and our artificial islands. That is the reality and therefore we cannot argue with science on that, it is very clear. It is always that the sea level is rising, our gardens are producing less, low quality fish and we are eating less fish in our livelihood. In that regard is affected by climate change. What does this mean? It means that our participation to climate change negotiation is none negotiable but we must participate in this whole process. The theme we must encourage our citizens and our people to take, and that we must team up with other countries to promote, is that we have no choice but to start kick our carbon habits and at all cost we must reduce our levels of greenhouse gas emissions. That is the position the Solomon Islands Government is taking this whole negotiation process towards this conference in Copenhagen in December this year.

Hon. SIKUA: Further to the response to the question conveyed by the honorable Minister for Environment, Conservation and Meteorology, I wish to further mention that as a result of the outcomes of the decision that was taken by leaders at our Cairn's Summit of the Pacific Islands Forum in relation to our call to action on climate change, with Australia being the chair of the Forum during this year, the positions that have been conveyed by the Minister and that of the Forum Leaders, the Forum Chair was also tasked to convey these steps on our call to action for climate change to the G20 Summit coming up next month as well as to the Commonwealth Heads of Government meeting in Trinidad and Tobago. These two important meetings will be held before the Climate Change Summit in Copenhagen, so that we do not just wait to bring the plight of our people due to the effects of climate change, to bring to the attention of world leaders in Copenhagen later this year, but in any international forum like the G20 and the CHOGM that will be held before the Copenhagen Climate Change Summit, our voice is registered at these very important world forums.

Further to that, what we put forward to the Forum and the EU-ACP is that up to this stage a lot of what is being conveyed to people in Europe and other parts of the world regarding the effects of climate change on our people is in writing. There have been too much in writing but very little done to actually show via video clips, on the internet and some kind of documentary on the real effects of climate change on the daily lives of our people. Very soon the Forum

will be sending people to come and document the effects of sea level rise on our shorelines, on our low lying atolls, and on other parts of the country so that people do not only read about these effects that are now becoming evident, but also see for themselves what is happening to us in relation to the effects of climate change on the daily lives of our people.

I just want to mention those two points to add on to what the honorable Minister for Environment, Conservation and Meteorology has mentioned.

Mr AGOVAKA: I think climate change is not only government business but it is everybody's business. The impact of climate change on both terrestrial and marine diversity is very important. In light of what the Prime Minister and also the Minister of Environment has said, and coming back to our country, is there are a national mechanism in place for climate change related project identification, its development and also coordination?

Hon. Lilo: Yes, you would recall there was a document last year that was endorsed and produced by the Government, which is the National Adaptation Plan of Action on Climate Change. That document has been tabled in Parliament and is a document that has been used by all other stakeholders in the country to determine the priority areas of adaptation that we need to focus our attention on to address the effects of climate change on the people or communities here in Solomon Islands. You will also find priority areas mentioned in that document and the processes are involved in identifying the specific activities that ought to be identified, properly programmed and that we are seeking resources to ensure we financially support those programs for communities that are affected.

I am sure it came through Parliament last year and I am want to ask the Member if he can look for his copy but if not we are willing to give him a copy of that document.

Hon. Sikua: Further to what the Minister has mentioned, in relation to our marine environment, you will also know that Solomon Islands is part of the six nations that have signed up to the Coral Triangle Initiative, and that goes to address the need for us to protect our marine environment, especially in regards to our corals, our fisheries, and overall food security. That is a special initiative Solomon Islands is involved in with PNG, East Timor Leste, the Philippines, Malaysia and Indonesia.

That is one, as you are rightly pointed out, is not only what is on the land but what is also in the sea and under the sea. We are really addressing this issue in a total holistic approach.

Mr Oti: Copenhagen has had to come about for a number of reasons but Kyoto did not really. All the industrialized countries in particular did not take part or are not compelled to observe the requirements of the Kyoto protocol and therefore the protocol to replace the Kyoto protocol will be the one in Copenhagen.

Perhaps the Minister might also inform Parliament that for the industrialized countries, the emission trading schemes are important for purposes of reducing their greenhouse gases, especially the smaller island nations are very vulnerable to the effects of sea level rise as a result of the global warming of the atmosphere. We have to mitigate to ensure that we adapt, like the book the Minister referred to that all of us should read, the National Adaptation Program of Action for Solomon Islands is our obligation to the Kyoto protocol, which will be replaced and Copenhagen will come in.

If the industrialized countries do not meet the requirements, like they failed the international community, in particular the very vulnerable islands in the Kyoto protocol, what would be the fallback, especially for the small island states, particularly in terms of the support of the GEF and other funding to support the programs that we have right now because we cannot wait and trust that the industrialized countries will see the effects of climate change the way we see it, and so we cannot wait. In terms of support to the programs identified in the National Adoption Program, can the Minister inform Parliament where are the industrialized countries, aid donors, coming to assist Solomon Islands on this particular program?

Hon. Lilo: Yes, that is very true. Kyoto did not succeed and that is the reason why you would recall early last year the IPCC, the Intergovernmental Panel on Climate Change which comprises very credible scientists around the world who have been assembled by a body that is called the World Climate Change Conference has released a report that basically proved to the industrialized country that climate change is a real issue, and that science has proved that the world is warming as a result of actions that industrialized countries are taking. Out of that report, the commitment towards reviving the whole negotiation process has speeded up. We are expecting industrialized countries, and especially countries that are heavy emitters to respect the report of the IPCC that came out. That report was actually released during the meeting of the United Nations Environment Meeting in Monaco last year, which Solomon Islands also attended.

In this whole process, you will note that the third point we have pressed for is that we should ensure that global emission must peak by no later than 2020, which means that between now until 2020, we are asking industrialized

countries and donor partners to help the adaptation and mitigation programs in countries that are heavily affected. We are asking them to help us. These are the kinds of pressure we are putting to them. And as the Prime Minister has mentioned that in their recent meetings in Cairns under the theme “Call to Action on Climate Change”, we have actually asked Australia to present the views of the Pacific Island countries that the industrialized countries must respond to the plight of countries in the Pacific that are very much vulnerable, seriously vulnerable to the effects of climate change. That is what the Prime Minister said that they have actually mandated the chair of the forum, which is now Australia to bring that to the attention of the G20 Forum Meeting. I have actually written through the Australian High Commission putting those positions as well based on the request that was made to the Minister by the Australian High Commission here.

Because of that we are starting to see donors coming in. You have actually asked or there is a question asked about the EU Climate Change partnership. That is one of their response we have received so far, that the European Union has actually selected Solomon Islands as a pilot country under the EU Climate Change Global Partnership Program this year. These are the indication of donor partners that have actually come in to show interest in priority areas in addressing the issue of climate change in our country.

Australia has also announced a package on climate change, in which discussions are going on right now to detail how that program will be put to the Pacific Island countries. As you know these are matters that will involve some dialogue and negotiation so that we can get what is right for the Pacific Island countries, especially countries in the Pacific on priority areas that ought to be addressed in the areas of climate change. That would be my response to that question.

Mr. Oti: My last supplementary question. In relation to the Minister’s assertion that assistance is coming in, I also have the opinion that there were assistance in the past too to measure the rate of the rise in sea level. I think that is a stage we have already gone past. Any further assistance to measure how far the sea level has arisen is enough, there is no project funding for that. What we are doing now is to take action on adaptation and mitigation to climate change. I take this question because of the communities in Solomon Islands that are vulnerable to disappearing, because it will affect agriculture in particular in the low lying states. Any further project by donors to measure how far the sea level rises, I think should be thrown out the window. We do not accept that. What we want is assistance to address the real issues that are now starting to impact directly on the livelihoods of our people.

I am just saying that to ensure that we do not continue accept projects that would not directly bring a change to what is actually now happening as it is not something that is not happening yet. I would like to raise that to ensure that the projects the Minister has mentioned will be forthcoming are not going to be put to measure how far the sea will still rise.

Hon. Lilo: Mr. Speaker, that is why I said that the position the Pacific Island countries and also Solomon Islands have taken is the third position where we would agree to, and in fact we have actually pressured them that the peaking of the global emission must not later be than 2015. But because of pressure from the industrialized countries which says that they must also have time, to be given time and that is why we agreed with 2020, the peaking of the emission by 2020, which means that the global temperature must rise to about 2° Celsius, and then it must come down. We have agreed that instead of 2015 it must 2020 and in between that, adaptation must be happen to countries that are actually affected because if it rises by 2°Celsius, the implication for smaller island countries, sea level rise will be up by .4 metre to 1.2 metre. Our islands are well below 1 metre, below sea level and so are already affected.

It is true that we are not asking them to come and measure it but we are just asking for some periods of adaptation. I think that is what both the industrialized countries and the countries that are affected are asking each other on what they are going to do in between. And we are saying that we can agree to 2020 but in between they must help this country to adapt, and the adaptation relates to relocation, relocate people from islands that are affected, you must support infrastructures that are now under sea in the islands affected, and also help people whose food security is affected, low quality of agricultural productivity and so forth. At the same time we are asking them to be involved in mitigating measures too, like invest in renewable energy to reduce the emission of greenhouse gas into atmosphere. We should also cut back on the destruction of forests so that we have a good wider canopy that can absorb carbon that is emitted into the atmosphere and things like that. These are mitigating measures we should concentrate on.

But yes, it is very true that we are not asking them to come and measure it again because science has already proven it. It is just agreeing on what should be done in between and at what point is the peaking of the global warming so that it will not cause major disasters to countries that are affected by the effects of climate change.

Hon Sikua: The previous supplementary question by the Member for Temotu Nende is exactly the question I asked during the Pacific ACP Leaders meeting as

well as the Leaders Summit at the Forum. I asked the question how optimistic are we in getting the support of the International Community, given the experiences we have had with the Kyoto Protocol, where there is too much talking but not enough action.

I asked the question how optimistic are we in getting the support of the International Community to help countries affected by climate change. I did mention that I am not very optimistic about the support being pledged by the International Community and the answer I got from donors who are around the table is that they are committed to provide support to countries that are affected.

In regards to the last supplementary question, that is why we have suggested the need for them to come and take video clips to show people because previously there are far too much scientific reports, far too many writings that people do not understand, the ordinary people in countries that are producing too much pollution into the air do not see, and so we need to work in their minds to force their governments to do something for us. Because as has been rightly mentioned by the Minister for Environment, climate change is no longer science but it is now a reality on our people and so we have to work on all fronts to make people aware so that they force their governments to help us because we are already suffering the effects of climate change. I hope that the work that will be done soon to take graphic video clip evidence and not to come and measure any more how far the tide has come in or how far our foreshores have been washed inland is not needed at this time because it is no longer a science as was mentioned earlier but a reality affecting the daily lives of our ordinary people, not only here in Solomon Islands but of course there are other more unfortunate countries in the region that stand the likelihood of losing the entire country. I hope with that commitment, funding will be forthcoming and I hope that America will sign up to the agreements reached in Copenhagen unlike the Kyoto protocol, and I hope that all industrialized countries, through the work that we will be been doing between now, we realized it is not a long time to go but between now and Copenhagen, we have the G20 meeting to push our message across, we have the CHOGM meeting to push our message across before the Copenhagen meeting. With all these initiatives, we hope the commitment will be forthcoming and will become a reality.

The big thing that we have done and we are just one of the few countries in the Pacific, and I must congratulate my Minister for Environment, Conservation and Meteorology, the hard working Minister for coming up with the necessary documents that need to be in place before the funding and the commitments come. There are some countries in the Pacific that have not yet got their National Adaptation Program of Action. We have that, it has been tabled in Parliament and there are other associated documents that our good Minister,

hard working Minister for Conservation and his staff have done. We are already in a very good position to attract funding and to move forward in helping our people who are affected. I know our good people in Malaita Outer Islands are affected, as we speak. I know our people in Aoke/Langa Langa, in the outer islands of Temotu Province, the foreshores of all our provinces, in Marovo, I know the sea level rise is coming up, Rendova is affected as well and everywhere in the county, except Central Guadalcanal, which is far up in the bush. And so we are working hard on this. Thank you very much.

Mr Oti: I thank the Minister and the Prime Minister for comprehensively briefing Parliament on the progress of the negotiations, what the country is preparing, what it has in place to contribute to the new protocol, and so I would like to thank them for those responses.

Pacific-EU declaration protocol

81. Mr OTI to the Minister for Environment, Conservation & Meteorology: What specific assistance is available to Solomon Islands under the Pacific-EU climate change declaration protocol in the Pacific Islands?

Hon LILO: I would like to thank the Member of Parliament for Temotu Nende for this question. I did mention that an example of donors coming into assist us on the issue of climate change is the European Union under the EU Climate change partnership or Global Climate Change Alliance.

The aim of this alliance is to foster effective dialogue and cooperation on climate change, and further it aims to ensure that least developed countries and the small island developing states increase their capacities to adapt to the effects of climate change. As you know, I did mention that the National Adaptation Plan of Action that was laid before Parliament last year, the priority areas we have identified are:

- (1) Managing the impacts of and enhancing resilience to climate change and sea level rise on agriculture and food security, water supply and sanitation, human settlements, human health and education, awareness and information.
- (2) Climate change adaptation on low lying and artificially built up islands in Malaita and Temotu Provinces.
- (3) Solid and Liquid Waste Management, which is a document we have also laid before Parliament.

- (4) Coastal protection to enhance adaptive capacity of coastal communities to climate change and sea level rise.
- (5) Fisheries and marine resource management. These two are all incorporated under the Coral Triangle National Plan of Action, as the Honorable Prime Minister has alluded to.
- (6) Resilience of infrastructure development to climate change and sea level rise.
- (7) Tourism planning and development.

Mr Speaker, Solomon Islands is very fortunate to be selected as a pilot country for EU support under the Global Climate Change Alliance. Other nine pilot countries come from least development countries within the African region. We have recently had a European Union/Solomon Islands Government political dialogue and are certain that the EU Global Climate Change Alliance Assistance on climate change adaptation will focus on the climate change adaptation as highlighted in the National Adaptation Plan of Action (NAPA) document the government has produced. The Solomon Islands Government is working on a mechanism that will enable budgetary support of the EU/GGCA assistance in the country.

Mr. Speaker, having, like in broad, featuring the EU climate change declaration protocol in Solomon Islands, I wish to respond directly to the question and say that the following specific assistance is available to the country through the GGCA: One is the development of climate change strategy and policy in the country, and secondly, integration of climate change strategy and policy in development and budgetary planning processes. Third, financing of climate change adaptation projects in the country, which is the one that I think most will be very much interested in.

Mr. Oti: I have no supplementary question to that. This is a new issue, new development for Solomon Islands and I thank the Minister and the government for the lead they have taken in ensuring that we capture as much as possible assistance that needs to come, particularly to address the vulnerable sectors of our community. On that note, I would like to thank the Minister for his response.

Bills - Second Reading

The Customs Valuation Bill 2009”

Mr Speaker: Honorable Members, yesterday under Standing Order 35, we adjourn debate on this bill to this date. Today that debate continues and Members may now speak on the general principles of this Bill. As usual, I kindly remind Members to adhere to the rules of debate set out in our Standing Orders. The floor is now open for debate.

Hon. GUKUNA: Mr. Speaker, I want to make a very short contribution to this Bill, and I thank you for giving me the opportunity to do so.

I believe the bill has been debated quite substantially and most of the valid points have been raised, and so I just want to make a small point. But first of all I want to thank the Minister of Finance for this short but very important bill that seeks to provide the Comptroller of Customs some alternative ways of evaluating duties on imported goods.

In thanking the Minister of Finance, what I am surprised about is that this Bill finds its way to this House very, very late. I realize that the absence of this Bill itself may have been the real cause of loss of revenue in Customs. By reading through this Bill, and after I read a short report in the newspaper this morning by the Comptroller of Customs who said that there has never been any other alternative provided for in the existing acts for the Comptroller and the poor Comptroller must have had a lot of difficulties trying his best to come up with a fair duty. Therefore, I realize that this Bill is a very important one. As I said the absence of this Bill, the lack of alternative ways of calculating duties available to the Customs Department may have been the real cause of loss of revenue to this country. That said, I would like to again thank the Minister for this. Hopefully we will improve on our collections at Customs with the implementation of this short Bill.

The under valuation of goods at Customs, we can argue over it and in some ways it is also good because it is some indirect ways of reducing duties too, because presumably when duty is undervalued, the duty chargeable on goods is less. In some ways technically, it should be good for the public, the customers because hopefully the goods would be cheaper, never mind the loss of revenue to government. The real problem is that when it is undervalued the people reselling the goods do not pass the under valuation to customers. That is the real problem. Instead they maintain the cost at a higher level. I believe when this bill is amended in the future, the real crime is ripping of the public due to under valuation. That is where the crime should be. We are emphasizing the loss of revenue to government. Yes, that is important but those figures would have been budgeted for anyway. But the real crime in the future when this act is amended is to make it a crime that when goods are under valued the intention is to rip off the public. And that crime should be match by only one option, and

that is for the Comptroller to confiscate the goods that are undervalued. When options are provided for the Comptroller of Customs to come up with other transaction value of goods, we are really doing a lot of good to importers who try to cheat at the entry point of customs.

That is my short contribution to this Bill. I just would like to point out that the real people who are being cheated through under valuation are the customers, and so next time when this bill is amended, may be we should eliminate the other four options, require the importer to produce proper transaction value of goods, and if he fails to do that the only thing to do is to confiscate the goods, put them on auction and if we are so concerned about increasing government revenues may be we will get more revenue doing that than feel sorry and tell him to try it another way.

That is my short contribution and I would like to once again thank the Minister of Finance for this Bill, which hopefully will make things easy for Customs officials and hopefully lead to some increases in revenue collection at entry points.

Mr. NE'E: I am going to be very brief on this Bill, as a good number of us have already contributed.

The purpose of the Bill is to institute a method of customs valuation that is consistent with international obligations in which Solomon Island is a party to. That is the purpose of this Bill. The Bill is also imposing penalties for customs offences created under the bill. Just recently a boat was arrested for bringing in goods and not declaring the goods, and the purpose of this Bill is to stop such from happening. We must thank the Minister of Finance for the timely introduction of this bill.

The only area highlighted by the Bills Committee, and as a member of that Committee, we saw it fit to mention in the report is the storage period. During the committee hearings, a lot of smallholders, stakeholders and shop owners, small businesses highlighted that Customs Officers normally delay procedures of clearing their goods. They told us that when submitting entries, it would take at least two to three days for the entries to go back to them. Would this Bill improve the system that is now in place? They said that sometimes only the date is wrong or is not put and the Customs Officers would tell them to come back the next day or next week for clearance of their entries. That is delaying revenue collection. We must be mindful of this. I would like to suggest if we can have Australian Custom Officers attach to the Customs Department to train our Customs Officers on the procedures of how to deal with this new Customs Valuation Bill 2009. It would seem that a lot of smallholders and stakeholders have highlighted that the delay would result in a fee added onto them by the

Ports Authority. And when fee is added on for delay it will end up on the general public. It would be poor man on the road who is going to pay for the cost of delay when he goes to the shop. That is the only concern I would like to highlight here. If Customs officers are listening, the Comptroller is listening, I want to ask you to improve on that area, improve the customs clearance procedures because we were informed that when entries are submitted to the Customs sometimes only the date is missing, but because of the date the entry is given back and it would take another two or three days to go back with it and the storage by the Ports Authority is charged to the public.

Since the adoption of the P.C. trade system, the processing time should be reduced from four days to one day. We are a member of the PC Trade processing system and the Ministry should ensure that the processing time should meet the obligation of the Ports Authority, at least for one or two days that goods should be stored at the Ports Authority.

Those are the areas I would like to highlight here, and I wish to thank the Ministry of Finance for seeing it fit in bringing this Customs Valuation Bill before Parliament, which I think is long overdue. The only we need to improve on is entry to Customs, which has been highlighted during the Committee hearings that our Customs Officers need to change their attitudes. A lot of Chinese importers are Solomon Islanders who are born here and will live here and I do not think they will tell lies to us and declare something false at the Ports Authority. It is the job of the Custom Officers, that is what you are paid to do and so you have to go through the containers and see that what they declare is in the containers. But what they have highlighted during the hearings is that even if only the date is missing but they have to go back for another two to three days.

With these few remarks, I support the Bill.

Hon. MANETOALI: I would like to thank the Minister of Finance for the Bill now before this honorable House.

Sir, I do not intend to stand up and talk but the charge made by the Member of Rendova/Tetepare against the Legal Draftsman or the Attorney General's Chamber is what I would like to reply to as well as a few things on this Bill.

The Member for Rendova/Tetepare has made a serious charge that bills introduced into this House were not drafted, vetted and approved by the Attorney General's Chamber. Whilst it is true that the position of the Legal Draftsman is still vacant, it is also true that the AG's Chambers is currently relying on the services of a legislative drafting advisor employed within the Chamber. The advisor is an experienced drafter and is a well recognized legal drafter within the Pacific region.

It is misleading for the Member to insinuate that since the Telekom Bill was drafted by World Bank experts, this is an evidence to show that the AG's Chambers is currently lacking any experienced legal drafter. If the Member was at the Bills and Legislation Committee's hearing yesterday, he would have heard from Ministry officials that the Bill has been drafted since year 2005, thus commencement of drafting of the bill occurred whilst the former Legal Draftsman was still here.

There are many other technical bills that were drafted when the former Legal Draftsman was still here, for example, the FIAA and the SOE Act. Thus, external drafting is not a new occurrence, it occurred before as well. Be it known that the AG's Chambers is not fully resourced and does not have the full capacity to do all drafting and researches on their own. There are certain bills that require the services of technical experts. In respect of such technical bills ministries have engaged experts under projects. Hence, it is only reasonable that ministries, if they can, should be allowed to engage external legal drafters but on the condition that prior approval is obtained from the Attorney General's Chamber or vetted by the Attorney General's Chamber.

The approach taken in tabling this bill as a totally separate bill instead of merely amending the Customs Act is a policy decision made by the Ministry of Finance. There is good reason for this approach and the Minister will explain it.

All bills, externally drafted and presented to this House, are done with the full knowledge and approval of the Attorney General who, together with the Legislative Drafting Advisor, regularly consulted in the preparation of draft bills. It is significant for this House to take note that once a final draft bill, which is external or is given to the AG's Chamber, the AG and the Legislative Drafting Advisor take all the responsibility to finalize the bill. At this stage, the AG's Chamber makes changes and improvement before the bill is presented to the Cabinet or to you, Mr Speaker. This is a substantial and tedious work in itself. Of course, the AG advises the Cabinet and Caucus before the government approves the bills. The AG and his staff have been working tirelessly to vet and complete bills, whether drafted internally or externally. I would like to thank the hardworking lawyers in the AG's Chamber who have been able to draft bills which arrive on the floor of Parliament.

Having said that, I am comforted by the fact that we have not yet experienced an occasion where a bill presented by the CNURA Government being declared by a court of law as null and void. Sir, you would remember the Civil Appeal Case No. 1 of 1984 where you went all the way to the Court of Appeal to challenge the validity of the Price Control Act 1982. In that case, the Court of Appeal agreed with you that Sections 5(d)(e) of the 1983 Act were invalid as being beyond the power of the National Parliament. I refer to this case

to inform this House how serious drafting errors occurred before. It is very easy for anyone to make sensational charge against officers of the crown. However, it is always wise and prudent for persons desiring to make such allegations to make due enquiries first before uttering any accusations.

Also, my friend of Rendova/Tetepare should know the separation of powers where there is the Legislature, the Executive and the Judiciary. The Parliament has to pass laws, the Judiciary interprets the laws before we can say bills are null and void or are not proper, and so on. That is the responsibility of the courts and not for Parliament to say the bill is not good or is not right.

That is the reply to my friend, the MP for Rendova/Tetepare who is not here in this House this morning. I think he is listening in somewhere over the radio. The Bill is a simple bill and because Solomon Islands is a part of the WTO it has to follow certain guidelines in customs valuation.

Sir, in regards to offences created by this bill, these are alternative offences giving prosecutors choice on which laws to prosecute under, whether under the Customs Act or under this current bill, is the choice of prosecutors to prosecute cases that come under this current bill.

The objective of this Bill is very clear and that is to set up mechanisms consistent with Article 7 of the World Trade Organization General Agreement on Tariff Trade to determine, especially the value of imported goods and also to impose this import duty. Secondly, a range of customs offences in which prosecutors would prosecute under when provisions of this bill are breached. The Bill does not stop importers from making false declarations but this is exactly what the bill is trying to regulate.

In the event that importers make suspicious declaration, the Bill allows customs officers to make valuation based on the formula in the Bill. Of course, importers can make false declarations and hope to keep the eleventh commandment, "thou shall not be caught". But this Bill advances to keep the tenth commandment to the effect that all Ten Commandments must be kept. With this short contribution, I support this Bill and I beg to take my seat.

Hon. MAELANGA: I would like to make a few points in regards to this Bill. First of all, I want to thank the Minister of Finance and his staff for their hard work in preparing this Bill for presentation in this House. I would like to thank them for their hard work.

First, I would like to comment on what want the Member for Tetepare said that this Bill is not in line with the principal Act, the Customs and Excise Act. This is an important bill to enable us move forward. This is why I would like to comment on three areas. First, as legislators we have to take a strong stand in order for this country to move forward. As leaders of this nation we

have to be strong-minded and stay focused in order for this country to move forward, and that is what this Bill is intended to do. The focus of the Bill, if we look at the objective, is for revenue or taxation in this country. That is the place we know the main revenue of government comes from, Customs and Excise, from imported goods coming into the country, and that is why I stood up to show my support for this Bill.

The second thing about this Bill as well is that it brings economic growth to this country from revenue collected by Customs and Excise. It is true that we may think that this Bill is going to increase the price of goods in the shops, as other speakers have said but we have to face it. We are in a world where things are moving forward and therefore we cannot remain this way and try to relax. That is why I said as leaders of this nation we have to be focused and be strong. As legislators of this nation and decision makers, we are doing this for the betterment of this nation. That is why I stand up just to show my support to this Bill. This bill will bring good to this country. Even though we may find hardships but we have to go through and face it. We have to go through whatever circumstances we may face as it would be for the betterment of this nation.

I am going to be very brief, and I have one more thing to say, and that is this Bill is going to improve revenue collection of government, which is an important thing to any country. Here in Solomon Islands we know that that is the main place of collecting government revenue.

Also included in this Bill are offences. Many times we know there is corruption within Customs and Excise Division. We have heard people being prosecuted and sentenced for not doing things according to Customs and Excise procedures. I support this bill because it gives clear signals to importers and business houses to follow regulations, and the Customs Act because failure to do so would result in consequences stated in the Bill. The offences are stated clearly so that people see it and know that they will face the consequences if they do something wrong. They will know whether they will be fined \$50,000 or \$500,000 for the offences. I see that this bill is timely and it is for the good.

With those few remarks in support of this bill, I want to thank the Minister again for this Bill and I support this Bill.

Mr. NUAIASI: I also want to add my voice to this very important Bill, the Customs Valuation Bill 2009.

Much has been said by previous speakers highlighting the importance of this Customs Valuation Bill 2009, which all of us have heard, not only us in this Parliament but throughout Solomon Islands through the SIBC.

Whatever we say about this important legislation, it is to enhance and strengthen the collection of revenue in the Customs and Excise Division, which is a division within the Ministry of Finance. As a legislator I would like to thank the Minister of Finance for bringing this very important legislation, which though small is very effective when you look at the content of this piece of legislation. The staffs of the Ministry of Finance and the Minister have worked tirelessly which resulted in this Bill now before Parliament.

The Customs Valuation Bill 2009 seems to address certain issues which have not been included in the Customs and Excise and that has always cause or hindered our customs officers not from collecting revenue or dues the government is supposed to be collecting for our government. Solomon Islands being a part of an international organization has an international obligation to coincide or enhance working together with other international organizations by having this piece of legislation passed in Parliament to become an act of Parliament.

The Customs Valuation Bill 2009 also tries to address the inadequacy in the system, which have always become loopholes and not identified in the Customs and Excise Act. This is good for customs officers so that they do their work better in an environment that is conducive to their working profession.

When this bill is passed so that it enhances better collection of import duty and revenue, it will help to ensure importers and people who participate and are involved in the implementation of this Bill will know what to do. I would like to think that there is not going to be any mistakes in trying to delay or even overcharge taxes for that matter.

By improving the undervaluing of imported goods by passing this Bill, the Customs and Excise Division will use this Bill to effectively carry out their work. In order for Solomon Islands to grow economically, this piece of legislation is very vital as all of us have expressed. Therefore, though small this piece of legislation will enhance better revenue collection in Solomon Islands by our customs officers. It will also help customs officer to determine the under pricing, which most of the time is not provided for in the present Customs and Excise Act. Also, when this Bill is passed it would help Solomon Islands coincide with other legislations required of the country by regional organizations and the organization that Solomon Islands is a member of such as the World Trade Organization. Therefore, the value the Bill will give to Solomon Islands in terms of revenue collection would be enormous and therefore with these few remarks I support the Bill. Thank you.

Mr WAIPORA: Thank you for allowing me to contribute to the debate of this Bill. I feel it is important for me to contribute to the debate of this Bill since I am a member of the Bills and Legislation Committee.

There is only one point I would like to mention here before I sit down and I will be brief. I think I must first of all to thank the CNURA Government, especially the Minister for Finance for seeing it fit in bringing this Bill. I must thank people who are involved one way or the other in preparing this Bill and any other bills for that matter. Every law that we enacted in here, there is nothing wrong with them, and so it is the same with this Bill. This Bill says, "The Bill seeks to institute a method of customs valuation". It will institute a method, and whatever method is instituted to implement this Bill, the very important thing is that it is human beings who are going to institute it. And it is a big problem to us because whatever laws we enact depends on us, the human beings who are going to implement the bills. Everything is good but it all depends on us.

I must say here that there is an epidemic here in Solomon Islands. What I mean is that it is like a disease that is plaguing Solomon Islands at this time. If you go and what you want is not quickly processed you give that person \$100 or \$200 before he does it for you. Those are the things the Bills Committee heard during its hearings on this Bill submitted to us by one of the witnesses. He informed the Committee that they seem to be frustrated with the attitude of Customs officers in regards to goods imported into the country. There is apparent delay in the clearance of goods from the wharf, and that is why they have to put up the value of the goods because customs officers cause the problem. This is very true. The attitude to work in regards to public officers, not only in the Customs Department but throughout the whole government circle. People who are implementing policies or regulations or acts, and you name it in ministries like Forestry, Lands, Finance, Customs, Inland Revenue, all these important ministries must be very honest people. We need them to carry out their work honestly. I am not saying here they are not honest but there are certain cases that have happened that some officers deliberately delay or slow things down and when they are given something they quickly speed up the work. I know this is happening, and happening not only within the government circle but in the private sector or private businesses too. It is happening there too. It is happening in the shipping industry. There is a company that throws his weight around everywhere making sure it suits everybody, like the Superintendent of Marine or other people in positions of authority so that he gets his shipping quickly.

As I have been alluded to earlier there is an epidemic like a disease that is plaguing us at the moment and is going around. I do not know whether it is our

custom, I do not know whether it is imported from Asian countries because they might be doing it and is not corruption to them whereas in other places it is corruption. Even those of us in this House too that may be if we want to get certain things quickly also do the same. And so our attitude is very important.

In the past, even if you only misuse \$10 you will be put behind the bars for three months. Today even though millions of dollars are misused people are not behind the bars yet. We go around waiting for our cases to be heard and sometimes the cases are acquitted.

My contribution here is simply to say there is a great need for our people to be very strict; we expect them to be very strict in carrying laws that we pass in here. We politicians only pass the laws in here but we do not carry out or implement the laws but it is our public servants who are going to implement the laws we pass in here. I think that is very important.

I know that there are workshops going on every now and then in the ministries and in other places. They also go overseas for the training but it would seem to me the workshops do not have any impact at all on the attitude of public officers. I think they know it but did not practice it. Our public service needs to change a bit from the attitude that I used to see sometimes when I was still a public officer. When I was a public officer I instructed a driver not to do this and that but he turned around and went straight to the Minister and reported to the Minister that the PS said this and that. That kind of attitude is exercised in the ministries and that is why I said that our attitude towards work and respect for those above you is really lacking in how we carry out our work, not only in the ministries but also in the provinces too.

This Bill, I know Parliament is trying to get it through so that it improves work in the Customs and Excise Division. But when we pass it, I urge those people who are responsible in carrying out this law to be up to date with their work. I know that from time to time they may be having very hard times facing a lot of problem at the wharf, but we appreciate their work so far and we expect that this new bill which will become a new act will help improve their work.

Mr. Speaker, one very important point some business people have complained about is the delay in the clearance of imported goods at the wharf. They said the longer the goods remain there will determine the price of goods in the shops because they spend extra money on storage. One very important business sector here in the country raised this very important point to the Bills & Legislation Committee.

When dealing with this Bill, the Committee emphasized that this is a very good bill to be put in place to improve revenue collection for this country and our people.

I said that I only have one point to make because the attitude that is plaguing officers now where importers wanting their goods to be cleared have to tip someone to do it before their goods are quickly cleared. That attitude still exists and I think somehow we have to remedy that situation because it happens, not only within government but also outside the private sector, and I think it is not a very good attitude for our new young generation that is coming up because it will just create a lot of problems in our country. Through experience, if I can compare working for government before and now, what I see is that the problems we are going through now are created by ourselves because we are trying to bend rules in the government. I found out that a lot of unnecessary problems we are going through are created by ourselves, and so we must be honest.

Yesterday I was surprised to hear the Minister of Public Service said that they have already sorted out the strike. When the Leader of Independent, the Member for West Honiara mentioned the strike, the Minister of Public Service stood up and said they have already sorted out the matter. Immediately after the Prime Minister stood up and said the meeting is going to be adjourned because they are go out to sort out the public services strike and has to take his deputy, the Minister of Finance and the Minister of Public to sort out the matter yesterday. Those are the inconsistencies that exist in the government which is causing these problems, and there are many others.

Hon. Tozaka: Point of order. I think what I said yesterday was that the Ministry of Public Service and the Prime Minister's Office have received the log of claims and we have put these claims into motion by looking into them and so we have some understanding with the Public Service Union.

The process that happened yesterday afternoon is a process that I also informed Parliament about that we are pursuing normal negotiations now with the Union. I think that is the clarification I made.

Mr. Waipora: Thank you for the correction made by the Minister for Public Service. I am just emphasizing what I think is a point of inconsistency. But coming back to the bill, the bill is very, very important for us to pass, and that is why I am giving my full support to it because I know that Customs and Excise is the lifeblood of our country in terms of revenue. I support this Bill.

Hon. Rini: Mr. Speaker, I thank you most sincerely for giving me this opportunity to make concluding remarks on Parliament's debate on the Customs Valuation Bill 2009.

The honorable house has debated the Customs Valuation Bill 2009 intensively yesterday and also today, and I have listened carefully to the contributions, comments and statements made by honorable Members who spoke on this Bill. I thank honorable Members who have spoken in favor of and indicated support for the Bill. I must also thank all Members who have spoken for their very objective and valuable contribution to the bill. The debate has been invaluable and enlightening.

Several honorable colleagues have made a number of thoughtful and sensible suggestions for the Bill. It appears that a few honorable colleagues, especially the Member for Rendova & Tetepare have unfortunately misread and misinterpreted the Bill and made unsustainable assertions or suggestion. Some others have suggested proposed actions and measures that are already part of government policy and reform program currently being implemented or in progress. Nonetheless, I wish to also take this opportunity to comment on some issues and contributions raised in the course of the debate of this Bill.

The overall purpose of this Bill is very simple. Firstly, the Bill simply seeks to ensure that the valuation of goods is correct and transparent so that appropriate duties due are paid to the government by individuals and businesses, and that they are deterred from avoiding and evading their obligations. Secondly, the Bill also seeks to institute offences to ensure that importers and exporters are appropriately discouraged from trying to evade customs, smuggle goods or interfere with the enforcement of the Customs legislation. In this way, we can move towards more accurate and transparent valuation so that importers can be clear about their obligations and the people of Solomon Islands can be confident that appropriate duties are being paid. In so doing, the government would be able to collect additional revenue it would not have otherwise collected.

The current valuation provision in the Customs & Excise Act provides little scope for Customs to challenge the value provided by importers. In this regard, the proposed legislation will help ensure the customs value should be, except in special circumstances, the actual price of goods plus adjustments for certain listed costs. Where the transaction value is distorted or unacceptable, a range of other measures are prescribed in order to provide alternative valuations, and this Bill provides those five alternative methods.

This Bill does not in any way impose more burden or costs to the population, as some have suggested, instead it seeks to ensure that imported goods are properly assessed and valued at their true value to ensure appropriate duties are paid. Consequently, a level playing field is created for all importers and the government.

Sir, this Bill also allows the law to take its cause by penalizing those committing customs offences such as evading tax obligations to the government. This legislation will introduce a range of customs offences with significant penalties that will operate outside the Customs and Excise Act. The major part of the implementation process will include wide and comprehensive training and awareness programs for stakeholders and the public aimed at providing clarity for everyone. Robust training within Customs will also be conducted in due course.

I fully recognize the concerns raised for comprehensive coordination and administration approaches in developing stronger monetary capacity in the country. The Customs & Excise Division as the body responsible is developing systems, which will help manage an effective regulated valuation in the country. This Bill will not in anyway add extra costs to the government nor should it have negative impact on current operations or processing times once the system is in place. In fact, by providing a way of resolving valuation issues transparently and encouraging more accurate information, it could help speed up processing time. While the Bill is an important first step, the government is also planning a thorough review of Customs legislations to do even more to make the system fair and transparent and more effective for importers and the government.

Sir, the Bills Committee as well as the honorable Member for East Choiseul and Leader of Opposition, the honorable Member for West Honiara and also the honorable Member for Gizo/Kolombangara and Minister for Environment have also raised a number of issues and certainly we are taking those issues on board. On this occasion, I must sincerely thank them for raising some very important points pertaining to the degree of consultations with the wider community, obligations to international trade agreements, efficiency and timely delivery of services to importers, protection of local industries, undervaluation, capacity building and necessary requirements for implementation of the Bill. I can assure this honorable House we have taken on board all suggestions and recommendations. These will be closely assessed and where practical taken onboard for implementation.

In conclusion, let me thank you all most sincerely for your acknowledgement of the government's and the Ministry's effort in the collection of needed revenues in the phase of the global economic crisis thus far. I and my Ministry are most humbled and very much encouraged by your kind words and sentiments. At this juncture, let me again reiterate that the Bill is fair, forward looking and well justified. I, therefore, call upon all honorable Members present today to support the Bill. Mr. Speaker, with these few remarks I beg to move.

The Bill is passed

Sitting suspended for lunch break

Parliament resumes

Bills – Committee Stage

The Customs Valuation Bill 2009

Mr Chairman: Honorable Members, the Bill before us now for consideration by this committee of the whole house is the Customs Valuation Bill 2009. I wish to advise the Committee that yesterday I received from the Hon. Minister in charge of this Bill notice of his intention to move an amendment to the Bill on Clause 16. Although the proposed amendment does not meet the one clear day notice required by Standing Order 51(2), I consider the amendment straight forward and have accordingly given my leave for the Hon. Minister to move that amendment today.

Members would have seen the amendment on Notice Paper No. 27 dated Wednesday 19th August 2009. We will deal with that when we get to clause 16.

Clause 1 agreed to

Clause 2

Mr. Tosika: When I look at Clause 2, the way the definitions are put, even though it is not going to cause any problem but for purposes of addressing the definitions maybe when we go in line with the WTO Article 7 it will be in hierarchal order. Because as you can see there computed value which is almost last is at the top there, transaction value is last, identical goods at the top and so it is mixer of hierarchy in the order of Article 7. Article 7 talks about transaction value, deductive value, identical goods, similar goods, competitive goods and fallback. The definitions here are not in hierarchal order because of the calculation is step by step. It is a system, a mechanism and so my concern is that those definitions do not really address the spirit of that article.

Attorney General: The definitions are arranged in alphabetical order. The point raised by the Leader of Independent Group relates to valuation methods scheme under the WTO. For this Bill, the scheme is in the body which we will get to later. The words in there are arranged in alphabetical order and this is not a scheme, the scheme itself is inside the body of the Bill which we will come to later.

Clause 2 agreed to

Clause 3 & 4 agreed to

Clause 5

Mr. Agovaka: Part 2 is the customs value of imported goods. Is it necessary to have those first two words “in a customs law”? This valuation bill is actually a customs law in itself and so is it necessary to have those words ‘in a customs law’? Should we just delete those words and straight after sub-clause (1) say “the value of the imported goods for the purpose of imposing imported duty”. Is it necessary to have those words?

Attorney General: The customs law defined on page 6 and it means this Act, the Customs and Excise Act and any acts relating to customs or excise. That phrase customs law refers to that group of law relating to customs and excise.

What Clause 5(1) is saying is that when one looks out any customs law, which is this Bill, the Customs and Excise Act or any other law and you want to find the value of imported goods, these laws will apply. The method here will also be applicable to the Customs Act. That is another way of explaining it.

Mr. Tosika: As rightly stated, the definition says the customs law is this act. You are actually talking about this law and I would have thought that section 5 talks about the Comptroller having power to determine the value other than repeating it again here as “in a customs law”. Because this is already that law and in making a repetition of it, it means you are talking about other laws apart from this law. That is the question that needs to be asked as well.

For purposes of clarity to avoid ambiguity, there are neat ways of doing this instead of what it is now. May be in future try and write it up neatly so that people come to the point, not like this. You are talking about the customs law but your definition says ‘this act’. This customs valuation bill is a law of its own and so we are dealing with the integral part of that law already in Part 2. My thinking is in line with the MP for Central Guadalcanal. I think this word ‘in a customs law’ is ambiguous and is going to create uncertainty in the minds of people who are going to use this Act.

Attorney General: We must use the definition sections to interpret the laws and then it be go smoothly. If we are to go by what the Leader of Independent Group wants, clause 5(1) would read something like this, “In this act, the

customs and excise act' and so you have to list all the laws available on the land. Now that that would be more problematic once you start doing that because although this Bill at the moment intends to have a short life because a new bill come later, the method of drafting is that you have to make provision for future. And so we do not know yet what law may come in the future. That is the method of drafting you would use first as customs law and then you can say this act plus any other acts. Do not restrict ourselves by stating exactly what is on the existing act.

On the other hand, the Hon Member if he consults the current Customs and Excise Act, the phrase 'customs law' is also used in the Act. I can direct you to Section 210 which also uses that phrase.

Mr Oti: Just for clarification by the Attorney General on this. This part or this section relates to the valuation of imported goods, and so if the reference to the other laws where by definition on section 2, as the Attorney General has said as laws that also made reference to valuation or is this valuation going to take precedence over, if indeed they exist in other legislations, other customs law because this part has to do with valuation but reference to other applicable laws also means, I have not read the Customs and Excise Act nor other legislations relating to valuation, but are there other provisions on valuation of laws made reference to in this law?

Attorney General: Clause 5(1) says, "...for the purposes of imposing import duty" and so it talks about the law, any law that its purpose is to impose the import duty to find what appropriate duty to impose is what it is talking about here. "In a customs law the value of imported goods is the customs value of those goods". It is not any law, but it must be a law that has provisions relating to imposition of import duty. At the moment we are certain that this law is a law that has provisions to impose import duty. The Customs and Excise Act we are certain that it is an act that imposes import duty, and so at this stage we are certain of this. But provision must be made for the future for any other laws that maybe passed, and any laws that relate to imposition of import duty, and not any law at all but it must be a law that allows imposition of import duty.

Mr Oti: Thank you, it is now clear. I am talking about valuation, valuation of that, which formula is going to be used. Because those goods attract import duty from the other law, you are going to apply this valuation formula prescribed by this Act on that other law, which means the laws that have been enacted previously have no methods of valuation in them or is this law now going to take over the valuation that existed previously in other laws.

Attorney General: Yes, that is correct. This law will set the method to be used in this Act, in the Customs and Excise Act and in any other laws. The method for valuation, this will be the method. Once it is passed this will be the method. Later on we will see in this Bill, the valuation method in the Customs Act will be repealed. It is right at the back on Clause 29, we will see the valuation method in the Customs Act is repealed because this new valuation method will be the valuation method.

Mr Tosika: If you read sections 5 and 7 together, you will find conflicting arrangement there. Clause 5(1) says “in a customs law the value of import goods for the purpose of imposing import duty is the customs value of those goods”, and then it says, “...and the Comptroller shall determine that customs value in accordance with this Act”. When you go down to sub clause (2) it talks about transaction value and continues to repeat transaction value, and when you go to Section 7 it talks about the same thing by saying, “For the purposes of determining the transaction value of imported goods, the price actually paid or payable for the goods is increased by the sum of...” We are further confused here. There is ambiguity in relation to these two clauses.

We are on Clause 5 but I would also like to make reference to Clause 7, which although is defined but transaction value is repeated as a value for mitigating duty when goods are imported into this country. I think that is really not in harmony and in the spirit of Article 7 that we would like to impose. It is just creating uncertainty, and I must say here that there are people who do not understand this. Even customs officers themselves who are going to implement this law, I spoke with some of them whether they understand what this Bill is all about and they told me that they do not understand this bill. And these are the people on the ground to implement this law. We, parliamentarians just pass legislations hoping that legislations will be carried out in the true sense of how bills and laws are passed in this chamber for our country. I think it is high time that we provide clarification when coming up with legislations like this, especially in the adoption of international arrangements or conventions.

Attorney General: The bill before you is drafted in a much simpler way than the present Customs and Excise Act. The present Customs Act if you look at one section, one big paragraph almost takes up a full page. This is a much simpler drafting. The duty of Parliament is to enact laws, the enforcement of the law is best left to the customs officers to enforce it and if they need training on the law then that is a different matter, but the duty of this Parliament is to enact the law.

Coming back to the scheme, which the Honorable Member has asked about, we are not copying the full text of Article 7 of the World Trade Organization GATT. Only relevant parts that the Ministry thinks are relevant are copied onto here and then are reenacted in here. Therefore, whilst the honorable Member referred to Article 7 of the WTO, it is not the full text of it that is reenacted in here, but only what is relevant.

If one looks at Clause 5, Clause 5 by itself states all the methods that will be used, it states succinctly all the methods that will be used. You will see Clause 5(2) starts off with transaction value. It says "Where the Comptroller can determine the transaction value of imported goods, the customs value of those goods is the transaction value of those goods". That is the principle statement. When you go to sub clause 3, it also makes a principle statement also on transaction value of identical goods, transaction value of similar goods, deductive value of goods determined and computed value of goods determined". It lays out succinctly the methods it will use.

When you come to Clause 7 which the Member referred to, some more details of the transaction value method are stated in detail there. The principle statement is stated in 5(2) and then it continues on to describe other methods but the detailed is in clause 7. I see no confusion here. We just have to read carefully how the sections are arranged, and as I have said it is much simpler than the current Customs and Excise Act.

Mr. Tosika: We are dealing with a very important law that will affect the lives of people and the daily transaction of this country. This law is to do with how to fast track goods to go out from the customs area, on the basis that this law is meant to facilitate trade in its general objective. What I would like to say here is that if we enact laws that are not clear and people who are dealing with valuation are not certain with it, you are creating a time period for them to do it. Section 13 is simple and not difficult, it is very plain and clear, domestic value, the price put out in the open market is section 13.

Yes, we would want to achieve our obligations under the WTO but again, like you said here in section 3, which says 'set up a maximum consistent with Article 7 of the WTO'. Are we consistent with that Article? That article talks about transaction value, but then it does not talk about transaction value but it says the value of identical goods imported at that time or about that time. That is what it is talking about, and then it goes on to talk about similarities.

My question is, we continue to repeat all these, and then Section 7 also talks about competent, deductive value and all these. It is a repeat of what is in the previous section. That is my concern, I am not saying I am opposing this

clause but I want us to do it neatly so that people can understand it. That is what we are trying to achieve. I am not opposing this.

What I am saying is that we must provide certainty and clarity because that is our role as a Member of Parliament. That is what we are here for and nobody can deny this. Are we going to pass laws that create confusion, ambiguity and so forth? No, this Parliament must not do that. It is a very simple law but it is going to affect people, it will affect trade and businesses, and they are the ones that give revenue to us. If we delay their time money is spent. Business is for what? We must be mindful because this law touches the lives of all sectors of the society.

Yes, we want to live up to the standards that international conventions want of us or are obligatory on us to do it. But again let us do it in a spirit entailing the preciseness of what we want to adopt or introduce.

Attorney General: When the bill says that it sets out mechanisms consistent with Article 7 of WTO GATT, it is not saying that we copy the exact text. It only says the scheme is consistent. If you refer to clause 7, the honorable Member needs to look at sub article 1 and 8 of Article 7 which are almost similar or if not exactly similar.

If you look at page 12, sub clause 3 of section 7 is drawn from sub article 2. Yes, the arrangement maybe different here but it is almost similar to Article 7, which the honorable Member as referred to. But the point is that the bill says it would be consistent and it does not say it will be exactly the same.

Clause 5 agreed to

Clauses 6 & 7 agreed to

Clauses 8, 9 & 10 agreed to

Clause 11

Mr. Tosika: This word appears again. Clause 11(4)(a) says the amount of any commission'. I want the Attorney General to clarify this clause because certain commissions are excluded under the WTO valuation and only certain commissions are included for customs purposes. When you talk about any commission, what type of commissions are you referring to?

Attorney General: Mr Chairman, commission means any commissions paid during the transaction and the interpretation of it is consistent with the WTO interpretation of similar clauses.

Clause 11 is drawn from sub article 5(1) of GATT and so the interpretation is consistent. As we have seen previously on Clause 392), it says in interpreting this Act, a construction that promotes the objects of this Act is to be preferred, and one of the objects is that the mechanism is consistent with Article 7 of WTO GATT and therefore the interpretation that WTO has already made in respect of commissions will also be applicable here.

Mr Tosika: Therefore, does it mean that because under that same article you referred to excludes buying commission. If you look at the annex to the Kyoto Protocol, 8 talks about this commission, buying commission is not part of valuation. It says other than buying commission. You can include selling commission but you not buying commission. Does it mean that principle is maintained?

Attorney General: I cannot give a definite answer without looking at the provision the honorable Member referred to because I am not sure whether he was looking at the actual rule or the interpreted notes of the WTO.

Mr Tosika: It is a rule.

Mr Waipora: I am not very good at this subject, however 11 (3)(a) says that the "purchaser is not related to the importer." Can you explain this because I am not very sure about this?

Attorney General: We have already gone past the clause that deals with relations and it is in sub clause 2 of Clause 2. There are various paragraphs there that explains who relates to who and whether a natural person or a company. Different types of relations are explained in Clause 2(2).

Clause 11 agreed to

Clauses 12, 13, 14 & 15 agreed to

Clause 16

Hon. Rini: Sir, I move that Clause 16(2) be amended in the last two lines on page 23 by omitting the words 'Solomon Islands' and inserting instead 'crown'.

Mr Chairman: Does any Member wish to comment on this amendment?

Clause 16(2) as amended agreed to

Clause 17

Mr. Tosika: As highlighted in my debate, customs offences are part of the present principal act under Part 10 which talks about penalties and general provisions and section 212 covers section 17. False declarations too are covered in section 212. Almost everything repeated in here are well covered in the principal act and their penalties have just been increased from \$200 to \$2,000 units. This is just a concern that whilst we have this new act for valuation, we are also creating penalties for offences. This valuation boils down to the same principal act and that is why they created all these. If you read from part 11, section 210 right down to section 250, it more or less covers section 17 right down in the whole Part 3. I do not see any revocation in this act. The spirit of Article 7 of the WTO Article is not for penalizing people but it has its administrative mechanism that has dispute settlements and resolution and also consultations. It gives importers 90 days, and that is a mechanism under the WTO. It does not say you commit an offence you are penalized. The importer is given 90 days to substantiate why his invoice is such and such in writing. The Comptroller of Customs requests the importer in writing to submit his invoice explaining why it is like that and then the authority gives decision on the valuation. That is not committing an offence. It is normal trading practice done around the world from country to country. They are not penalized because penalties are already in the Act. My concern is if we have to do this, does it mean all these sections in the principal act will be nullified and cannot be read at anytime because the penalties are very small and so we change it to 2,000 units and here it talks about 50 penalty units, 100,000 units, 500,000 penalty units and so forth. But we are dealing with trade here. When investors wanting to invest in the country see these penalties, it is really chasing them away not to invest in Solomon Islands. Although our intention is to deter people not to falsify documents, but in real life people only do that in certain times. We cannot say no. In real circumstances it happens everywhere around the world and this is why the mechanisms put in here did not spell out penalizing of people but it only talks about a mechanism of resolution to dispute settlements.

My concern is whether we are doing away with this and impose this because they are relatively similar or they are like two being married although in here it says deemed as part of principal act you are talking about two sections dealing with similar offences.

Attorney General: Consultative processes or any dispute settlement process under the WTO laws must not be confused with what Part 3 is trying to do here.

In fact the Bill does not forget the kind of consultative process under WTO laws. If you look at Clause 6(2), which we already passed, that is the spirit of consultative process. Where it says "Where the Comptroller is taken to be unable to determine a customs value of imported goods, the importer shall produce further relevant documentation in order that the Comptroller is able to make such a determination of customs value."

We can also see the consultative process reflected in Clause 14 which says "The Comptroller shall, upon written request, advise the importer by notice in writing of the method used to determine the customs value of imported goods". Those provisions take on board and reflect the consultative process in the WTO laws. Part 3, which is going to deal with this, deals with people giving false information. Participating in a consultative process is different from giving false information. These are two different things altogether. Section 212 of the Customs Act referred to by the Member talks about making false declaration and is totally different from consultative process. Consultative process anticipates a genuine consultation, honest consultation but once a person or an importer takes the next step of making false declaration or supplying false information then that is not genuine consultation and that is what the offences in here will deal with.

Mr. Tosika: I do not dispute that. What I am saying is that there are two laws here; section 212 and section 17, Part 3 that deals with this. False declaration there is also false declaration in here. What are you going to do with these two?

Attorney General: Section 212(a) which says false declaration looks at a declaration made in a prescribed form. That is what normally would be a declaration. Section 17 deals with a situation that is much broader than that, I think, because it says false information. So you can provide false information in a declaration or you can provide false information in not a declaration but just providing it in other forms other than a declaration and so it is broader here.

On penalties, Section 212 that the Member referred to is \$1,000 in this Act but the Penalties Miscellaneous Bill we have just passed because of value updating of the penalties, it raises penalties higher, and section 212 is now \$10,000. Looking at the table in the Penalties Miscellaneous Amendments Act, \$10,000 is the highest under the Customs Act, even after value updating on the penalties is done. I have the table here and the highest law, although the value updating is done, the highest under the Customs Act is \$10,000, where as here in Clause 17 and the rest of other clauses in Part 3 it now talks about 50,000 penalties and 100,000 penalties units. And as we are going to see later there is a provision that says that when legal proceedings are initiated, a prosecutor can

decide which sections to use; he can either use the section in the Customs Act or go for higher penalties under this Customs Valuation Bill.

Mr. Tosika: That is really what we are trying to address here. The principal act has been around for a long time now and we want to impose this, and it says it is to widen it but in here the broader sense of declaration is already well covered when it says “other instruments”. It is mentioned in here. If you read from (a) right down to (d) it covers falsification of documents. When wrong information is given to an officer verbally, that is false declaration inside the principal act.

My concern here is that we have two sections dealing with the same offences. You can see here it says “make and subscribe or cause to make any false declaration, certificate or other instruments required to verify by signature” and then it goes down and lists down all the same things that are covered under section 17. That is my concern. We are enacting legislation that is already provided for in the principal act. That is my concern. Can the AG chamber look into this and as well as this House too. This is like coming up with something that is already there. It is like building a house on top of the same place a house is already built.

Attorney General: The section that Clause 29 repeals is Section 13 of the Customs Act which deals with assessment of value of goods, Section 80 of the Customs Act that deals with the power to waive the production of documents and Section 265 of Customs Act that deals with valuation of goods penalty. But in respect of the point raised by the Leader of the Independent group if he looks at Clause 23 of the Bill it says “Where an act or omission constitutes an offence under this Act we are discussing right now, and the Customs Act, the offender can be prosecuted and punished under either or any of those Acts, which means this Customs Valuation Bill or the Customs Act. So it is an option, but will not be liable to be punished twice. The Leader of the Independent Group was saying that they are the same, but in our opinion they are not the same. When we go before the courts before we can appoint the difference. There are differences and that is best left to the right time when it is argued in court.

I think the important point for Parliament to take note of is that there are options available for prosecutors to pick and rely on. They can either do prosecution under the Customs Act or prosecution under the Customs Valuation Act. There is a wide variety of options given to prosecutors or customs officer.

Mr Tosika: I do not quite agree with the statement to leave it to the courts to decide on it. I say this because we are the legislators and we must be able to argue the point so that there is clarity when this Bill is carried out. It is our

responsibility to legislate and pass laws that are clear and not ambiguous so that there is no confusion in the minds of people and even in the minds of judges too. When the judges decide on this, and the Interpretation Act says that the law that is enacted first takes precedence over a law that is enacted later. The penalties here, I believe, will be referred to the principal act because the principal law takes precedence since it was enacted a long time ago and this law is just being introduced and so they would always go back to the law that exist in the first place. That is my opinion but I think we should not bind ourselves here and say let the court decide on it but we just pass legislation whether they are good or bad. No, that is not good. We are here to make legislation and to ensure legislations are clear in order for the country to use it.

Attorney General: I made that statement because I had already said that there is a difference between giving false information and making a false declaration. If that advice is not accepted by the Leader of the Independent group and that is why I said that we then have to leave it to the court to decide on it because there is a difference between giving false information and making a false declaration.

Mr Oti: I was going to come in first so that it is clear, and the Attorney General alluded to the instance of definition of false information and definition of declaration. Those two, according to the explanation of the Attorney General are not the same. The Customs and Excise Act Cap 121 is using false declaration and this new law, the provisions we are considering here there is no such thing as declaration. But in order for it to bind a person, just like a statutory where if you are falsely declare then you are in breach of the law. Providing false information is lighter than false declaration. Because of the difference in the definition between a false declaration and supplying false information and therefore if you go back to the argument put forward by the Leader of Independent you are charged less for making a false declaration but you are penalized higher for providing false information. Tell me, what is the logic here?

Attorney General: The logic is in what I have already said that false information will be broader because giving of false information can mean providing information in the declaration, because declaration is normally prescribed or giving false information in other ways other than declaration is broader. Because declaration normally would be in prescribed form required by regulation or under the statutory UK Act and so it is more restricted. False declaration is more restricted to the form or to the requirements of that regulation whereas false information is broader, which can include that declaration or it could include other information other than a declaration. Therefore, say if someone made a

false declaration, it would be preferable that the prosecution uses Section 17, it can use this one. Whilst they have the option under 212 where the penalty is low, they can use Clause 17 in this Customs Valuation Bill where the penalty is higher and so they can use this one. They can say that making a false declaration amounts to giving false information.

Clause 17 agreed to

Clause 18

Mr Agovaka: I think this is like Clause 17, but what is this natural person. What does that really mean?

Attorney General: A human being.

Mr Agovaka: If we go to Clause 18(b) in a case of a company, does a natural person who is a sole entrepreneur and an owner of a company qualifies under a natural person or is he qualified under companies in the case of a company.

Attorney General: If a person commits an offence he can be charged as a natural person or the company can be charged under 18(b).

Mr Agovaka: My question is, in a case of a natural person who is a sole-entrepreneur of a company, he owns a company and is charged, which category does he falls under, is he going to be charged as a natural person or is he going to be charged as a company. That is my question.

Attorney General: It depends on the facts whether the obstruction, because this clause deals with a person who intensively obstructs a customs officer. It is whether that obstruction is carried out by that human being. If it is carried out by that human being then it will fall under the natural person that is in 18(a). But if the obstruction was ordered by a company, I know what you said that it is one single proprietor, then it is that company that will liable under 18(b). There is a distinction between a natural person and a corporate entity.

Mr Agovaka: It is the man who obstructs and not the company.

Attorney General: As I said, it depends on the facts, the involvement of the company in that obstruction.

Mr. Tosika: I just want to find out the reason behind putting this word 'a natural person'. Is there any intention of putting that word as it is?

Attorney General: We do not have the definition here but it is one of the words that is in the law for a long time and it also appears in other laws too. Lawyers called it a term of art that is known in the jury's prudence of the law. .

Hon. Manetoali: May I assist in answering the question by the Member for Central Guadalcanal and West Honiara. The natural person and a company, a company is a separate legal entity. A company is a separate human being just like a natural person who is a human that can walk around. A company is a human being that cannot walk. I think that is the difference between those two.

Clause 18, agreed to

Clause 19

Mr. Tosika: As I raised earlier on all these offences are catered for in Cap 121 already, and I fail to see under Section 29 the revocation of other provisions in the principal act and so we are dealing here with almost the same things right down here in Part 3. I am just raising this so that the government can consider this if at all they are going to amend the Customs Act or review it, a new one will be brought into this House in September. That is the information I received from the AG who said that they are going to review the Act and do some improvements on it. If those improvements are done, let us not create two separate acts to deal with the same things.

Clause 19 agreed to

Clause 20

Mr. Oti: Clause 20 is basically to do with prohibited goods, import, export of which the penalty is in (a) as first offender of a natural person is 50,000 penalty units and second or subsequent offence is 100,000 penalty units. As I alluded to in my contribution yesterday, Section 20 of this Bill and Section 213 of the Customs and Excise Act talks about the same thing, the prohibited goods penalties or what amounts to crime if it is committed. That is Section 213 of the Customs and Excise Act and Section 20 of the Customs Valuation Act. When you check the penalties, the other one is the same with this one, which is 50,000. When we amended the Penalties Miscellaneous Amendment Bill 2009, Section

213 of the Customs Act has increased from \$200 to 2,000 penalty units. This is for the same offence I stated earlier on today, transaction in prohibited goods, the two laws in application. The penalty of this new one is very high and the penalty under the Customs Act is much lower hence the choice as the AG said is for the courts to dictate which one a case would fall under. I think that is being careless if it is done that way. We have to dictate it one way to make it easier for both the courts and also for the would-be, not breachers of these laws but those that are going to be caught unfortunately by not observing the requirements of the law we are passing.

I am not absolutely confused but I cannot understand at this point in time how these two dealing with the same provision have different penalties in application. This is just for the AG to clarify.

Attorney General: If an offence is committed and a charge has to be laid, the customs or the DPP's office, when considering what charge, they would look at the legal elements of the law. Considering the facts, they will weigh the facts as presented to them that fit in neatly to which section. They have to match the facts given to them with the legal elements of the particular sections.

In the situation here they would look at Clause 20, and look at Clause 213. They would say that the facts and the elements show that we can charge the offender under any section. If the prosecution comes with that conclusion but then he says that it is preferable to charge under Section 20 of the Customs Valuation Act, then that is a choice they would decide on. It is a deliberate decision taken by prosecution or customs and not by the court but by the prosecution or customs. When the matter is before the court and court deals with it then you would see Section 24 coming in where if the court is not satisfied that the defendant is guilty of the offence charged, the court has discretion to decide and say no, I do not find the offender guilty of the charge the prosecution brought on the offender but I am satisfied that he should be found guilty under the other section. These two roles must be understood carefully, and one is that customs or prosecution determines the appropriate section to use to rely upon in the charge. The second part is if the court sees and is satisfied that the offender is not guilty on the charge brought against him then it has the discretion to nonetheless find him guilty of an alternative charge.

Clause 20 agreed to

Clause 21 agreed to

Clause 22

Mr Tosika: Clause 22 deals with a customs officer being bribed or being enticed and given something in exchange for his/her official duties. Section 218 of the principal act also talks about collusive seizure, bribery covering a wide spectrum of activities that an officer gives that if an officer receives any reward or neglects to perform or conspires, conveys or commits any law, the fine is \$1,000 or imprisonment for two years. The same thing is what we are trying to achieve here. We will continue to raise these concerns because these things reflect existing provisions of the principal act. This is a comment because as I continue to mention the principal act almost says the same things. So we are almost mitigating the same discussions, same issue in the principal act and this bill. The concern is that this is well defined and catered for under Section 218 of the Customs and Excise Act.

Mr Chairman: I think the Attorney General will also say the same thing on that as well.

Mr Oti: Section 22(2), which penalties are these officers liable for – the penalties in subsection 1? It should specifically state the penalties set out in sub section 1 instead of saying penalties set out in that subsection.

Attorney General: If we look at the third line down in sub clause 2, it says “a customs officer to commit an offence under sub section (1). It already mentions sub section (1) there and that is why towards the end it says, “in that subsection” and so it refers to that subsection which is already mentioned prior. There is no other subsection mentioned but subsection (1) is mentioned there.

Mr Oti: Thank you for the explanation by the Attorney General.

Clause 22 agreed to

Clause 23 agreed to

Clause 24

Mr Oti: Once again for the Attorney General to clarify the intention here because in Section 23 you would either be charged under an offence under this new law, the Valuation Act or the Customs Act because you cannot be charged for both. Section 24 says otherwise. For clarification purposes, is it within the bounds of the courts once the offence is dismissed that you are not guilty of the case, can

they say, without being tried you are guilty of the other one? Is it possible to be like that? Is it not too tedious and expensive for the prosecution to bring before the courts two cases at one time, otherwise one falls down and the other one takes on? What are the costs? Of course, how the courts exercise only one to off the hook and next one you come back later and the prosecution takes it back. For two pronged approach to the prosecution preparing its case so that it tackles it once, I think this is demanding too much on resources both human and financial. But once again why is it not clear. I brought up this case because of what the Leader of Independent has been saying all along in respect of the penalties and breaches of the law under the Customs and Excise Act, and similarly repeating, if not repeating at least similar cases in regards to this new law. Just for the Attorney General to clarify to us how the courts will deal with those issues and how will the prosecution, and especially for this one it is the crown prosecution that will be dealing with, the approach, so that those would-be potential breaches of this law would hear that this is how they will be dealt with.

Attorney General: Sub clause 1 of Clause 24 says, 'but is satisfied beyond reasonable doubt' and so before the court finds the defendant guilty of another offence, the court itself must be satisfied beyond reasonable doubt. Satisfied beyond reasonable doubt means that it has already assessed the evidence before it, the evidences are available before it and is proven before it and that is why it is satisfied beyond reasonable doubt and in its view does not need any trial because it is satisfied beyond reasonable doubt. The only difference is that prosecution might use a different section and probably missed to score just on one legal element. So the facts would have been before the court and satisfied beyond reasonable doubt before it finds a defendant guilty of the alternative offence.

If we go down further to sub clause 2, towards the end it says if a court has to find the defendant not guilty of the prosecuted offence but guilty of the alternative offence, it must give procedural fairness to the defendant in relation to that finding of guilt. Procedural fairness maybe is where the court may ask the defendant again whether he or she pleads guilty to the alternative charge. But the court will have to look at what would be procedural of fairness. Those two points need to be taken particular note of, that the court will not reach any conclusion without being satisfied beyond reasonable doubt that there are evidences proven to satisfy itself that the defendant is guilty of an alternative offence.

Mr. Oti: Can any claim be laid if it is wrongly prosecuted, it lets off the hook on one of those prosecuted and then found guilty on the other one. What is the

solace in regards to natural justice whether you have wrongly charged him for that offence for which he is not guilty of but is guilty on the other one. What would happen to him, can he not make any claim for being wrongfully charged for that offence which brings disrepute to his name, especially if he is a businessman?

AG: Probably the charge is wrong but the offence is committed anyway. But under common law, a person is entitled to sue the government for malicious prosecution or false arrest. Here in the country I have already defended the DPP on that kind of case.

Clause 24 agreed to

Clauses 25, 26, 27 & 28 agreed to

Clause 29

Mr. Agovaka: I am just wondering whether this Customs Valuation Bill can amend the Customs and Excise Act. These two are separate acts. This is the Customs Valuation Bill 2009 and the one that we are repealing in section 9 in Clause 29 is the Customs and Excise Act. Is this possible or can it happen?

AG: This is alright, and it has happened in a lot of our legislations already. The important point to think about is that Parliament has the power to amend and so it can amend by bringing a bill called the Customs and Excise Act Bill or another bill. This is called consequential amendment. It is proper in law and it has been done over and over in Parliament.

Mr. Oti: For practical and implementation purposes, because the work that needs to be done for this law to be carried out, like the government stated in its report, it will build the capacity before this law is enforced. On the one hand the repealing of Section 13 which is to do with valuation, in the interim once this comes into force section 13 becomes redundant by virtue of Section 29 of this law which repeals Section 13, in which case, timing is important here because for purposes of revenue we are talking about, especially section 13 of the Customs and Excise Act that deals with valuation for purposes of imposing duty. If this does not come into force quickly then it would be hard for us to quickly achieve the object of this legislation.

My concern is that otherwise people who are going to implement this law might turn a blind eye and still apply Section 13 of the Act when in fact it was

already repealed by this because that is easy for them to administer, back to what the Leader of Independent mentioned today. That concern is what I would like to express at this instance, particularly in repealing of Section 13 which has to do with valuation currently that this new legislation has now taken over.

Hon. Rini: As I mentioned in my winding up speech this afternoon, the major part of the implementation process will include wider comprehensive training and awareness program. As soon as this bill is passed, we will start immediately with this training process and also awareness program for stakeholders and public and also robust training will be undertaken for customs officers so that they know exactly what to do in the implementation of this Bill.

We will waste no time. As soon as this Bill is implemented we will go into implementation straight away and there will be no time or no revenue loss when this Bill is implemented.

Clause 29 agreed to

Mr Chairman: Hon. Members, there being no consequential amendment required for the title and no preamble, that concludes our proceedings on this Bill. This Committee is now dissolved and the Minister in charge of the Bill will report to Parliament when the House resumes.

Parliament resumes

Hon RINI: I beg to report that the Customs Valuation Bill 2009 has passed through the Committee of the Whole House with an amendment.

Bills – Third Reading

The Customs Valuation Bill 2009

Hon. RINI: I beg to move that the Customs Valuation Bill 2009 be now read a third time and do pass.

The Bill is passed

ADJOURNMENT

Hon Sikua: I beg to move that Parliament do now adjourn.

The House adjourned at 3.48 pm