

TUESDAY 24TH NOVEMBER 2009

The Speaker, Sir Rt. Hon. Peter Kenilorea took the Chair at 10.22 am.

Prayers.

ATTENDANCE

At prayers, all were present with the exception of the Ministers for Planning & Aid Coordination; Justice & Legal Affairs; Rural Development & Indigenous Affairs; Foreign Affairs & External Trade; National Unity Reconciliation & Peace; Environment, Conservation & Meteorology; Communication & Civil Aviation; Lands, Housing & Survey; Agriculture & Livestock Development; Infrastructure & Development; Forestry and the Members for East Honiara; Mbaegu/Asifola; Temotu Pele; Central Honiara; West Are Are; East Makira; Temotu Vattu, North Guadalcanal and North West Guadalcanal.

PRESENTATION OF PAPERS AND OF REPORTS

- The Constitution (Political Parties Amendment) Bill 2009

BILLS

Bills – Second Reading

The Constitution (Political Parties Amendment) Bill 2009

Mr Speaker: Honourable Members, on Friday 20th November the Honourable Prime Minister who is in charge of the Bill delivered his opening speech but adjourned debate to this date.

Members will note that the Constitution Review Committee which was looking at this bill has now tabled its report. I understand members have had the opportunity to read this Report which was placed in their pigeon holes after yesterday's adjournment of Parliament.

Members may now speak on the general principles of this bill. In so doing, I kindly remind Members to comply with the rules of debate set out in our Standing Orders. The floor is now open for debate.

Sir KEMAKEZA: Mr Speaker, thank you for allowing me this opportunity to contribute to this very important Bill very briefly. I would like to thank the honorable Prime Minister for moving this Bill for its second reading a few days ago. Likewise, I also want to thank the officers, especially public services as well as the Attorney General's Chambers for drafting of the Bill, more especially the legal draftsman for putting this Bill together to enable its introduction in this house. Not forgetting, of course, the hard working Ministers of the crown who discussed this Bill in Cabinet. I also thank other stakeholders, whom the Prime Minister mentioned in his speech, that have contributed to this very important bill because it is a constitutional

amendment. Their contribution is also highlighted in the report of the Constitutional Review Committee. That is a very good coverage by the Committee. It is very important that we read this report along with the Bill to help us in our debate of this Bill in parliament.

I also want to acknowledge yourself, Sir, as the person who wrote the Constitution for our country, despite of a few criticism being leveled against you by some people who just love talking but not doing their part. As we know that talking is very easy but to do the things we talk about is very difficult.

My contribution to the Bill this morning will be in three parts. First is my general observation on the intentions of the Bill. Secondly, is the priority of the government of the day in relation to this Bill. And thirdly is the Bill itself. I am going to base my contribution within these three principles. But before I do so, let me make myself clear that I am a great supporter of the present government from day one up until today and so do not take me wrong when I speak up my mind because I have been an observer outside in the field for the last 13 months before I find myself in here again despite of many arguments. Secondly, if you look at my track record I am not a grasshopper. Since 1989, if am on the opposition side I remain there and if I am on the government side I also remain there. That is my record despite of being labeled a big fish, a corrupt man and the list goes on. If you look at my track record, the intention of this Bill is what I had been practicing from 1989 until to date. This big fish too also joined one party until today; the People's Alliance Party (PAP). You know that, Mr Speaker, during those days

because you yourself too led a party, the United Party. I was doing the recruitment for PAP, which is the real intention of this Bill because stability and corruption are the theme of this Bill. I shall touch on the meat of the Bill before I shall try to describe those two words; corruption and stability. I think it was also in the records that I also led a stable government from 2001 to 2003, which is the intention of this bill too. My government was not broken up but it ruled the full period of four years. That is my observation, but I shall put in some more records in relation to this Bill.

My general observation of this Bill is that I am going to take us back prior to and after independence when we tried to talk about stability and corruption. Mr Speaker, you also led one government before but it was not because of corruption that the government fell. The fact that you honestly did want to help your constituency made Members then to resign. I want us to look back at history before we begin to talk about the present and to look into the future. Because if we do not learn history and we start to think that every Member of Parliament is corrupt, then you have to ask yourselves too. Remember that no one is perfect in the world. We are born corrupt into a corrupt world. That we must understand. But if one exceptionally thinks he or she is then that would be a fallacy. That is according to the Bible. We are born corrupt into a corrupt world. Look at the world today, what is happening now? The world is in recession now; the financial system is breaking down and they are starting to blame each other. A tiny country like Solomon Islands what are we trying to do? Come on, stop acting like little kids!

The Billy Hilly Government, it was the Government House. It was the Government House. It was an action by one. The Ulufa'alu Government just because he thinks the problem is small and so he toured Malaita when they shot Bugana. He came back but it was not his choice, it was not corruption but he was under house arrest. The Rini Government, it was only us Members of Parliament that steered it outside and not inside. If you look back at what has happened to this country, and it is not like Vanuatu where within two or three weeks they had three motions of confidence. That is not like us. Therefore, if anyone says that that the root cause and therefore this bill is brought to Parliament then I do not think so.

The second observation is to look at this Bill and then consider the pressing issues now facing the country. What are the pressing issues in this country today? First, we want to reform the Constitution and work on this is going on right now. The congress, and now all sorts of names are given to this group who are reviewing the constitution. There is wider consultation already. What is very special about hijacking a small part to the change, which is the reason why I support this government because it continues to take up one of the legacies I put in place when I tabled a report here before I left office? And I am very thankful to now the Leader of the Opposition and the present Prime Minister for having taken this onboard.

What is so special about this that we have to hijack it? Is there any hidden agenda to this? Yes I know. Of course, and no wonder it came out in the paper this morning. There is an argument between Caucus and the Cabinet that only a

very few hijacked this. That is why the Caucus and Cabinet are split today. They are split, and you would prove this when we go for the voting. So what are we doing here? Everybody has to compromise, talk together, polish it well so that everyone agrees on how we want to go about this. There is only a very small request that the Chairman of the Caucus is trying to ask the Prime Minister about, and that is for the Prime Minister to delay this Bill. However, my hardworking Prime Minister said, no, we must go ahead with it; we are all going to debate it in Parliament and then we vote on it. I do not want to see my PM being slapped on the face today. Let us do it neatly and sensibly before we proceed. That is what I called the pressing issue. What it means to me is that Solomon Islands is not yet ready for political parties. What is required now is the political structure. That is what exactly this Prime Minister is doing. And I do not know who is advising him to hijack this by saying political parties first before coming back to structure. The people of this country have been crying for state government, the reform of the Constitution. We are still looking at the old constitution, bits and pieces here and there. The structure should be considered. The house of chiefs throughout the country, have they ever been considered? The resource owners, what is the formula so that you avoid what has happened from 1998 to 2003. Those are the pressing issues the country is facing at this moment, and not this Bill. This is the voice of the people, and not this Bill.

I am sorry but who wrote the Prime Minister's speech that he read. That is a totally nonsense speech, full of false

information. For example, he talked about the police last week, but a senior office wrote in the paper saying that the Prime Minister is not telling the truth, and right now also he is not telling the truth as well. That is why I am asking who wrote the speech of the Prime Minister because the people of Savo/Russells are not aware of anyone consulting them. I was out there for the last 13 months and nobody ever came to talk about it. The only people who visited Savo/Russell are members of the Constitutional Reform Committee called the congress or national congress. They are the only people who visited Savo/Russells, which forms part of the reform, and that is the whole constitution. This book, the Constitution is what they are reviewing and here you are wanting to piecemeal changes. I call this bill a piecemeal Bill which serves no purpose and is not in the interest of our people.

The economy is affecting this country and worldwide. But what are we doing about it? You know that the policy of the present government is to broaden the economic base of this country. But where is that? Instead of broadening the economic base we are appointing commissions after commissions, taskforce after taskforce, even this Bill is also a liability to the Solomon Islands Government. This Bill is another liability to the country. We are not doing anything to broaden the economic base and to put our macro-economic policies right.

I thank the Leader of Opposition for shouting in here many times but nobody seems to be listening to him. I have been staying outside listening in and I think that is the first time for the Leader of Opposition to talk sense. I

congratulate him for doing that but nobody seems to be listening, it goes into deaf ears. Those are the pressing issues of this country. The house has been destroyed, which drives me to my second point. The house has been destroyed and we are just starting to rebuild our house on where we are going to put our priorities. Is it this Bill? No, let us put right the political structure first before putting the meat inside. How can you put the leaf first before putting the posts? It makes no sense, not at all. That is the reason why I oppose this bill. It is not because I want to go against my government, no, but I must speak out my mind.

The security of this country is very important. People break into homes and end up breaking into the Commissioner of Police's residence. For heaven's sake, what is going on here? Instead of us trying to address lasting peace for this country, here we are talking about another commission. For what! I do not believe for one inch that the Truth and Reconciliation Commission will solve the situation of this country. No wonder instead of us doing the right thing we are doing the wrong things.

Just look at the sound policy on education, which the Prime Minister started, the sound policy on education, here you are, the present Minister hijacked it and said it is free education. He was caught in a trap and so he quickly changed it into another name. You change color for what? That is what I meant. Those are ill decisions not well considered because you deviated from the original intention of the education policy which the Prime Minister got his doctorate. Yes! He was a permanent secretary when I was prime minister. He is a hardworking permanent secretary

and he called all the education authorities together and they came up with what is called the National Education Plan. That is a good report with good recommendations. Mr Speaker, how could the Prime Minister easily forget about this, and now he is listening to the new Member of Parliament for Aoke/Langa Langa, the Minister for Education who does not know anything about this piece of sound policy. I am sorry to say that. This is what I called the general principles of the country that we have to look at as the pressing issues of this country, which is the priority of this country and not this Bill.

The other pressing issue of the country is the bona fide demands of the provinces. The premiers communiqué, what are we doing about this? This is also a time bomb. That is the reason why I said that let us put the structure properly and make everybody to participate and not to try and address only the creamy part of the ice-cream. No! What would happen to the provincial governments, the chiefs, the custodians of our resources? What are you going to do with them? No. That is why I said that we must put our priority right.

The Member for Central Makira is very worried about his ship, and that is a shipping problem; shipping to take our local produce of copra, fish and timber from the rural areas to the center. Where is the radar for shipping approved by the European Union Minister for Planning? Why are we not utilizing this fund? It means somebody is not doing something, somewhere somehow. He is just sitting down doing nothing about it. Three days in Solomon Islands and

three weeks overseas, and that is why it is happening, and the list goes on. He is my good friend here.

When I say that the House is destroyed, I want to ask a few questions in relation to this bill. Why is this House destroyed? And if it is destroyed have we addressed it already? How is Solomon Islands destroyed? That is what I refer to as the house for the benefit of the public. Have we made things right already? Have we identified the problems already? Have we identified the problems which cause this House to be destroyed? If so, how are we going to solve it? Mind you that sooner or later something is going to happen because the symptoms are already in the country, but why are leaders of this country not identified the problems?

The most important thing is what are we doing to keep the unity of this country? These are the questions that we must find answers to so that we rebuild our house that is destroyed, in other words, our country and not this bill. No, Mr. Speaker. That is why I said where do we put our priorities? Or who is forcing the government to come up with this bill? I want to know when the Prime Minister makes his reply today.

Mr. Speaker, to give others time, I will keep to your ruling, and so let me come to the final stage, the Bill itself. My general observation of this Bill is this. What our officers or those who initiated this bill told the public is not in this bill, it is not inside and that is why I oppose this Bill. Stability and corruption, and I have already said it today. Let me give you an example of section 33 of the amended Constitution. There are four options on how we are going to elect or appoint the prime minister. Option 1 in this

amended bill, you just forget about it because it will never happen in the next hundred years. Option one is absolute majority. You remember that it was only in 1989 when there is one party with absolute majority; the People's Alliance Party, remember that. This party lived for one year six months and then it dropped. Do you know why it dropped? It is because there were no Malaitans inside the PAP at that time. So the late Prime Minister then was very smart and so he sacked 7 ministers and you yourself became a minister too, Mr Speaker. I hope you remember that. He sacked those seven and then he took in the Member for West Kwaio, the Member for East Are Are, which is yourself, Mr. Speaker, the Member for Central Kwara'ae and the list goes on. That is option one of the Bill. If any political party wins after the election with an absolute majority, its name will be sent to the Governor General for appointment. That is option 1.

Options 2 and 3, and I do not know why they tried to put option 3 because options 2 and 3 are just the same; lobbying, lobbying and when intensive lobbying happens there is going to be corruption, corruption. That is exactly what is going to happen. And the independent group you do not want will become important. In regards to options 2 & 3, there is a possibility that anyone from the independent can become a prime minister. Yes because of wider consultations, negotiations and coalition. Do not tell me this Bill will avoid lobbying and corruption. Then option 4 is exactly what we are doing today. If you want to get rid of the present system we are following now why include option 4? What for? Because you are going to do exactly

what you are doing now where Members of Parliament come here and vote for the prime minister. That is what we are doing today. That is the reason why I said this Bill is ill prepared, ill researched, very little consultation, no wider consultation and then we quickly hijack it to come. You are going back to square one.

I only want to pick three so as to give time to others, and I do not even want to look at this Bill because I have read it already. Just look at section 34 of the amendment n how to remove a prime minister. You know what is going to happen? The Bill is saying that you only remove the Prime Minister but the Ministers still remain. The Ministers remain but you just take another new person to replace him. Do you know what is going to happen? He will be a puppet prime minister ever to be in this country or in even the world because the ministers are more powerful than the prime minister. Who is the leader here and who is the boss? My goodness, are people drafting this Bill ever seen this point or not? It makes no sense. So the prime minister will become a puppet prime minister, not like you before when you are elected, you are the boss because ministers must follow the boss. But that is not so with this bill. Ministers become powerful and they can remove the Prime Minister any time they wish in a motion of no confidence and put another one, but the Ministers still remain. That is the intention of that amendment unless you tell me otherwise. That is my layman's understanding of this section, maybe others will read it differently. Understand English too! Read the whole speech but there is nothing inside.

My last point so that I give time to others to speak, is section 50, which is another mockery. I say this is mockery. What does section 50 says? When a Member vacates his seat, if he resigns from his party this amendment will be counterproductive as a result and so this Member will still remain, he will still be around. That is mockery. Any minister or backbencher who supports this bill is your death warrant; it is your death warrant. You will find yourself going nowhere and you will become a victim of the intentions of this Bill. I humbly ask the Prime Minister to withdraw it, let us redo it properly and then you can come and introduce it next time. That is the most sensible and humble way. I know that the Prime Minister is a very gentle man. Do not listen to only a few people, if you are really sensible. You are the top cream of this country with a doctorate. We have no doubt about your leadership and your academic achievements. You are also a chief in our area, like myself, and people respect you except that you will not come back but I will come back in the next election. But that is not the point I ask him my good Prime Minister, in fact without me he cannot be prime minister. I still offer him his support until the end of this House. But if he does not want to follow my advice then that is up to him.

With these few remarks, I oppose this Bill. Thank you.

Mr. KENGAVA: Thank you for giving me this opportunity to also contribute to the debate on the Constitution Political Parties Amendment Bill 2009. With due respect to my colleague for Savo/Russells, whom both of us are from the

People's Alliance Party, I think my views will be the opposite to his.

First, on behalf of the people of North West Choiseul Constituency I commend the Hon. Prime Minister and the CNURA Government for giving hope to the people of Solomon Islands, a hope for a most stable politics with the passage of the Bill and also the accompanying Political Parties Registration and Administration Bill 2009, which is to be introduced later on.

I have no doubt that the government is doing the right political reform in tabling this Bill for the people of this nation. Now, it is up to the wisdom of Parliament to decide the future of politics for this country as from 2010. I do hope that humility, wisdom and learning lessons from political mistakes over the last 32 years of independence shall guide our deliberation on this very important bill and we should be positive about it.

The objects and reasons for bringing this Bill to Parliament receives my full support, which is a small step in the long journey of bringing stability to the politics of this country. CNURA is the first government that has taken a bold move in reforming the political landscape of Solomon Islands because I believe we all want peace, unity and progress as from next year.

I believe in my responsibility as both a law maker and a representative in this Parliament. Therefore, the reform this Bill seeks has my full support and so as the people of my constituency because of the following reasons:

Firstly, I believe that a constitutionally recognized political party system guided by its own act of Parliament

will make a big difference to governing in this country. The people will feel more secure and know that their government of the day will deliver its policies and programs promptly and the government of the day through its party machineries knows its obligations to the people that brought them into power.

Secondly, I believe in political parties as the proper ingredient for a truly parliamentary democracy. The Westminster government system we have adopted depends on party politics to form its elected government. This is the missing political ingredient in Solomon Islands politics in the last 30 years since independence. Today, this Parliament has its great opportunity to complete Solomon Islands adoption of the Westminster model of parliamentary democracy by adopting the reform raised in this Bill.

Lastly, I believe that by giving proper support and recognition, the political party system is the right machinery where government should be formed and capable of building a more peaceful, united and a prosperous Solomon Islands. It is through such a bill as this and the upcoming Political Parties Registration and Administration Bill 2009, I am sure Solomon Islands political parties will be given the recognition and support I mentioned. It is this Parliament that will decide the future of party politics in this nation on whether to revive and develop the party system or bury it for another decade to the sorrow of this nation.

Sir, my standing on this Bill is very clear in that I support the political reform the Bill envisages and therefore my further debate on the bill will center more on the merits this Bill will bring to the nation and our people in the future. I

will not spend time arguing on the legal aspects of the Bill because if the Bill comes to Parliament it means the Attorney General's Chamber has vetted it. Any further clarification needed can be done at the committee stage. Therefore, in my opinion, the purpose and intention of the Bill will bring about the following changes in the way we form governments and govern our people.

First, it will improve and help the growth of party politics in this country. Secondly, it will bring a sense of political modernization to our political environment. If parliamentary democracy in the country will take a step further since independence in 1978, first the public will have the opportunity to partake and really participate in governing this nation through their ruling parties. The government truly belongs to the people, not Members of Parliament as it would seem these days. Secondly, it will induce an environment of political stability of which we all are eager to bring about in the country. And lastly minimizing corruption and bribery is being addressed in my view in a special way through the constitutional recognized party system before and after elections. The chance of electing quality leaders is more promising under this Bill.

Sir, I am sure all of us in this Chamber are well aware of the advantages of having a well-established political party system in this country. I believe that it is for personal reasons that one may feel not ready for the Bill. I hope national interest does take precedence in our deliberation on this particular Bill. My people and I are ready to accept the Bill because of 30 years of no concrete development in agriculture, fisheries, forestry, commerce and lack of

economic infrastructures like roads mainly because of the result of the performance of the kind of government we put in power. As we all know, all governments formed, especially in the last 20 years were formed from individual members coming into parliament forming themselves into new groupings and start up a body to rule the nation so that if we form governments through political parties it will take the helm in developing this nation through their government and through elected members of parliament.

Sir, I would like to remind myself on the floor of this Parliament why party system is a reform in the right direction for Solomon Islands, although some of us may have second thoughts about it. First is political parties' visions and plans for Solomon Islands would become more meaningful as stated in their manifestoes and political statements because parties will know they have a chance to form the government by gaining absolute majority in Parliament and therefore they have to go to the people to sell their visions and action plans before and during elections.

Secondly, prior to elections a political party or coalition will obviously put in place shadow governments, preparing the kind of government they will form when they get into power and ready to be implemented once the opportunity to form government is given. This measure also, in my view, prevents having a leadership vacuum in the country. Political parties will be serious about governing this nation also when they prepare shadow government to take up the government if they succeed to form a government.

Lastly, political parties will be capitalists in bringing greater unity to this nation. This will be sought through the

establishment of party branches, which in future will be in provinces. Secondly, through campaigns and reaching out to the people, especially on ideas of nationalism of one nation, one people through party policies, and most importantly by encouraging the registration of political parties that are cross cultural, but not by religion, race originally based thus will foster a more united Solomon Islands at the political level and the grassroots level.

This amendment to the Constitution, in my view, is for the betterment of our people, political leaders and the sovereign state of Solomon Islands. The Amendment aims to induce and allow for a proper constitutional recognition of political parties. I think that is all what this Bill is asking for. Some may argue that regulating individuals who become members of parliament violates the freedoms stipulated in section 3 of the Constitution on the fundamental rights and freedom of an individual. However, if the fundamental rights referred to are not guided by other laws and regulations, we would be in a state of anarchy as was the situation during the ethnic tension. Therefore, ones right to be a member of parliament as an individual, in my view, is not affected. It is only when you join a political party that certain laws and regulations will cause you to abide by it so that our political environment is conducive to sound coexistence.

Lastly, the amendment to section 13 on the protection of the freedom of assembly in association is in order because it will allow the regulating, the formation and operation of political parties. Nothing, in my view, is restricting an individual not to join a political party if he believes in

individual freedom. But if you join a party then you must follow its rules.

Sir, I think the election of 1989 has made a profound revelation that Solomon Islanders are capable of bringing into power a single political group. It is so because the outcome of the 1989 general election has landed in our parliament a single party, the People's Alliance Party with an absolute majority. In my own assessment, the People's Alliance Party won the right to govern the nation then because it campaigned strongly on the platform of state government and the charisma of the party leader. Therefore, PAP ruled for some months having all the opportunity to govern this nation as a single party, however, because there is no law that regulates the formation and operation of political parties and restriction to political grass hopping, the PAP disintegrated due to differences within its leadership. But this Bill we are dealing with now and the accompanying Political Parties Regulation & Administration Bill 2009 directly aims at protecting such golden opportunities, like the people of Solomon Islands gave to this nation in 1989. The people can do that again in 2010 if we believe in party system and give it to them now.

Let us learn from history that Solomon Islanders are clever enough and are ready for the party system. We cannot say they are not ready. Let us give this nation a new political landscape as from 2010. Let us rise from the failures of the past 30 years of independence and the ashes of the ethnic tension and grow the seed of political stability in Solomon Islands. The Bill is a new political roadmap for this nation and a new hope for the future.

You can be assured that there are no perfect laws made by man. Only the Ten Commandments are the only perfect laws. Who are we then to question after question the perfection of this bill and other related laws? I think it is time we look at the interest of this nation, the future stability of this nation and therefore let us accept the intention stipulated in the Bill. Let us embrace the draft and allows time and experience from its implementation for improvement. That is why amendments are made on existing laws. Let us not drag the bill for more consultations. I do not believe more consultation is necessary. It will be seen as a failure of this Eighth Parliament against its people who crave for political stability now. Therefore, this Bill in my view is acceptable to be used to govern the people of this nation as from 2010.

There are only two areas, in my view, that needs further improvements in the future as we put the bill into effect. The first one is the process in the election of the Prime Minister which includes too many options needs to be simplified. Maybe a study of how other Commonwealth countries elect their prime minister needs to be done. Secondly, as has been raised by my colleague MP for Savo/Russells, but looking at it from another point of view, the removal of the Prime Minister within a ruling government but not the Ministers may be open to abuse. Certain Minister can instigate the removal of their leader on personal or political motivated reasons. In my view, when the Prime Minister is removed in the ruling party or the coalition, his/her ministers also should lose their seats. This will allow the new Prime Minister to choose his or her

ministers for a fresh start within the parliamentary wing of the same party or coalition.

In conclusion, I would like to ask what would be the option if this political reform is not accepted by this Parliament. That is the big question we must put in mind before we throw out this bill; and that is, what is the option. What else do we want to offer the people of Solomon Islands in terms of political stability and good governance as from 2010 if this Bill is thrown out? Do we need more time, say another 30 years of unstable politics through power struggles and the plundering of rural people's resources in the name of development? No, I do not think so that is the best option for the people. Or do we need another 30 years under the current unitary system where all political powers are centralized in Honiara and where only a few individual politicians, the powerful ones, their intellectuals and business associates both local and overseas control this nation, the provinces and their resources. No, that is not the option.

The people have given their full support on this bill through wider consultations made throughout the provinces, so what further consultations do we need? People are hoping that this political reform will create political stability in this nation and great attention will be given to decentralization of politics to the provinces. We cannot give political stability to this nation when we have personal reasons or personal views on this Bill. I think the best the CNURA Government can do is to table the new federal constitution before this House is dissolved. I think that is the best thing and the best option. If we are thinking

of not supporting this Bill which is trying to improve stability in this country, then the people in the province would see that the only best option is state government to be implemented quickly so that people in the provinces can protect their resources and can plan their own destiny. We do not want to plan and then be driven by a few groups of powerful people here in Honiara. If we have the political party system, forming government is still better for Solomon Islands.

I for one do not support the idea of delaying this bill. Some may say that people are not ready or because it is costly. I think those are the same old excuses for the last 30 years which is why we could not bring better reforms to politics, to the economy and to the social development of this country. The same old excuses are it is not the right time and it is too costly. We need to put those excuses aside now.

When we gain our independence in 1978, I must say remind this Chamber that not all people agree with it and yet independence was granted because of the rule of the majority. It is time to move on to a new chapter in our political development. We must listen to the people because they want political stability now, especially when electing a new government and a new parliament in 2010. The people would like to participate directly in governing this country through the political party system and we must not deny them that desire. If we fail to accept this reform, I can only see an unpredictable political future for this nation after next year's general elections. Because I feel that some of us are not serious about the future of this country. We are not

serious about the security, the peace, the unity of this country after next year's general elections. We are not serious about it. The government is bringing into this Chamber the only hope for this country to have security, peace and unity for Solomon Islands from 2010 onwards.

Do you envisage what is going to happen during the election and the formation of a new government after the 2010 election? If we continue to follow the current system, if we should ever learn from our history we should ensure that the 2006 political crisis is not repeated in 2010. The best prevention we can offer this country is the adoption of this Bill.

Finally, Mr Speaker, I call on all of us not to be afraid of this reform. Solomon Islands belongs to all of us and our people. I do not mind losing my seat next year as a result of implementing this Bill because supporting this Bill so that Solomon Islands is blessed with political stability and good governance, I would still be happy because I have to build a new era for this nation and would enjoy my life as an ordinary man.

The British colonial government has denied putting in place a fully structured Westminster model of government, which instituted the political party system as the principal mechanism of developing parliamentary democracy and the formation of the government before 1978. We have suffered the consequences in the last 30 years. We have come to realize where it needs to be corrected. The Constitution political Parties Amendment Bill 2009 is that one small step, in my view, to rectify the political errors we adopted since independence.

Sir, through our personal wisdom, bravery and sacrifice let us support this reform for the people we represent and the beloved nation of this country, Solomon Islands. Therefore, on behalf of the people of North West Choiseul Constituency I fully support the Bill. Thank you.

Mr. WAIPORA: Mr. Speaker, I usually talk verbally but now I am going to read from my speech because I know that this bill is very important that will arouse the interest from many Members to speak and so I have tried my best to write my speech.

Thank you for giving me the opportunity to join my two colleagues who have contributed to this important Bill, the Constitution Political Parties Amendment Bill 2009. At the outset I would like to thank the government and of course the honorable Prime Minister for seeing it fit in bringing the Bill to Parliament for its deliberation today.

Please, let me warn this Parliament that we may continue to meddle around with acts of parliament in amending them perhaps to suit our own personal interests and selfish political agendas but not the National Constitution.

The wisdom of the architects of the 1978 Constitution laid down therein, in my humble view, cannot match the ideas of any academics that we have in our country today to be enshrined into our Constitution. The Constitution is the life stream and blood of the sovereignty and the independence of Solomon Islands. The ruler-ship under the reign of any government of the day that we form must always lean on the Constitution for the guidance and

direction of our destiny. Therefore, our National Constitution deserves the highest respect which must be maintained and upheld always. What I am saying here is that let us not meddle around with our Constitution by making regular amendments to it because we might be making amendments for good or for worse.

As law makers we must be wise and on alert to watch against outside influences by making laws that in the end would only benefit foreigners. Moreover, to make any amendments to the Constitution just to pave way for the convenience of outside forces is an evil act, which could only be read or regarded as corruption or terrorism. This had happened many hundred years ago in very powerful countries like America, for example. America is a great and very powerful country in the world because no other world powers could stand against it in terms of war, economy, politics and so forth. The only way to weaken her world powerfulness, perhaps on the advice of so called technical advisors, was to amend its Constitution to accommodate or pave the way for incoming powerful systems like reserve banks, military, stable economy, government stability and integrity. These systems were seen to be right developments for the prosperity of this unmatched powerful country at the right time, but they were not aware that these were all remote controlled from somewhere else outside of America, which at the end of the day, have turned against America by way of assassinations of her presidents and attacks by terrorists. And we are at the entrance of the tunnel or may be gradually turning towards that trend.

Back here at home, the simple example I can make in our own case on this concern is the Facilitation of International Assistance Act 2003. If you look very closely at this particular law, Mr. Speaker, you would see that RAMSI is given all the freedom under the sun in this country together, of course, with unspeakable privileges and benefits from the Assisting Countries. What for? It is for what they called assisting Solomon Islands to restore law and order, rebuild the economy, strengthening health and education services, capacity building of governance and so forth. May I ask again, are we not at the entrance of the tunnel or rather gradually turning towards that destination, may I ask? The answer is yes; we are starting off with the shipping industry. The World Bank, the EU, the UNDP, and I guess AusAID as well are putting their money into this industry through the Shipping Act we have passed recently called by this great magic name, “franchise shipping”. When this shipping policy becomes fully implemented, I bet you that you will see all small shipping companies run by Solomon Islanders will be out of operation and only the shipping companies that are run by giants, like Australia and New Zealand agents and other foreign countries will operate in Solomon Islands. What cannot be denied is that a good number of legislations passed in this Parliament so far, weigh heavily more towards the interest of foreigners.

This Constitution Political Parties Amendment Bill 2009 is no exception. It sounds sweet to the ears of the public and seems to be overwhelmingly supported by the general public, but it has many loopholes and corrupt implications in it. Therefore, I must warn those who support this Bill to

be very careful because it hurts our national constitution seriously. Remember the Bible says that there is a way that seems right to a man but the end therefore are the ways of death. Who of us here wants to go to hell?

I want to turn to the Bill now and make some observations on some sections of the bill. The word 'appointment' in section 6, should be erased from the bill. To involve the Governor General to appoint the Prime Minister is like dragging His Excellency the Governor General to the door of politics in this honorable house to partake in politics. Whether you like it or not that is what this section of the bill is pointing to. The dignity and independence of the head of state in this regard is being polluted with politics, to say the least. To say the least it does not reflect the principles of representative democracy.

When a prime minister is elected through secret ballot on the floor of parliament then he is taken to the Governor General for oath taking as is the practice now, has two very important messages. The first message is that the Governor General is totally free from the political arena, and the second is that the process of the election of the Prime Minister is free and indeed done totally by all elected members of parliament.

The Prime Minister mentioned in his speech last week that countries like Australia, New Zealand etc have the practice in the appointment of their prime minister by their governor generals. We must not try to adopt what the matured democracies are practicing. Australia is Australia and New Zealand is New Zealand. Their standards are 100 miles away from Solomon Islands. Therefore, any moves in

our constitutional reforms, if and when most necessary to be done, must be made with caution and great care, and needless to mention, reasonable sufficient time must be given to such an important undertaking.

What in effect I am saying here is that the process of electing a prime minister must be left to the elected Members of Parliament to do it on the floor of Parliament, as is the practice now, and not by a group of political parties.

The **Bill** wants the winning political party after the general elections or a coalition of political parties to elect a prime minister out of one of their elected members then he is taken to the Governor General for appointment. In that process, how would you be sure that the election of the Prime Minister by the winning political parties is free from the influence of the non MPs of the political party being involved during the process in electing one of their members as Prime Minister?. Furthermore, how would you be sure that this process will not induce certain individuals or even foreign powers that have vested interests in Solomon Islands to use political parties as vehicles to realize their personal ambitions? These are very fundamental questions because the involvement by members of those winning political parties who are non MPs during the process of electing a prime minister cannot be ruled off in this regard. As such, it must be strongly opposed.

Section 34(a)(1) on the removal of the prime minister, it says that if a majority of Members of Parliament of the political party or coalition of political parties in government lost confidence on the prime minister, a member of that

political party or coalition of parties may move a motion in parliament for the replacement of the prime minister.

This section on the face of it, actually legalizes instability and corruption that we are trying to eradicate. In any country, the Prime Minister is the government, the national and international face of a country or state. However, here we are creating legislation for the prime minister to become a puppet to his ministers or vulnerable to the influence of his ministers. Or we could say that this provision gives rise to the emergence of super ministers because when the prime minister is removed by a motion of no confidence, his ministers will remain to serve under the next or the replacement prime minister.

Clause 11 should say that a member who defects or voluntarily resigns must vacate his seat when he receives a letter from the Speaker. It is not quite in order to say that a member shall vacate his seat on the date the Speaker receives a notice, because how would the member know about the date the Speaker receives the notice. Furthermore, that particular provision is abnormal in the sense that you cannot legislate for freedom of choice of an individual and his rights of being unhappy with the side of parliament of which he was a member before his removal. You cannot force him through law to keep remaining with his original side. It may be against his conscience. Naturally, unhappy or aggrieved people would often not choose to stay where and with the people who remove or sack them, especially in the games of politics. Only inexperienced politicians and those who pursue privileges for personal gains would do

that. In fact, this is true of the horse trading of the CNURA group of today.

In the Constitution, the Political Parties Amendment Bill 2009 and the Political Parties Registration and Administration Bill 2009, the only sections that are worth the papers that are written on, are the sections that talk about the creation of the posts of deputy leader of opposition, parliamentary secretaries and shadow ministers. This is good and this in itself, the horse trading that we are trying to stop by legislation, is already solved in this case if adopted. Unlike the present system in which you only have ministers, chairman of parliamentary standing and select committees, statutory and state owned enterprise committees and even the MPs of Honiara are given extra benefits and privileges, but the rest of the MPs are not. This is very unfair and discriminatory.

The simple and secret way of achieving stability in the government and parliament is that all members of parliament must be given the same treatment. For instance, no MPs complain about the RCDF so far because all constituencies receive the equal amount regardless of small or big constituencies. Therefore, fairness is crucial in this regard.

Most of the MPs who are now members of the CNURA regime have jumped from this side of the house to the other side perhaps for national interest, but more so for personal interest, like fat salary, extra allowances free vehicles, free housing, free cooking gas, free light, free water, and you name it.

The present title of the deputy leader of opposition was bitterly criticized on the floor of this parliament that it was made outside the bounds of law. I cannot agree anymore with those critics, but do not worry because the MP for West Makira does not receive any extra benefit for this title. The post of deputy leader of opposition is just a title, which we, on this side of the house indirectly requested the government to create or enshrine in the law. Also this is not the first time for Makira politics to have done this kind of thing.

You would remember, Mr Speaker, when Makira elected a speaker prior to 1981, under the local council system even though it was not provided for in the Local Government Act. You would remember too, Mr. Speaker, in 1988 when Makira Province appointed or employed its own provincial secretary without the knowledge of the central government. These were not wrong moves because in the end government followed suit and institutionalize them accordingly. It is good that the present regime realizes the wisdom of the need to create the post of the deputy leader of opposition and so it was created in this constitutional amendment bill.

On corruption, what is corruption? Can RAMSI explain to us what corruption is in its own concept as well as in the concept of Solomon Islands? Because according to RAMSI this is one of the biggest problems they come to eradicate in Solomon Islands. It would be interesting to know as to what areas of corruption have been eradicated by RAMSI so far.

So far we have gone through public debate on two types of offers of \$50,000. The first one was an issue to do with 18 Members receiving \$50,000 each from a businessman with the intention of giving support to that particular businessman's political party, and the second one was the \$50,000 award to a spouse of a Member of Parliament by the Parliamentary Entitlements Commission which has been quashed by the court of law but never ceased to appear in the mass media. The question is, which of these two cases should or could be condemned under the term corruption that we are talking about? Why is the government fighting against corruption but at the same time coming up with a bill that would create more corruption in it?

In addressing the issue of instability and corruption in government, we should not throw the stone at MPs alone. Voters should shoulder part of the blame of instability and corruption that successive governments have experienced during the last 30 years of independence. We must know that MPs did not start from the floor of this Parliament and go out to the constituencies as elected members of parliament. In other words, Members of Parliament are not voted in this House before going out to constituencies as elected members. No, they were chosen in the villages by villagers themselves through the election process and then sent to this honorable House. If a person is elected through an election process at the village level and becomes a member of parliament and afterwards you complain against him, then the question is why choose him in the first place to become your law maker in Parliament. What made you throw your support that you voted for him? If you voted for

a person for something else other than good quality leadership and good governance, then much of the blame can be laid fairly and squarely on the villagers or constituents. It means that if there is any instability and corruption in the government, we could only comfortably say that voters are part of the problem through elections in their present constituencies and in their respective constituency. Voters must always remember that the decision they make on the polling day you will reap the fruits of it the following day. I repeat that the decision you make on the polling date you will reap the fruits of it the following day.

The political parties integrity policy alone is not the solution to our problem of instability and corruption. The system we choose leaders from home to parliament must be sorted out too and put right, meaning that the Electoral Act must be reformed or reviewed to suit or fit in with the changing attitudes of people.

During the workshop run by the Chairman of the Political Integrity Policy for parliamentarians last month by Professor Paterson to explain the Political Parties Bill 2009 and the Constitution Amendment Bill 2009, I raised these questions to Dr Paterson: "As a constitution lawyer are you comfortable with the Bill? Is the Bill not intruding into an individual's freedom of choice, freedom of expression, freedom of conscience, freedom of association and the rights of an individual? In his answer, Dr Paterson, instead of giving his opinion on the Bill to me, Professor Paterson threw the question back to the government and the Parliament of Solomon Islands to answer. Nevertheless, I

could sense and saw direct from his eyes the expression of doubts on the Bills.

Today, I am now asking the Government and this Parliament that very same question that are we happy and comfortable beyond all doubts with the Bill? As far as the Member of Parliament for West Makira is concerned, he is not happy and comfortable with the Bill. The Bill, I must warn you at this juncture, could be easily abused. If the government is indeed really concerned about the affairs and the welfare of the people of Solomon Islands, then this Bill must not be forced into this meeting, but must be given some more time. Why the hurry?

Finally, the Constitution Political Parties Bill 2009, I am afraid, will create another monster within the government's set up and system, hence it will be very costly to the government. In PNG, they started off their office with the similar system with 500,000 Kina, but just less than a year of establishment they requested the government for an additional allocation of 4 million kinas. The highly qualified prominent officers of the PNG Government who were administering a similar system known as OLIPPAC indicated that the system was very costly and would take some more time for them before they could settle down with it.

In our case, in terms of affordability I am not afraid to say that Solomon Islands would not be financially capable to sustain the structure being brought about by this new legislation. Hence, the Government must not be overtaken by the fact that for the sake of fulfilling its legislation policy

and programs, it must push this Bill through without carefully considering all aspects of costs on the Government.

Passing many bills is one thing but to be able to effectively meet the costs of their implementation is another thing. Therefore, in that regard, may I conclude by asking this question, what is the initial cost estimate of this Bill when the policy is effected and implemented? If the Prime Minister and the Government cannot answer this question exactly how I asked for it, then I ask the Prime Minister to withdraw or postpone this Bill.

With these remarks, I thank you and I oppose the Bill. Thank you.

Mr TOSIKA: Thank you for giving me this opportunity to contribute to this Bill. First of all, I was elected to parliament as an elected person representing people of West Honiara, and I stand not to listen to anybody but to listen to my people and use my conscience to rule and guide me as to the good things that will happen for this country. Therefore, I will not listen to any inducement by any person or I will not listen to any arguments put forward, but I will critically look into this Bill and rest my case.

As it is, the Constitution is the supreme law of the country which we want to change today, if at all it is going to be passed in the second reading. Constitutional amendment bills need three quarter and two third majorities according to several provisions here. Changing the Constitution is not easy nor amending it too because of that requirement. Therefore, I as an elected MP must be critical and consider this amendment in its entity and find out

whether it reflects its intended purpose of what the government would like to achieve, which is stability and reduction of corruption in our country.

Also, in consideration of these things we must go a bit deeper into those provisions and clauses. It is not enough just to clarify issues that are relevant to mitigate our way but we must also touch what is the reality of those clauses so that there is no doubt in the minds of leaders and in the minds of those of us here in Parliament and it will also not leave doubt in the minds of citizens who put us in power to represent them in Parliament today. That right is the right of the people of Solomon Islands. On the day of election we will go around telling people that we want to do this and that for them and so at the end of the day they put us in here.

I want to talk on the area of what politics is. Politics comes from a Greek word called police meaning state and community and state means government and community means people. People from where? It is people from Solomon Islands, people in our own constituencies that we represent, who have certain aspirations, certain thinking, certain interests and beliefs. A lot of people in our constituencies believe that we are going to do something for them and that is why they put us in power.

When I look at this Bill, as I said for the sake for people that we represent because sometimes we use the powers in our hands in wrong ways, we use it wrongly, it is morally wrong. Sometimes it is morally right and sometimes it is morally wrong because at the end of the day maybe what we wanted was forced onto us by somebody and maybe entice

in another stream. That is why we make decisions sometimes. If we want to make sound decisions it must be independent from anyone, nobody should influence you in making a decision.

Today I would like to ask us in Parliament, just like someone has asked that you must think properly, and read the bill and then make your own decision. In fact, politics is only a word. The system and the person holding political power sometimes used it in a corrupt way. It is our behavior and attitude that we, as leaders put towards the nation and people that always speak loudest. I think this country is already filled with legislation that will create stability, create consistency, and to create a corrupt free environment. These are all there. The Electoral Act is there, the Leadership Code Commission is there, the Financial Instructions are there, the GO is there, the PSR are all there. All these are instruments to guide us provide good governance and to remain stable in our country so as to promote the economy of the country. I do not think any new bills would make any change at all, because it depends very much on the desire and heart and the minds of the individuals sitting down inside here.

I think the intentions of coming up with this new bill is only a fallacy reasoning, a fallacy thinking, it has no substance and weight. I believe we are creating another monster and feeding it until it gets very fat. The law exists for people. It does not exist to suit the thinking of two or three people.

Let me now discuss some of the amendments proposed in this Bill. Features are proposed within the constitutional amendment. In fact, the objective of this Bill is perfectly

good, and that is to facilitate the registration, administration and development of political parties and the stability of government, including the establishment of political parties Integrity Commission under the Constitution is good; its objective is very good. But when we go a little deeper inside you will find that it is only when one carefully reads and considers the entire amendment that he or she can confidentially conclude the amendment definitely reflects the desired intention and objective of the Bill.

I spent some time going over the Bill and I also asked my constituents to go over the Bill. We looked at the Bill together and can see some of the anomalies and things that are not straight that we need to put right. I go from Clause 1 to Clause 18 and I find that I do not have any problem with Clause 1 because it talks about the heading. Clause 2 is an amendment to section 11(1) and section 11 connotes the protection of freedom of conscience. This is my worry because I know that the freedom of conscience includes the freedom of thought, belief either alone or with others, whether in public or in private. Conscience is an inner sense that is conscious of moral rightness or wrongness of one's behavior and attitude or intention and makes one known whether one is doing right or wrong. When I read this clause, especially the word 'parliamentary proceedings' and also reading the other sections as well I noted that the amendment put inside this section, section 11 is not appropriate; it definitely is not appropriate. Why it is not appropriate is because it talks about the conscience of a person. You are intending to formulate a party here. Probably the proper section that you should amend is

section 13, and not section 11. The architects of our Constitution have already visualized that you do not play around with the conscience of a person or you do not play around with their freedom of expression. If you want to formulate an association you go down to section 13 which already provides for that and insert an amendment there, but do not use these otherwise you will deny their rights.

This is what I find. This amendment should just be quashed out, it should not appear there. This is the reason why I am going to oppose this Bill because you are amending the wrong section of the Constitution as it will affect the rights of parliament and affect the rights of people. When you marry this with clause 11, section 50 which you amend, if a person resigns from a political party, he is automatically disqualified from being a member of parliament. But section 50 says, 'unless a person writes to the Speaker in his/her own handwriting requesting to leave Parliament then the Speaker can him/her approval to go out because you requested it yourself. That is his right under the Constitution. The freedom to leave Parliament is one's own right. But when you say because you resign from a political party that you lose your parliamentary seat, did you vote me into parliament? No, it is people from outside who put me into Parliament by electing me as their leader to represent them and so how can you remove me?

Also if a party is angry with you and puts you outside or removes you, you will not vacate your seat but you will still remain, but when you remain inside you are not given any portfolio or any task. You just look like a useless person sitting down there doing nothing with your mouth shut. Is

that person not elected? He is not an appointed person but he is an elected person to represent his people and so you are actually playing around with his life and playing around with the rights of his people. I think we should not approve this Bill. Based on all these reasons I do not support this Bill.

I also consider what is being referred to here as 'parliamentary proceedings'. If you look at the report of the Bills Committee and also the Constitutional Review Committee, it states very clearly that this is denying all the rights because parliamentary proceedings covers when you vote, when you talk in here, and when you debate in here you must live up to the standard of that party because if you go against the party's policies you will be removed and you become a useless man outside.

Parliament should be left independent and should be the place to mitigate issues and where we can make good decisions and good laws for Solomon Islands and we should not shut our mouths in here. If that is so then put plasters on every one's mouth when they come to Parliament so that they sit down without saying anything. This is no different from PNG's law. Why you put parliamentary proceedings in here is because you want to vote in favour of the prime minister, you must vote in favour of the budget, you must vote for constitutional amendment and you must vote against any motion of no confidence. That is exactly what is being done in PNG. That is exactly what you wanted to hide under this word 'parliamentary proceedings'. No wonder when you talk you were saying we are not like PNG or others. This word 'parliamentary proceedings' is a

catchword you are using to deny the rights of our people and deny the rights of the country.

I think the argument here is stated very clearly by section 30. In my view and others that are in the CRC there is no need to bring this amendment here; all these clauses that we want to talk about. We just use section 30 which provides for political parties that can be created. Just like unions were catered for under section 13 of the Constitution, we can do it for this. There is no need to amend the Constitution to cater for that because the Constitution already provides for it in section 13. Just enact a law to create political parties. That is all that is needed. If I am right we need to check this with the constitutional lawyers. Section 13 states it very clearly, and if I may quote, it says "Except with his own consent, no person shall be hindered in the enjoyment of his freedom of assembly and association, that is to say his right to assemble freely and associate with other persons and in particular to form or belong to political parties or to form or belong to trade unions or other associations for the protection of his interests". This is very clear but why are we troubling ourselves by creating other amendments in the constitution?

Section 34(1) of this constitutional amendment creates an opportunity that when ministers do not want the prime minister, maybe there are three political parties coming together as a coalition or two, the other one can say let us put that person as our prime minister for three months and after that we remove him and put me in as prime minister because the prime minister's entitlement under the PER is very inducing. We can say let us use that privilege so that

we can get the benefits because even if you are prime minister for just one day you are entitled to the benefits, so that you are prime minister for one month and I will be prime minister for the other months, and so we are expecting a lot of prime ministers to come up because of the benefits that are there. I say this because it is the law that says if a prime minister is removed another one can be chosen to replace him. You can come in here make a motion of no confidence, you are making mockery in here, the ministers are not removed, you just replace the prime minister and you just continue on. Come next month you create another one and you continue on. Next time around, you create one and you continue. That is exactly what is here because there is no limit in here. Only the word replacement is here. Why are we saying goodness me? Read this Bill carefully so that you know what it entails. I think most of us in here do not read this Bill and that is why you are saying my what.

What I am saying is exactly what would happen. Look at the Schedule and section 34(a) refers to section 33(1), which allows you to do it again amongst the members of the government. These two correlate, if you read section 34(a) in conjunction with section 33(1) and you will find the truth in there.

Again, when you removed that person on the other side, he cannot cross the floor and so where is he going to be. It says that a person will not cross the floor but will still remain on the government side. Section 50 of the amendment says 3(a), 3 (b) and 3(c) and 3(c) talks about it. When you look at the Schedule, at the end it says that a

person will not leave a party because he is sacked by a party but he must remain. Only when he resigns himself that he will leave parliament. I am really confused with this. I would have thought that a man resigns for a good reason but he is going to be put out of parliament. Take, for example, I resign because you want to pass a bill in here that allows for same sex marriage, what are you going to do to me? If I resign from your party are you going to sack me? That is what this Bill is saying. You are out from parliament because your conscience tells you that that bill is against your religious beliefs. If that is so then do not pass this bill because that is what is going to happen. We are creating a lot of things that are confusing to.

And again if we pass this Bill, inside our integrity bill here, I am surprised that section 45 of the Electoral Act has been repealed by this Bill so that the \$50,000 benchmark is removed so that any party can campaign from \$1 to \$1 billion, but that is still fine. Therefore, I can out to the streets and pay people on the streets because even if I make a disclosure there is no limit set and so how can you penalize me? You cannot penalize me because the law is opening a floodgate for me to do that. Therefore, you would expect someone with money coming down to you in 2010. And the worse is, with due respect to my brother who is a born citizen of Solomon Islands and others in here as well who are born citizens and are Members of Parliament, this law allows a man who comes to work here tomorrow and if he pays his way to get citizenship, he is eligible to contest in the elections in Solomon Islands. How can we create such laws?

So we expect a lot of different people in here, people not from the rural areas but people with money.

Also, funding here is free, and so if a company wants to fund a party it will not hesitate to do so because it can fund all the 50 constituencies for \$1 million each because tax is not a problem. And when that party comes inside here it can do everything for that particular company. It can take over all the resources of poor people in Solomon Islands because the government is on his side and he can bully Solomon Islanders. Is that what you want to happen in Solomon Islands? Do you want the rights of people to be taken out because people are coming after you with money bags to support you? No, this is not good, this is not good. The most sensible thing to do is to say no to this constitutional change. Because of those things that I have explained, my conscience tells me that if I say yes to this amendment, I am ruining this country because foreign elements will definitely be inside this Parliament, I must tell you. People that do not have custom and do not understand our custom, people who do not believe in us, they do not know our norms and they do not respect the status of Solomon Island as we are. Only a person who does not have a right thinking is going to support this Bill. The words, 'parliamentary proceedings' is going to cause this. In essence, it will bind the conscience of an elected Member not to debate freely in Parliament on matters or issues of importance to its people or nation. Second, a member of parliament is denied of active representation of his people or constituents. Thirdly, parliament as an independent institution makes laws or regulations such as standing orders, parliamentary

privileges and powers, your good self, Mr. Speaker, as the presiding officer in parliament and therefore this Amendment infringes on the democratic rights of Parliament and its elected members to discuss openly and freely issues affecting Solomon Islands and its people, and it removes your rights too, Mr. Speaker. When parliament member's consciences are restricted then certainly we are encouraging dictatorship in this very chamber and in governance.

Parliament will certainly lose its sovereignty, dignity and respect. In essence, since members of parliament are elected by people this amendment affects their rights hence their conscience to uphold the principle of democracy to say by the people for the people and of the people is grossly affected.

These amendments are unconstitutional and discriminatory under section 15(4) of the Constitution which states that no one should be denied of its political opinions. You read it and you will find what I am saying here. In fact, we are no difference from PNG, as I have already mentioned. Vote of no confidence, supporting constitutional change, supporting any budget, and then we come here and play a game like we used to play in school called 'Simon says do this and Simon says do that'. That is what we want to come and do here. This is exactly what this Bill wants, and so they are going to say, "Simon says do this and Simon says do that" and when he says do that then you are out. We can laugh but that is exactly what is going to happen.

Mr. Speaker, I conclude that with all the things I have mentioned, I humbly conclude that I fully oppose this Bill nor support any bit of it. Thank you.

Sitting suspended for lunch break at 2pm this afternoon.

Mr. HUNIEHU: Mr Speaker, thank you for the opportunity to contribute to this Bill moved by the Prime Minister a few days ago. Sir, I would like to make appropriate responses to those remarks. For me, I am especially delighted that this particular Bill came to the floor of Parliament. I am especially delighted again with the present government's legislative programs which resulted in the enactment in this Parliament of more than 30 bills over the last year. That shows this Government's commitment in reforming acts of Parliament and the necessary legislations on this floor of parliament.

Now, we are dealing with the reform of our political party system, something that is overdue for a long time and the public at large have the desirability to reform this sector to provide the mechanism for stability ensure honesty and cohesiveness in the governance of our people. In order for these political reforms to take place, two pieces of legislations need to be enacted by this Parliament. One is that the Constitution had to be amended in various parts to provide the way for the implementation of the mechanics of the Political Parties Regulation and Administration Bill 2009. Second is the enactment of the Political Parties Registration and Administration Bill 2009 which follows these

constitutional amendments. The Prime Minister will be moving or introducing this Bill later on this week.

We must be precise in our minds where we are heading in our political destiny. We must not fear our own shadows. I see these reforms to our political system as a wonderful opportunity in remaking and reinventing a new future for Solomon Islands political fortunes. It is also a reinvention of a new future for a new Solomon Islands in the new millennium. And so I feel it will be a misjudgment and misguide if we fear ourselves and acted unwisely to oppose these changes. If we must accept the reasons for political reform, then we have to, but we must ensure that the mechanics for change is contained in the Political Parties Registration and Administration Bill 2009. It has to provide a smooth transition to avoid havoc and the disturbance of our society.

I fully endorse the basis for change and political reforms because when we attained independence in 1978 there were no properly established political parties in our country at that time. In fact the Constitution was authored within that spirit and you yourself, Sir, maybe you are a student at that time or still at the university, would know this very well. There were only two political parties developed the, which are the United Party and the People's Alliance Party. During those days, these political parties were registered under the Charitable Act of Parliament; it is a totally different kettle. It is not meant to create stability for the good governance of our people.

With a disorganized political party you also expect to see a disorganization of governance, and the problems we

have experienced during the past reflected this; reshufflings, the sacking of ministers and leadership struggles. All these happened, which we experienced in the past. The election of the Prime Minister during those periods was merely done on merit. Whoever was best was elected as prime minister of this very young nation. Later on the election of prime minister was heavily manipulated by economic interest and power. This breeds corruption and dishonesty and allows Members of Parliament to market their voting power and also allows MPs who hold the balance of power to market their positions for leadership. On a number of occasions, this happens but these administrations did not last. We all saw that in our own eyes. What we experience during this period and this administration only brought chaos, and disorganization and where we see special interest groups demanding the government what they want and how they want the government administered and run. This is a poor start for a government that advocates providing stable leadership for its people.

Party systems were not profoundly regulated and that there are loopholes that allows Members of Parliament to act like eel fish. The Prime Minister described as grasshoppers. I say that it allows them to behave like eel fish. I do not think that is the intention of our constitution and I do not think that is in the best interest of serving the people of this nation.

These issues on hindsight are significant proof of the necessity to pass these amendments and accompanying subsidiary legislations although they may not be perfect and found wanting in various legal and administrative areas. Be

that as it may, I believe it is time to move forward and I think this is one of the reasons why Members of Parliament have been elected into this House to cause change. Political systems can cause a lot of change to a developing country. When the political system is in chaos, the administration system will also behave likewise and that is why this honorable House will be held accountable for any problems coming in the future if we fail to act decisively now.

The intention of the Constitution is very clear, and that is to encourage majority rule and not to allow opportunists to smuggle the reign of power and government from legitimately winners of general elections. As I have said, whilst I am cognizant of some legal remedies, one must understand that the general concept is well supported by our own people. This piece of legislation is consistent to the wishes of the people. What we must realize is to act positively to the majestic voices of our people. We cannot act likewise and otherwise. If it is the calling of our people for us to move forward then we must not move backwards or we cannot move sideways but we have to move forward.

This Constitution Political Parties Amendment Bill 2009 provides the mechanisms with which a prime minister can be chosen through political parties that dominates election results in a general election. Of course, no piece of legislation is perfect and I expect challenges against these acts of Parliament, but they should not deter Parliament from enacting these pieces of legislations.

As I have said earlier on, we have witnessed a lot of problems over the last 30 years of independence and I do not think it is the wish of our people to continue with more

problems in the future. The very moment we start arguing about technical issues that can be resolved in this House also, we will be casting aside the interest and the wishes of our People. This is a democracy based on elections and in that regards things have to be done properly and in order. These changes, if they occur, will only fulfill the aspirations of our people for political stability and perhaps for good governance of our nation. Furthermore, they will restrict MPs moving votes of no confidence on a working prime minister.

Prime Ministers, as parents may see this new bill as a threat in the sense that they can buy their way through in the old system; whoever gets the money power gets the political power. But this is what we must turn away from. This is what has caused this country so dearly in terms of money, in terms of administrative costs and in the disunity of our people. I can see some difficulties since political parties are well entrenched but the process will sink in as we move further onward. For example, the USA, England and Australia, the Westminster system of government had been with these people for more than 100 years and they develop it, and create political parties and the political parties were heavily involved in promoting their policies. These political parties went to elections, they lost elections, they won elections, but that is how elections are fought in this country. Therefore, the Westminster system of government must be applied in full force where political parties and the mechanics play a central role in policy formulation and decision making. And to a larger extent, in Solomon Islands, this is where we are missing in these considerations where

political parties are not well developed, the Parliament and Prime Minister cannot provide effective leadership for our people. Where political parties are well entrenched, it will alleviate massive corruption. It creates enabling conditions for cohesive governance, an honesty and stronger administration. I am not saying that corruption will be completely weeded out if this new system comes into force. No, but it is an attempt, it is an option and I believe it will alleviate massive corruption as we are now experiencing with these present methods.

Elections, as it will be contested on party platforms, will enable people have a good choice on who to vote for. But when you have a weaker political party base, it creates political instability and investment disincentive. Investment is what I believe any government should be targeting. In fact, if the system does not encourage increased investment flow into our country then we should seriously look at it, and political instability had been known locally, regionally and internationally as one of the main causes of disincentives to huge investments to come into our country, Solomon Islands. So we have to be positive about genuine investors wanting to invest here. Nobody would like to invest here if there is instability, when there is regular vote of no confidence, when there is rioting, like what happened in April 2006 here in Honiara as we continue with leadership struggle in our country. We are well acquainted with all these things because we talk about them every day but the reality is that we have been doing nothing to cause changes within the corridors of our political power.

When you have a weaker political base it affects the mindset. It means that you cannot be tough on some of the decisions that you wish you would like to make because of the power play that leaders get from those who have interest in the government. It affects the budgetary process; you cannot be tough with your budget because the very moment you want to be tough with your budget, the other group will break away from the government or will demand to quit the government and so it affects the budgetary process, it affects decision making in Cabinet and it affects even the Prime Minister. The decisions you made are very subjective to maybe Caucus or some members within Cabinet. If they are not happy with some of those decisions, they will demand to resign or they will demand the Prime Minister to resign so that they get what they want. And if the Prime Minister does not yield to their demands, this is when he either resigns or a vote of no confidence is made against him. It causes public anxiety, insecurity and disunity amongst our people. Little do we realize that the regular we move votes of no confidence in this House, the more it divides our people. It is a cause of public disunity and public nuisance.

I have no doubt in my mind that this Bill has gone through the necessary consultative processes. I have not been attending Caucus for almost half a year now, but I believe there were consultative processes done in a transparent manner just like any other bills that came to the floor of Parliament. This Bill is supposed to be seen as a Cabinet bill because it has been passed in Cabinet and also Caucus too.

A white paper was tabled in this Parliament, debated and passed, so what else is there to hijack our interest from passing this Bill? Is it because of some ulterior motives? Is it because of some reasons we do not know about? Is it a threat to you because of your secret plans to hijack the election of the prime minister next year? No. We have not won the election yet. All of us will have to fight a fight to come back, and once an orderly system is passed by this Parliament through the enactment of these legislations and bills, so will be the election, so will the Governor General appoints whoever won the election with popular policies.

Of course, it allows these political parties to hold awareness programs throughout the country about what they can do and what they cannot do. It allows the general public to choose who and if we do not get started now, I do not know which parliament will jumpstart the engine for political reform. I want all of us here to be remembered as the Parliament who passes these important pieces of legislation for political reforms.

I think the Constitution Review Committee has done the right thing by canvassing the views of the legal fraternity. But their views are views. We have lawyers casting varying viewpoints on this Bill. Some of us were a bit hesitant because of instances in PNG where the integrity bill there has come under heavy criticism whereby some aspects of it are now being questioned in the court of law. The Prime Minister when making appropriate responses will clarify as to why this Bill is quite different to that in PNG. We should have asked these questions during the consultation process. That is the most important place to ask

those questions. I was here during the workshop by Professor Don Patteson and I thought that he was making some legal clarifications on some matters of concern, but lawyers being what they are have different interpretations to acts of Parliament, and that is what lawyers are. The government also has its own lawyers too.

At the moment, I am inclined to believe the government lawyers. Of course, some lawyers being politicians themselves will give us some practical examples of what can happen and what may happen, but let us leave this to the lawyers. This is a law that if passed, of course, can be amended anytime. That is the truth about it. This is a law and it can be amended any time. Some of the critics were saying that by passing this bill we are legalizing corruption. Yes, whatever you do to corruption would not go away. I have heard something I have never heard before that the Bible says we are born corrupt. I thought we were born sinners.

In terms of priority, I think this government has its priorities correct. Someone questioned this morning that our priorities were not correct. Oh, my god! If there is anything I would place my priority on then it must be political reforms because it costs this country millions and millions of dollars. Do we want to see the same chaotic situation happen again next year? It will happen.

In year 2005 I stood here on the floor of Parliament and said during the motion of sine die which ended that House that if we do not review the Constitution for political reform, we will see a chaotic situation happen when we go and elect a new prime minister on April 2006. It happened on my face

because I know it will happen. I predicted it, not because I am prophetic but you can see it by just looking at my eyes and reading my lips. Now that the economy is expanding and special interest groups are expanding and more businesses are coming in, they will come to play with the politics of this country and try to force their issues in the election of the Prime Ministers and they will hijack these elections. This is not meant to be what the Constitution says. But now people are hiding their faces under the Constitution and say, 'here my friend, if you do this for me I will give you these millions of dollars so that you can lobby for you to be elected. When he is elected prime minister, can he fulfill those orders? And when he does not fulfill those orders they pulled away from him and he collapses. Is this what we want to see happen again? Is someone going to call us 'fools never learn in the future'? For 30 years we should have learnt something. We should have learnt something about political reforms. I see this as our number one priority, and that is political reform. It is so very different that when you have a political party running the country, the leader can make some tough decisions. Like it or not I am the boss, like it or not this is where my mind set goes. We do this so that we can grow the economy by 10 percent. The prime minister can say that, but he cannot say it now. If you say that to the loggers they pull out their support and he collapses tomorrow. And I am a victim of that. I used to be a minister when the loggers turned against us and we collapsed the next day. I used to be a minister in all these chaotic situations, and I do not want to see this happen again. And I do not want us to see this happen again. Those

who are opposing this bill want to see those things happen again. No, we must run away from the present methodology. As I said today the constitution was authored when there were no properly organized constitutional parties. Within that spirit, we are still tied up in that old spirit. Only the United Party and the Alliance Party were recognized during those days. The prime minister was also independent at that time, and because he is independent it is always like that.

Mr. Speaker, I have no doubt in my mind that this Parliament is doing the right thing in passing this legislation. As the population grows and the economy expands to new heights, it is becoming complex to provide decent governance to our people. This is why we must pass these amendments to give way to subsidiary legislations yet to be brought to Parliament. Only strong party organizations will provide the base for the strong governance of our people. This was echoed by you yourself this morning, Mr. Speaker, when you made the case to support this Bill and in no uncertain terms have you said this is the way to go. This Parliament will be held accountable for any foreseeable problems in the future, if we fail to endorse these constitutional amendments.

Let us avert instances such as the social ethnic tension and the Black Thursday 18th April 2006 that costs this nation so much. Let us stop those hotel camping and monetary deals for leadership vote on who can be a prime minister. Leadership is something you work hard to achieve and not something you buy. Let us avert those unnecessary votes of

no confidence. I therefore wish to humbly recommend that this Parliament do pass this Bill and I beg to support.

Hon. GUKUNA: Thank you for allowing me this time to make this short contribution to this bill that is now laid before this House for our consideration. Like the previous speaker, I will make some general comments on this Bill. First of all, I would like to thank the Prime Minister for bringing to this House this very important Bill. This Bill is suggesting a new order of politicking in this House, and within the walls of this honorable chamber, between the 50 of us who are here this afternoon we will reach a decision on this Bill. We will either pass this bill and therefore make a conscious decision to accept this new order or we will simply make a deliberate decision not to pass it, in which case we will allow ourselves and the next and subsequent parliaments to continue with the old system of politicking that has been the hallmark of this Parliament.

There can be no proper place for us to discuss this Bill than this chamber. There can be no proper people to decide on this Bill than the lot of us who are here in this House. This Bill has been created in reality, created right in this house by present and past members of parliament. If they or we did not create, it is certainly us who are members of this parliament that made this Bill absolutely necessary. In other words, the truth of this Bill is within the 50 of us in this chamber and who are in this house right now. We carry the sins that demanded this Bill. As we discuss this Bill, we will be discussing ourselves; we will be discussing our interests; we will be discussing how this Bill maybe infringing on our

interests or how it is promoting our interests. We will be discussing our future prospects as prime ministers, as members of this house, MPs. We will be discussing how we choose our future prime ministers. In fact, we will be discussing our prospects as Ministers after the next elections. We are, in essence, discussing whether this Bill will allow us to take the government after the next elections, next year or not. Those of us in this house who are eyeing the position of prime minister, those of us who want to become prime minister of the next government after the next election, we are studying this bill whether I will be able to become the prime minister. That is exactly what some of us in this house are doing with this Bill. It is no wonder this Bill appears uncomfortable. It is no wonder this Bill is awkward and it is no wonder this Bill has become the first bill ever during this Parliament to have created so much lobbying with sufficient political strengths to actually polarize this Parliament.

When you read this amendment bill and the amendments to the Constitution it carries, it becomes clear that the aim of this Amendment Bill is precise and noble. And we are not going to argue over these aims and objectives. In fact, the aim of this Amendment Bill is no different from the original bill. So bill to bill, two versions of this same bill have the same aims and objectives. How this aim is achieved in this Amendment Bill, however, is fundamentally different from how it is achieved in the original bill, and this is where the contention lies.

This Amendment Bill is suggesting a new system, a new way of identifying the Prime Minister. This new Bill is

going to give us an indication immediately after the next election which group will take the government. And there is no problem with that, predictability in this Parliament, we need that. And most importantly, this Bill is demanding Members of this House to behave and be stable whilst they are members of this House. These suggestions cannot be wrong, and if getting these suggestions in place need constitutional amendments, as suggested in this Bill, so be it.

Sir, there is nothing wrong with changing of our Constitution in order to achieve these suggestions. The only book that we are not allowed to change is the Bible, and there is nothing wrong with changing the Constitution, and may I say that it was meant to undergo changes to suit our developing country. The problem with these suggestions is that these suggestions are very new to this country, common sense this maybe. The effect of this Amendments Bill is therefore not being tested, and is largely unknown. This Bill amounts to venture into the dark and this is enough to drive fears in this House. This Amendments Bill, the effects of it after the next election is simply new, is unknown and is largely untested.

You look at the original bill, we know that system in and out, we know how things are done, we know how to become prime ministers in that bill, we know how much money we will need to secure the support of this House and Members of Parliament have the freedom to do what they would like to do. If we fail to pass this Bill we will continue, to cross the floor and here in our existing system we will continue to move motions of no confidence whenever we

like. Take it further we, MPs know how much money we can make.

This is the system that this Parliament has operated on for the past 30 years. Sir, you are an experienced Member of this House and I do not need to dwell on how these parliaments have behaved in the past 30 years. The previous speaker has elaborated on a lot of things that have happened for the past 30 years. When we vote against this Bill, we will be saying to this nation that there has been nothing wrong on how we have performed as Members of Parliament. The stability we have achieved is okay, no problem with that and there is really no need to change the system now. But you look at the past 30 years and there is nothing attractive about how this House has performed in those years.

You look at how the existing system that we want to change now has been used and you will see that we had coups in the last 30 years. You will see that we had prime ministers being forced out of office at the barrel of a gun. There has been a lot of violence here in this city. There have been accusations of corruptions and even there have been accusations of dictatorship within this House. There have been fears of collapse in government.

I was once a member of a government who was only elected to be in power for less than a week. At one stage we had two prime ministers in this country. That is the system we have been operating on for the past 30 years. There have been fears of ethnic violence in this country. MPs have not learnt from their mistakes. MPs have been accused of corruptions. This House was once under siege, stoned and damaged. There has been no respect for this House, and

simply the system we have lived on for the past 30 years, the behavior of this House has simply failed to live up to the expectations of our people. That might be exaggerating. I may be doing that. But we cannot all agree that we have short lived the expectations of this House. When I look at the happenings of the past 30 years, I simply say here that I fear the old system, and I also suspect that the honorable Member for East Are Are also fears the system.

Sir, I am going to vote this afternoon in support of this amendment bill. I will support this new system as a representative of a minority group in this country that had in a lot of cases being in the receiving end of the unsocial happenings that have happened in the past 30 years. I happen to come from a constituency and a province, and I must say that our working relationship has not been very good. We disagreed on almost everything, but there is only one thing we agreed on, and that is we agree that this amendment bill is a good bill. So I got the wisdom that this Amendment Bill is a good bill. I therefore have made a conscious decision to support this Bill because the system that is suggested in this Amendment Bill just simply cannot be worse than what we have been using over the past 30 years.

This Bill is not about foreigners. I believe it is about Solomon Islanders. It is not about state government either, nor is it about economic sector strengthening. But rather it is about securing a stable political leadership in this country that will in turn generate stable growths in our economy, a kind of political stability that we, Members of this Parliament have failed to achieve under all the political

freedoms that has been given to us by our forefathers and the architects of our national constitution. Simply, we have failed to achieve a reasonable and acceptable political stability in this country. Because of these bottom line intentions and because of this noble reason, I am left this afternoon with no choice but to strongly support this Amendment Bill. Thank you.

Mr. AGOVAKA: Thank you for acknowledging me. First of all I too would like to add my voice to the debate of this Bill. Before I do that I would like to thank the Prime Minister for submitting the Bill to Parliament and tabled before us for debate.

The Constitution Political Parties Amendment Bill 2009 is introduced to try and address the issue of instability. The issue of instability comes because of corruption; that is the underlying root cause of instability. We are trying to address the integrity and accountability of Members of Parliament. We are trying to prevent corruption and its detrimental implications. How do we as an institution monitor developments in the public sector environment, for example, the Parliament and provide appropriate knowledgeable advice to help the Parliament or the public sector for this matter to identify, manage and prevent corruption risks.

I cannot agree more with some of the speakers who have spoken. I cannot over emphasize the fact and how important it is to recognize and manage corruption risks in Parliament or any organization for this matter. We have to take responsibility and fight complacency to help prevent

corruption. Is this the Bill that will do it for us? Is this the Bill that will help us fight complacency and help prevent corruption?

I think otherwise. I think the creation of an independent commission against corruption or a similar institution is a must if we are to address corruption. This Bill will not solve the deep entrenched corruption that is going on in the public sector, let alone Parliament. How do we address the corruption that goes on in the Public Sector? Corruption that is going on in the Ministry of Lands, corruption that is going on in the Ministry of Forestry, corruption that is going on in the Ministry Fisheries, corruption that is going on in the Ministry of Infrastructure Development, the Ministry of Rural Development, Agriculture, Education, Ministry of Mines and Energy and the list goes on. There is so much corruption in the public sector. The Parliament is just the tip of the iceberg. There is much more at the bottom than what we see here before us.

In the last 30 years somebody said that our political system was very weak, of course it is, and our country is experiencing instability because of the fact that Members of Parliament have been operating as individuals in decision making. I disagree with this because collective decisions gives rise to any decisions we make here on the floor of Parliament. Somebody said it is important that we talk about issues affecting Solomon Islands. I agree, and it is not this Bill because we should be talking about economic development and providing service to our rural people and populace.

Let me now go to this Amendment Bill. This Bill calls for an amendment to four fundamental freedoms and rights enshrined in the Constitution. Let me take time to deal with them. The first one is amendment to section 11, which says, “protection for freedom of conscience’. If we go to Clause 11(5) it says here and I quote, ‘no person shall be compelled to take any oath that is contrary to his religious belief or to take any oath in a manner that is contrary to his religion or belief’. The amendment here is 5(c), “for the purpose of regulating the formation and operation of political parties” or (d) “for the purpose of regulating the conduct of members of political parties and other persons in relation to elections or parliamentary procedures”. Already, it is contradicting to my belief. Why do we have to add these two clauses to the protection of freedom of conscience? This is limiting my freedom of conscience, as I will not be able to express myself freely because of these two clauses.

Let me now go to section 12 on the protection of freedom of expression, and let me quote, ‘except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression and for the purposes of this section, the said freedom includes the freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference and freedom from interference with his correspondence’. Again, we are amending that fundamental freedom by inserting clause (d & e), which again is a cover blanket for that section. Why do we have to impose upon us? You are interfering with our freedom of expression by imposing those two clauses in that

section. Again, the protection of the freedom of assembly and association on clause 13 is where this clause should be because then it will be like the one we did for trade unions.

You see we have the Trade Union Act in the country that regulates, administers and manages the development of trade unions. Section 13 is where those two clauses should come in, and rightly so, Parliament should enact a law that regulates, manages and administers the development of political parties system. I think it is this Political Parties Registration and Administration Bill that should become the Act, to regulate politics in this country and not to take away the freedom that I have.

Again, section 15 is protection from discrimination on the grounds of race. If you look at clause 5(f)(b) of the proposed Bill, discrimination against independent members is imminent. And here we are saying on section 15(1) 'subject to the provisions of subsections 5, 6 and 9 of this section, no law shall make any provision that is discriminatory either of itself or in its effect'. By including clause 5(f)(b) of the proposed Bill we are discriminating against independent members of parliament.

Sir, what we are trying to do here is trying to raise an issue to say that because we are corrupt we want to limit the freedom of people, limit the freedom of those who are in Parliament in expressing themselves. The Member of Parliament for West Honiara, the Leader for Independent clearly stated that this morning. Let me quote from N.F Campbell, "The protection of Article 9 clearly covers debates in Parliament including motions, parliamentary questions and answers thereto. They cover also the proceedings of

parliamentary committees, the tabling of documents and petitions once presented to a house. Activities not so protected include casual conversation between members during debate and meetings of political parties even when held within parliamentary precincts. The blanket clause 2(d), 3(e), 4(e) and 5 (f)(b) directly affects parliamentary proceedings. I believe that Parliament should be independent and its proceedings should not be tampered with as proposed in this Bill.

Let me touch on the election of the Prime Minister. The election of Prime Minister as proposed in this Bill comes in four methods. I think some of the members have raised one of the methods this morning and so I too will raise my voice on it. Option 1: only once in our history have we seen majority rule by a political party. The party did not last. I think in the wisdom of the Prime Minister then he made it not to last. I believe that we should either go for the first option or the last option. The second and third options are similar to the last option but at a much bigger scale because it is here that political parties are open to corruption. Right now we are open to corruption as individuals. If you go for options 2 and 3, we are much more vulnerable to corruption at a larger scale. It involves a political party, it involves a political group, and it involves a larger group than individual members of parliament. Therefore, I believe that we still have not addressed what we are trying to address, which is corruption and instability.

Sir, also the election of the prime minister should be the prerogative and privilege of Members of Parliament. This is to maintain integrity and respect of the Office of the Prime

Minister and therefore his or her election must be done in the Chamber of Parliament House and by all elected Members. It should not be given to the whims of political parties. He should not be elected outside of Parliament where political parties decide on who becomes the prime minister. No, it should be the privilege and prerogative of Members of Parliament. I believe that the prime minister should be elected on the floor of Parliament.

Other speakers have already talked about the removal of the Prime Minister. The provision will give rise to what like somebody has said, super ministers who at their whims can replace a prime minister because he does not speak proper English or his coat is not as colorful as he wanted to be. It is not right that the Prime Minister should be removed because he is not wanted. No, a prime minister should only be removed because of policies that he does not implement which the larger group wants. A lot of the floor crossing happens not because individuals want money but it is because of disagreement to policies of the government of the day. People go across the floor because they do not want the policy. An example of this was when the Sogavare Government came into power some of its policies, one in particular that people were not happy about hence was one of the downfalls of that regime. You all know what I am trying to say here.

I will now go onto the appointment and removal of the leader of opposition. The appointment is to be made under the recommendation of the Speaker but the removal is not very clear as to how the leader of opposition is going to be removed. It is either through the recommendation or advice

of the Speaker or the Governor General just removes him as he pleases. I think this clause is not very clear and so it needs to be redrafted so that there is clarity on the removal of the leader of opposition.

On the powers of the Governor General to appoint and to remove, what we are saying now here is that we are taking the responsibility of the Governor General to include executive powers or legislative powers. The executive authority of the people of Solomon Islands is vested on the head of state. It raises questions as to the appointment of the Prime Minister by the Governor General falls within the executive authority. Pursuant to section 30(1) of the Constitution, it must be noted that the Governor General is a figure head and acts mostly in accordance with advice from various bodies as prescribed in the Constitution. Here we are giving more powers to the Governor General to appoint and remove the prime minister. It could raise legal implication as to the Governor General's power in that instant.

On parliamentary secretaries, the economy of this country at this stage is unable to cater for these positions. I believe the Bill must carefully this, and the roles and duties of secretaries must be clearly identified so that we are clear as to what they are supposed to do.

Sir, the recommendations made by the Committee are clear, and one of the recommendations is that wider consultations should be done on the Bill to obtain more insights on the practical use of the Bill. Again, the Prime Minister is to be elected by all Members of Parliament within the chambers of Parliament. Clause 8 of the Bill must also be

improved so that all ministers lose their seats when the prime minister loses his seat in a motion of no confidence.

Let me go back to corruption. As I was saying earlier on, the creation of an independent commission against corruption is a must or a similar institution. And the objective of the commission must include investigation of exposed corrupt conduct involving or affecting public authorities or officials, and to make recommendations and report on corruption conducts and to educate members of the community, public authorities and officials about preventing corruption and its detrimental implications.

This is to improve the process, system and culture of our public sector agencies including Parliament. Have we really conducted research into Members of Parliament to examine the corruption risk management that we have? Have we conducted a survey into public sector agencies including Parliament? I think we should investigate, make an internal investigation because we are talking about corruption here on the floor of Parliament and yet some of us really do not know or understand what corruption is.

Somebody said earlier on today that RAMSI should explain what corruption is. To me, some of the commonly identified areas of corruption risks are, for example, the procurement of goods and services, the use of organizational funds, confidential information, application for development funds, record keeping and political interference are some of the corruptions that are taking place. By the public service is misconduct involving conflicts of interest, favoritism or harassment, inadequate advertising of tender processes, improper use of information, intentional failure to create

records, briberies, gifts, secret commissions and fraud. These are some of the corruptions that are happening in the public service and parliament is just the tip of that iceberg.

So how do we improve public trust in government? A representative government is built on the concern of the public. This means that a reasonable level of public trust is needed for government to function effectively. Much of the distrust by politicians has arisen as a result of public perception that decisions are made behind closed doors. When people do not know what the government is doing their natural tendency is to assume the worse. The well warned expression that public stops trusting the government when the government stops trusting them, rings true. Because we are trying to solve the issue of instability, I am still talking about corruption.

As our population becomes more competent with technology, the demand for information continues to grow. Effective and efficient access to government information can help this increasing demand. More than anything that people want to know, is how the government is spending their money.

I would like to conclude by quoting what President Barrack Obama said in his inaugural address. He promised and I quote, *“Those of us who manage the public’s dollar will be held to account to spend wisely, reform bad habits and do our business in the light of day because only then can we restore the vital trust between a people and the government.”* Are we going to address corruption through this Bill or is there a better way of doing it. I think creating an independent commission against corruption is the way we should go. Let this political

bill, registration and administration become part of a law that will govern how we conduct, develop and administer political parties in Solomon Islands.

With these, I think the Constitution Political Parties Amendment Bill 2009 will have to wait for another day. Thank you very much.

Sitting suspended at 3.54pm to 4.27 pm

Hon. Sikua: As it is now 4:30 pm, and I can see a few more Members would like to speak to the Bill, thus I seek your consent to move a suspension of Standing Order 10 in accordance with Standing Order 81.

Mr Boyers: Unfortunately, the position between now and tomorrow is obviously going to affect what I am going to say today. It will not change my stance but I am just saying that in the process of continuity, the leave of absence for 15 minutes gave rise to this process, which impacts upon the meat of my contribution, and I just want to make it known now as a statement on the process of adjournment.

Mr Speaker: Are you opposing the motion moved by the Prime Minister or do you agree with it?

Mr Boyers: I personally oppose it but I will agree.

Standing Order 10 suspended in accordance with Standing Order 81 to permit the continuation of the business of the House after 4.30 pm agreed to

Hon. SOFU: Thank you for giving me this opportunity to talk on this very important constitutional amendment brought to Parliament by the Prime Minister on 20th of this month 2009. I am going to be very brief since my colleague Members of Parliament who have already contributed well covered many of the things related to this constitutional amendment.

I would like to thank those who have spoken on this Bill. Some of the contributions indeed are to help the government in its implementation of this constitutional amendment, and so I would like to salute those kinds of contribution. I think this House is the appropriate avenue for any government to bring any law for change, amendment or enactment of new laws. We, Members of Parliament have the freedom to express our minds and our concerns on important bill such as this one. I also want to contribute, as the Member of Parliament for East Kwaio. I also would like to participate in the debate of this very important Bill.

I think the CNURA Government has seen the need for stability, and so it came up with how to address the experiences since we gained our statehood some 33 years ago. In fact, we were trying to address the instability we have been experiencing. The CNURA brought this constitutional amendment to pave the way for the Political Parties Registration and Administration Bill which will come later.

Lots have been said about this constitutional amendment. I was listening, and some have said that the

government is trying to meddle around with the supreme law of this nation. But, for me, as I said earlier on today, any government of the day that comes in and sees it fitting to change and make laws can do it because that is the very fact we are here for. Indeed, the CNURA Government is not trying to change or is not trying to play around with our Constitution. The intention of the government is to provide an avenue for a bill that will bring about stability within the country. Any political government that comes in, in 2010 and the years ahead, the expectation of our people is that they want to see stability within the government.

Some colleague Members of Parliament, who have contributed, alluded to the fact that whatever changes brought about by any government is not for bad reasons. The intention of any government is for good reasons. The CNURA Government also looks at this issue and thinks that maybe this will stop instability within the government and therefore it brings this constitutional amendment. Whatever changes the CNURA Government would like to see in place must have assurance for having a stable government. That is the very reasons why this government tries to bring in this bill. Some colleagues who have already contributed to the debate are of the view that it is very important there is stability within the country so that investors can come into our country to invest. This should give opportunity to our people.

The consultation process that some speakers have made reference to is true. We, Members of Parliament, are only 50 in number, but our people in the rural areas are many and therefore consultation is very important that we go right

down to them throughout the four corners of this country. As for me, how I view it is that through awareness programs over the radio and by going down to provincial governments, I believe it enlightens the people intention of CNURA in getting the Bill to Parliament. And, of course, we Members of Parliament too, our people trust us and that is why they cast their ballot papers for us so that we represent them on this floor of Parliament.

Do you know that most of our people at home are just waiting to see what reaches them down there? Some of them are living right in the bush and they want to see services reaching them. Therefore, the government has to create an environment that would enable the avenue to reach those people living in the rural areas. That is why we are trying to put in place a mechanism now to be able to do that. That is the expectation that our rural populace, the elderly people, the women and men have. They trust their member of parliament. They are saying he is there to talk on their behalf by using the wisdom he has to put in place good things for them.

It is very important we know that our rural people have the right to make comments. There are people in our homes who have not attended any formal education but are just living at home who would like to see something reaching them. They want social services or whatever small activities to reach them.

On corruption at the political level, I see it as working vice versa. The constituents that represent them in here have to work together with us. We need to work together on important areas like this. The CNURA Government sees this

and so it is trying to address this. But how can we address it? As a government it must think of ways and avenues of addressing corruption. The CNURA Government is very serious in addressing the issue of corruption. I believe awareness programs have been conducted in our provinces as well as workshops conducted in our respective areas.

I believe that any government, and not only CNURA government, even past governments or even future government are trying their very best and so I would like to congratulate our past prime ministers, governments since independence who have been trying their best to address corruption. In fact, they have been trying their very best in managing our country. There are ideas they think that will work and so they tried. Therefore, the CNURA Government too has seen it and that is why it came up with this Bill. You cannot expect anything that you start with to be perfect. No way! It has to take time. As long as we go on we will know whether there is need for a change or there is need to amend the laws or there is need to add on something. Therefore, I myself feel that the comments made by my good colleague Members of Parliament today, some of the contributions made would help the government on how it will tackle this new concept. It will help us on how we are going to do it because the government by itself cannot do anything. Therefore, that is the very purpose of bringing this Bill into this House so that the good contributions made by colleague MPs can help the government to work according to the advices received to suit our thinking for this nation.

As I have already said, a lot of good things have been mentioned by my colleague Members of Parliament who

have spoken on this Bill and so I only register my small contribution on this very important Bill. With these few remarks, I support the Bill and I resume my seat.

Mr BOYERS: Thank you, Mr Speaker, for allowing me to contribute to the debate of the Bill and to apologize for my misunderstanding of your suspension of the Standing Orders to allow us continue with the debate.

Mr Speaker, obviously as a Member of Parliament and a member of the backbench, my position has been very clearly stated right from the beginning, and so it is not a new issue. I too would like to congratulate the CNURA Government for its intention of trying to create a bill to reflect the process of good governance. Unfortunately, Mr Speaker we started off with the PPI Bill, which I have a copy of here presented in March 2009 as a white paper to this House which I believe was unanimously supported. It was in that context of its unanimous support that reflected the intention of all Members of Parliament in this House. And so it is now surprising to note that the discontentment between the PPI Bill and the evolutionary process where now we have two bills, one is the constitutional amendment on the Constitution (Political Parties Amendment) Bill 2009, No. 24 and the Political Parties Registration and Administration Bill 2009, No. 25.

I would just like to go back and clarify three sections of the process, the consultation and the intention of creating stability and the reduction of political corruption. When this Bill, as I said, was first introduced it had unanimous support. That was, of course, to be voted upon the intention,

and not because of the contents. As mentioned here in the action strategy of the PPI Bill, it was intended that that Bill would be tabled for debate in Parliament in the second quarter of 2009. In the meantime the working committee has recommended that this White Paper be presented to Parliament for debate and endorsed on the progress and the way forward. This was supposed to be submitted in the July Meeting, which I understand had very little consultation to hear from what Members of Parliament had to say.

There was no consultation process to educate us of what the officials were preparing that was going to affect our future. It was because of that and it was just thru sheer luck that the Speaker of Parliament nominated me to go to a Clerk's and Speaker's meeting at the Brisbane Parliament for a week, which I happened to meet the Deputy Speaker and the Assistant Deputy Speaker of the PNG Parliament. And obviously they will well aware of the consultation process that was taken place by our working committee in PNG. The Deputy Speaker and the Assistant Deputy Speaker said whatever you do, do not copy our system. He said you are heading for disaster as we are. And he told me of issues where parties become so powerful, it has become an elitism within politics where it creates super politicians and these super politicians control the power, they control the private sector, etc., to the stage where MPs coming in are dictated to and told where to go and what to do and if they do not they lose their position of integrity within parliament and they lose financial benefits. This advice to me was quite concerning and made me wake up. If I have not heard what they said I probably would have passed this blindly in the

position of good intention thinking that it would create better outcome. It was only through that interjection that this political integrity bill has now been changed through awareness within Caucus to have a consultation process or recommending a constitutional lawyer to come and advise us as MPs on what we were voting on. All through this process we have been getting told on what is good for us, us then asking the interpretation of what is good for us and then in realizing what has been said we have been making suggestions of the way forward because we too would like to take ownership of this bill.

Unfortunately, Mr Speaker, whatever situations or whatever comments we made have been taken note of, but adapted within the original structure. And we have been very privileged to have Professor Don Patteson here to talk to us. Unfortunately, the arguments we put forward were not conveyed back but we did have the privilege of listening to Professor Don Patteson expressing his views on the protection of parliamentary democracy. This is where this bill and a constitutional amendment impinge upon the constitutional democracy of this House upon the Speaker and also the Governor General.

When the question came about when we got to the process of removal or an election of a prime minister, it mentioned that the ruling party could remove the Prime Minister with a majority of the coalition party or the party with notification to the Speaker in the event that he does not stand down a motion can be used to remove him but the government remains in power.

Professor Don Patteson, and I can remember very clearly and is part of Hansard, I believe, said that the removal of a Prime Minister should not be by a majority of the ruling coalition party but by a simple majority on the floor of Parliament. Now, I heard people talked today saying that some lawyers do not know what they are talking about. This particular person was invited to advise us in relation to this Bill and how it is going to affect our country. In looking into that, when you look at it, what you are doing is maintaining the power base but changing the face. The opposition is then only used as a check valve for the removal of a prime minister in the event that the ruling government does give in to serious conflict there can be a process of parties moving across the floor but not until serious and lengthy negotiations, which goodness knows what it will involve.

Now, as far as I am concerned we are going into a process where we are going to have a ruling party coalition governing our country in the next four years, and after that you are going to see a single party governing our country for the rest of the century, and the only way it is going to be changed is through civil unrest. This is my concern. All the good intentions that we have can go wrong unless there is considerable and lengthy consultation. People of West New Georgia/Vona Vona have been consulted on this whether they need to or not maybe our officials know better than us and maybe they know better than our people. But our people deserve the right to be consulted, to be educated on the pros and cons of the outcomes. All we are hearing are the good outcomes but the good always outweighs the bad.

What is the bad? Can please someone tell me what the bad is here? I don't see it, I don't see the negatives. There has not been a proper dialogue process of negatives. The only negatives you can see or constructive outcomes are in the report of the constitutional committee, which we now have a copy of. Its number one recommendation is that wider consultation should be done on the Bill to obtain meaningful and more insights to the practical issues of the Bill. Mind you, we still have not got the report of the Bills Committee yet. Obviously, we are going to race this through hard and faster just to pass it so when it is passed nothing can be done about it. It is not about testing it in the Court of Law. The Constitution is going to be amended. Our fundamental rights are going to be impinged upon giving political parties an upper hand overriding the democratic principles of freedom and non-discrimination. If these are the processes we need so that we can have political stability then this is frightening.

Just look at Vanuatu, the most volatile politics in the Pacific and the fastest growing economy in the region. In fact it is rated number two in the world behind Bhutan as having the gross domestic happiness in the world. Why is that? Is it because they have good policies, good investment policies, good land reform policies, a multi-cultural society, they uphold the rights of their indigenous people, they have a balance and it is not because of their politics but it is because of their policies.

We have been hearing for the last five years how it is very expensive to do business in Solomon Islands. The cost of electricity here is the most expensive in the world.

Telecommunication is the most expensive in the region and our water is the most expensive in the region. Where are the reforms in place to change those? No investors would like to come to this country. What, political stability? Even though the government changes up and down, the country still grows at 5% only. This is a perception, a perception we are using for officials to lock us into a cage. That is not stability but conspiracy.

The other issue where it is mutated or evolved into is from instability to create stability and to stop corruption. I would like to say here that a lot of people talked about corruption today. But I suppose it is the politicians fault again that there is corruption in this country. I am not suppose to stand up here like someone and talk about their opinions and imaginations, I will go to facts; facts for the one fundamental that produces accountability and transparency that tackles corruption. Everyone should have a copy of an Auditor General's insights into corruption in Solomon Islands Government, not politics, but governments. Politicians are lawmakers. We pass budgets and we pass laws. The people that manifest that law or manifest that policy are the Public Service. I can remember in 2005 when the World Bank, the ADB was asking me of what was the number one reform of the country, and I said that the number one reform is the public service reform. That was what I said. I would just like to go through the issues of corruption in Solomon Islands and who is responsible. "Common issues identified in the report. In order to address systematic weaknesses, maladministration and corruption, this analysis must focus on the underlying drivers which

enabled such behavior to occur. The following issues identified by the Auditor General's Office are considered as recurring causes of failure which are widespread. There is non compliance with the Public Finance and Audit Act, Financial Instructions and General Orders, serious break downs and critical financial management and accounting systems and procedural controls, general lack of adequate and proper record maintenance. By who? Officials are using positions of influence to assist family and friends to gain from their positions. Millions of dollars in revenue were lost through poor management, corruption and fraud. Where? Officials. Conflicts of interest not declared, e.g. support for wantoks. Uncollected revenue due to poor operating systems and controls with inadequate monitoring. By who? Politics? Officials.

Delays in acquittals and imprest advances, inappropriate actions for recovery of over payments, lack of action by authorities to pursue suspected criminal activity and lack of response by departments at addressing shortcomings identified through the audits. And, Mr Speaker, the list goes on and on and on. The Auditor General's report goes on to say, "Accordingly I propose a three point approach in order to further address the findings of my office special audit reports. This relates to removing opportunities for maladministration and corruption to occur. Where? Public Service!

Changing incentives to discourage maladministration and corruption and increasing public demand in ensuring ongoing transparency, accountability and the integrity of government, public service, not politicians. Let us not start

pointing the finger through officials advising us that we are corrupt and we need to be locked into a cage. This is a manipulative process called political engineering. Someone engineered this thing to force us to say all of us are just useless and so officials must control us. We have institutions in this country that do investigation called oversight institutions. Further, I support the need for review of the legislative framework underpinning public financial management. The provision of appropriate training through the Institute of Public Administration and Management and the enforceability of disciplinary mechanisms. For us, that is not the case. This is public service, millions of dollars.

The political corruption we are talking about is that when someone goes to a general election, for anyone to say after an election that you win when you do not spend money is a liar. Because there is a provision already that we can spend up to \$50,000 and then retire it after the general election. The problem, how I see it, is that usually parties nominate their candidates and their candidates are usually funded by the party or supported by the party, which is normal. Independents, on the other hand, have to find their own way, their own money and go out and campaign and if they win the first thing they want to do is get their money back because a party man is sponsored by a party and so he does not lose anything. This is the mechanism. The Bill addresses a certain amount of that knowing that independents must join a party because through joining a party there is a process of support there.

The removal of a prime minister in motions of no confidence, I would like someone to stand up here and tell

me how much money he receives to move out of a government or move into a government. Because I, and I will swear on the Bible on this, have never received one cent. You can ask the former Prime Minister, Sir Allan Kemakeza when he asked me to join him. In fact, he did not know that we are an orphaned only because of the presence of RAMSI and that I might be able to contribute as a leader. There was no commitment or anything, my support. You can ask honorable Sogavare and he will tell you. My two conditions of joining him was no to rearming and that RAMSI must stay. This is copied to the Governor General. Honorable disposition. Of course, my joining the former Prime Minister, Honorable Sogavare was on personal reasons, more on social compassion than it was for political outcomes.

But that is my story and I am sure a lot of people know about that. But that is political grass hopping for stability or instability. I never jumped out of government, but I always jumped into government. But the issue here is that it is a fact and we all know it that when there is a major issue coming up on the floor of Parliament, whether it is a budget there are certain Members of Parliament that always try and hedge their bets by putting something saying, "if I do not get this, I am going to move away". We know that, and that is the political corruption we are talking about. But it is not creating instability in government.

There is a conclusion that I would like to read to everyone why we have moved in an instable manner over many years. Finally, it should be noted that a considerable amount of good work has been undertaken already to

enhance government accountability and address maladministration and corruption. First, the strengthening of the Office of the Auditor General, the production of 10 special audit reports for the first time in over two decades. For last 20 years we are not accountable to anyone. Second is the strengthening of Parliament and Parliamentary Committee systems. That includes the Constitutional Committee and the Bills Committee where their hearings are televised and broadcast through the SIBC so that people can see and hear it as well. That is accountability. Thirdly, is public hearings undertaken by the Public Accounts Committee. The same thing, people can hear where the money goes or why was it spent here. Accountable officers are being questioned on where money is spent. Fourthly, six reports handed down to Parliament produced by the Public Accounts Committee in response to the seven special audit report tabled in October 2006 and reviewed by the Committee hearing evidence from ministry officials for the first time since independence. That is about 30 years now, and for the first time our people are becoming aware of what is happening here. The first time we have had audit reports that produce accountability and expose corruption. The strengthening of the Leadership Code Commission; that office still needs to be strengthened. The establishment of a corruption targeting team within the RSIPF and RAMSI Participating Police Force. Sixth, the strengthening of the judiciary to prosecute corruption and related crimes, work plans and working groups established by some departments to respond to and address the weaknesses identified within the audit reports. Politicians come and go but corruption

lives in the public service. Why are politicians always targeted? This is none other but a crafty engineered process. This is a vote of no confidence in ourselves to be able to address and deal with issues that pertains to better livelihood of our people. It doesn't matter if you are a good politician or a bad politician. If there is prevailing corruption within the public service the money you pass on the floor of parliament in a budget never gets to them.

East Kwaio is not going to get a water supply. We would not see anything. The government machinery is the public service. We are just here to pass laws and hopefully not get our fingers meddle in corruption in the public service. Let us not be misconstrued, and that is what upsets me a couple of weeks ago when there was a media release by an official in the Prime Minister's Office saying that those few MPs who do not want to support the bill are the ones who are corrupt. Does that mean me? I am not corrupt; I support the Political Parties Registration and Administration Bill, a regulatory bill to lock us into parties. But why should we be locked into a constitutional amendment bill that says preserves the freedom and integrity of the people, non discriminatory except for the political parties. Once we pass this it will then take us outside the guidelines of our constitutional right. We have already heard it today, it is very clear. We need to un engineer that to respect what we need to do. I do not want to stand here and say I do not want this Bill. I rather support a government bill but I will not support a bill that is grossly imperfect. I would like to see this perfected further, for instance, a lot of people including the Speaker of Parliament, prominent people have

already voiced their concern for more consultation, there needs to be refinement, the process of democracy getting impinge upon. There needs to be more consultation. Fools race in where angels fear to tread and if we think wisdom comes through shortcuts we are going to end up with suffering.

The thing we exactly want to avoid is the exact result we are going to get. I am standing here today not in support of this motion. But in the event that it does not go through I will offer an alternative in that I would like to see an alternative bill put in that reflects the intention and policy of the government on political stability in the process of registration of parties locked into a process of no one moves from one side to the other. This is all about grass hopping, that is what it is all about; stop people from moving around. So let us do it now. But you cannot because at the end of the day these two bills are locked together. There is no wisdom in that, it is just engineering. If this one does not pass, the other one also fails. But maybe the saving grace is if this one fails we can still refine it and put it back before Parliament before the end of this Parliament Meeting. If anyone asks me, which I have mentioned, if you want to have a simple approach that everyone on this floor will agree with would be removal of the independent group from the Constitution, like the Member for the independent group has mentioned. Legislate for shadow ministers and remunerate them properly. Parliamentary secretaries, fine, that is good governance and maybe some other fine tuning but do not interfere with the basic fundamentals of the freedom that our Constitution gives us. But lock us down to regulatory

processes within parties. You do not have to mess up with the Constitution to do that, and most of these registration and administration bill is pretty good, although I find it difficult why we have to change the Constitution to appoint a prime minister instead of electing him. Are we running away from the blame? Can we not stand up and say, 'well, get rid of the secret ballot and let us have a voice count for our prime minister, let us have our parties'. If you have absolute majority in one party it is automatic appointment. If it is a coalition process then have pre coalition agreement for the election, locked in with the commission so that when you come in it is witnessed by the Commission, the Commission says yes, this is correct, you go to the floor of parliament and have your agreement there, and everyone knows he is going to be the prime minister but vote him on the floor of Parliament. Have a position of parliamentary democracy that you stick with your prime minister and you fall with your prime minister. You cannot go around changing prime ministers because it makes us look like puppets.

Leaders are meant to be strong, leaders are meant to be decisive and so let us give them that prerogative. Everyone can be a leader, they just need the support, but you put a prime minister there and if you do not do it that way and we put you down then it is the same thing we are trying avoid but we are maintaining the powerbase. The opposition is supposed to be an alternative government. It is one of the last, smallest remotest chances that this parliament will have to pass this.

In saying all that, as the Solomon Star that everyone read today, my name is up there representing a group of backbencher with signatories. And I am a bit disappointed that some of those signatories are now standing up a short while ago saying we now support the Bill. If you sign a document asking the Prime Minister to please defer the Bill or withdraw it and have a bit more consultation, maybe say for one week, if you not going to stick by it then do not sign it because if you do not stick by it then that is it, exactly the same thing we are talking about. This is the disheartening process. You can stand up and speak your conscience and at the end of the day you are the only one person, maybe. Maybe there is a group of people with you that will say, no we will stick by this principle because we believe that these issues need to be addressed, and once they are passed they are unchangeable, it will be impossible to change them. Because you are legitimizing a power base that actually overrides the Constitution but is legitimized by this constitutional amendment. That is the whole reason why this constitutional amendment bill comes first. And I quote, "An important feature of Constitutional Amendment Bill, is that it ensures that the reforms as depicted in the Political Parties Registration and Administration Bill", which we are not talking about now, "does not breach our national constitution, it only breaches it now. We cannot pass this Registration and Administration Bill because at the moment it breaches our Constitution on the fundamental human rights, but it can be implemented if we put this in, which includes political parties as the exception to that rule". So now we have double standards in our Constitution.

I understand the principle and I believe it is an attempt to make sure political parties adhere and Members of Parliament adhere to the commitment they make, just like the signatures I was talking about earlier on, it stops that. I think that is a good thing but I do not think we should have gone to this extent to expose our Constitution to a one way ticket that we have burn our bridge, burning bridge and when we turn back how can we democratize our process. So as we tread, we should tread carefully and with wisdom. There is enough time before the next election to put this in place. But if there is not enough time to change this, then it was meant to be a one way ticket.

I can tell you that the people of this country should not be misled by us saying in putting words in their mouths. I am someone who usually talks straight, I do not have to hide anything. If I do not come back in the next election it is fine with me, but I do not want my signature on something that is going to cause problem in future so that they will say, "he is one of them who does not think properly".

These are the things I would like to say but I will leave them because I think I have said the nuts and bolts of what I have had to say. I just want the people of this country to know that they should not be misled. The intention and principle of the Political Parties Integrity Bill is good. But in this form it is very, very misleading. Separate the two bills so that one does not interfere with the other but complements each other. Remove the independent group, make it fair in Parliament by recognizing shadow ministers from the opposition. Remunerate everyone evenly, reform the Electoral Commission so that we have preferential

voting so we are truly democratic representatives first before we lock ourselves into a power base, and lock in political parties so that we go to the next election in a responsible manner. Because how I see it is that there would not be any independent running in this house when we go to the next election because we will all be locked into parties anyway. The only independents will be coming outside from somewhere, and so I think that is a good thing.

In acknowledging the goodness of the Bill, I am also compelled through conscience to acknowledge the danger that is within it, and offer my services and support to the government in the event that they do not want to, there will be a certain group of us that will be engaging with lawyers, parliamentarians to put in a private member's motion bill to make this acceptable to everyone in this House in the event the government does not want to continue with this. With those few words, Mr Speaker, I do not support the Bill.

Hon Sikua: Mr Speaker, I move that the Second Reading debate on the Constitution Political Parties Amendment Bill 2009 be adjourned to the next sitting day.

Debate on the Bill adjourned to the next sitting day

The House adjourned at 5.17 pm