

## TUESDAY 16<sup>TH</sup> MARCH 2010

The Speaker, Sir Peter Kenilorea took the Chair at 10.36 a.m.

Prayers.

### ATTENDANCE

At prayers, all were present with the exception of the Ministers for Finance & Treasury; Planning & Development; Lands and Survey; Foreign Affairs; Culture & Tourism; Agriculture and Livestock; Home Affairs; Environment and Conservation; Justice & Legal Affairs and the Members for East Are Are; Mbaegu/Asifola; West New Georgia/Vonavona; Ngella; North Guadalcanal; Shortlands and North West Guadalcanal.

**Mr Speaker:** Honorable Members, I understand that certain procedures in relation to presentation of papers are not quite done yet and so I will suspend sitting for half an hour to deal with that issue.

*Sitting suspended for 30 minutes*

### **PRESENTATION OF PAPERS AND OF REPORTS**

- Report of the Bills and Legislation Committee on the North New Georgia Timber Corporation (Amendment) Bill 2010.  
*(National Parliament Paper No. 3 of 2010)*
- Report of the Bills and Legislation Committee on the Political Parties (Registration and Administration) Bill 2009.  
*(National Parliament Paper No. 4 of 2010).*

### **BILLS**

#### Bills – Second Reading

The Constitution (Political Parties Amendment) Bill 2009 (debate resumes)

**Mr Speaker:** Honorable Members, on 26<sup>th</sup> November 2009 on a motion by the Honorable Prime Minister the House adjourned second reading debate on the Constitution (Political Parties Amendment) Bill 2009 to this day. Parliament is due to

continue this debate today, but I understand that the honorable Prime Minister wishes instead to adjourn the debate and I call on him to take the necessary steps.

**Hon. SIKUA:** I move that the Second Reading debate on the Constitution (Political Parties Amendment) Bill 2009 be adjourned until another sitting day.

Yesterday when I moved the motion for us to debate the report of the Special Select Committee on the Political Parties Reform Bill 2009, I did outline to Parliament the Government's courses of action it will take to progress the debate on the Constitution (Political Parties Amendment) Bill 2009 where I did explain that we have that motion for general debate by Members of Parliament on the report yesterday and following that I mentioned to Parliament that Government will then take further action to consider the various debates made in respect of the report and decide on what appropriate actions or measures to be taken.

Further to that, I also said that if the government accepts that certain amendments are required to be made to the Bills, whether such amendments are per recommendations contained in the report or is the overwhelming wish of Parliament as expressed during yesterday's debate, the government will make appropriate amendments and then present to the Speaker the necessary amendments as it sees fit. After presentation of those amendments to you or if there is no amendment, whatever the case maybe, the government will then announce a specific date in its government business in another sitting day for resumption of general debate at second reading. Accordingly the resumption of second reading debate that is listed for today will be adjourned to another sitting day. Today's date is put on the government business because that is the day the debate of the second reading was adjourned to when Parliament adjourned the debate on the 26<sup>th</sup> November 2009.

Following our debates yesterday, Cabinet will be sitting tomorrow Wednesday 17<sup>th</sup> March to consider the parliamentary debate on the report and the report itself, and so that is why I have moved this motion for the second reading debate on the Constitution (Political Parties Amendment) Bill 2009 to be adjourned to another sitting day.

With those explanations I beg to move.

**Mr Speaker:** Honorable Members, the Hon. Prime Minister has moved that the debate be now adjourned. Unless any Member wishes to make comment briefly on this motion, I will put a question, any comment?

**Hon. Sogavare:** This side of the House has no problem supporting the request made by the Prime Minister, except to seek some understanding of the House on how we will progress, especially those people who have already spoken on this Bill because we are still in the process of developing this Bill. I think based on some suggestions that were made, it takes time in finalizing this Bill, and so we just want to seek the understanding of the House on what will happen to people who have spoken already on this

Constitutional Amendment. Otherwise we support the request made by the Prime Minister.

**Hon. Sikua:** I thank the honorable Leader of Opposition for his question. I will discuss with Cabinet once we have gone through the debates and the necessary amendments that need to be made whether there is need for us to suspend the Standing Orders to allow debate on the second reading of the Bill to continue and that will give the opportunity for anybody, including those who have already spoken to also contribute to the amended version of the Bill. That will be dealt with in Cabinet tomorrow and given what decision is made by Cabinet we can ask for Standing Orders to be suspended so that people who have already contributed can contribute in the second reading.

**Mr Oti:** I thank the Prime Minister's explanation as a possible way out of what might arise as a difficulty in regards to Standing Order 32.

Perhaps, the government could also contemplate because the amendments that are proposed in the report would be taken onboard, in order not to suspend the Standing Order but we continue with the business is basically to move motions on the amendments so that everyone can contribute on the motion of amendments to that so that we do not disturb our legislative process by just invoking and bring up the amendments through a motion of amendments to the Bill.

**Hon Sikua:** I thank the Honorable Member for Temotu Nende for his wise counsel, as always as a guru of our Standing Orders and so we will also be opened to the suggestion he has put forward.

**Mr Speaker:** Are you raising another point or are you speaking to the motion?

**Mr Zama:** I think we have not closed submissions but just on the same issue. I deliberately do not want to debate the report yesterday on the Political Parties Amendment Bill, and here we are again tangling with what I believe is a hijacking process. We are really making a mockery of our parliamentary process here, and I leave that to the government because this Bill should have been thrown out last year because the issues the government is now trying to raise are tactical, and I therefore do not get what they are trying to put to Parliament. Thank you.

**Mr Waipora:** Just a very short comment. Last year when I spoke on this particular Bill I asked whether this is the same book that will be brought to Parliament on the 16<sup>th</sup> of March 2010, and I think it is the same book. Is it proper in law for us in 2009 and yet we still do not know how many amendments there are going to be? Is it still the same Bill with many amendments which, in my view, will be a separate bill altogether, a new bill altogether? This is just a point I would like to point out here so that when you meet in Cabinet tomorrow you should take into consideration the comment of the MP for West Makira, which I think is very important. Thank you.

**Mr Speaker:** I think it is not going to be another bill. But I think the government is trying to help out by allowing the honorable house to understand any amendment following discussions of the house. And if any amendments are included they would be included as amendments rather than another new bill.

**Mr Speaker:** Since no one wants to speak on the adjournment debate and so I will ask the Prime Minister to close his remarks and we will vote on it.

**Hon Sikua:** I thank the Honorable Leader of Opposition and the Honorable Members of the other side of the House for their understanding in supporting the motion that I put forward. I suspect that with Cabinet deliberating on the debates on the report yesterday that there will be some amendments that are going to be put in place, and so once those amendments are put to you, Mr Speaker, we will look forward to having the amended version of the Bill put to you in due course. Therefore, I thank the other colleagues that have contributed to the motion and I beg to move.

*Debate on the Constitution (Political Parties Amendment) Bill 2009 adjourned to another sitting day.*

### Bills – Second Reading

#### The North New Georgia Timber Corporation (Amendment) Bill 2010

**Hon TAUSINGA:** I beg to move that the North New Georgia Timber Corporation Amendment Bill 2010 be now read the second time. At the outset, in moving this Bill, I wish to put to the attention of Honorable colleagues that never before in the history of Parliament which I can recall had there been a Member representing a particular constituency table a bill for the same constituency. This would be the first time, and the likelihood of such a situation occurring again in the future is very remote indeed. However, the representation aspect of the constituency in the Parliament in this circumstance must not be a reason for my association to the subject now introduced, but rather my ministerial responsibility dictates that I have to discharge one of my public duties, hence this Amendment Bill now before the House.

This introductory remark gives, perhaps the standpoint from which the Amendment is moved, and to perhaps clearly demarcate the responsibilities pertaining to constituency representation and that of the Ministry responsibility because of men's susceptibility to misconstruction of facts or ideas.

The North New Georgia Timber Corporation Amendment Bill should have been tabled in the final Parliament Meeting of last year but due to ongoing consultations with relevant stakeholders, this Amendment Bill did not come to the House but now. The North New Georgia Timber Corporation Amendment Bill 2010 is purely to amend the North New Georgia Timber Corporation Act Cap 43.

The forest resources of the country play a pivotal role in the lives of our people as well as in the development of the country. In addition to its importance to rural livelihood, it is the major source of foreign earning for the country a major contributor to government revenue. The resource owners too must derive the benefits of the forest resources, both in terms of pecuniary benefits and the interdependency between the forest and men.

The forest provides the income and other economic benefits; jobs, wood for fuel, timber for domestic housing and uses, habitats for wildlife, a range of non wood products, foods and medicines, the protection of soil from erosion and maintaining of clean fresh water system. In other words, should you remove the life support nature or ability of the forest, men's life will become a struggle indeed, and therefore it is important that the forests are used wisely to sustain both the economic benefits and people's quality of life and living.

The timber industry commenced in pre war years when the Cowrie Timber Company from Melbourne, Australia undertook selective logging of cowries at Vanikoro in Temotu Province. However, timber harvesting did not start in the main group of islands until 1963 when the two foreign owned companies, the forest timber companies are Japanese owned, undertook harvesting at Bagga Islands in Vella La Vella and Levers Pacific Timber at Gizo Island, both in the Western District now Western Province. The year 1964 saw the harvesting of merchantable trees at Allardyce harbor on Isabel by Allardyce Lumber Company and at Viru Harbor or New Georgia by Kalena Timber Company. All these activities and harvesting were conducted on alienated land or state owned land and none on customary land.

No logging was ever done on customary land because it was not the intention of the forest law or the Forest Resources and Utilization Act then to extract laws on customary land when it was first made. Landowners then could not harvest their forest or merchantable trees for the purpose of export, and so when landowners of North New Georgia wish to engage in timber harvesting and on customary land areas of North New Georgia, the North New Georgia Timber Corporation Act had to be drawn up and passed in Parliament to cater for this need. The North New Georgia Corporation Act came into force on the 3<sup>rd</sup> of September 1979, and by the same act, has a lifetime of 30 years and those 30 years lapsed last year on the 3<sup>rd</sup> of September 2009.

The Act covers the customary land areas in the north and western parts of the islands of New Georgia and these land areas are known as Gerasi, Dekurana, Lupa, Rodana and Koroga. Prior to the expiry, landowners in North New Georgia informed the Ministry of Forest Resources for their intention to extend the tenure of North New Georgia Timber Corporation for some more years. It was the desire of the majority of landowners of the lands covered by the Act to renew and extend the lifespan of the entity for another 15 years. Through consultations with relevant land owning tribes and the North New Georgia Timber Corporation, the followings transpired:

- The Dekurana customary area would be deleted and excluded on the new amendment as lands to be covered by the Act.

- The Gameese customary land area would continue to be excluded from the land areas covered by the Act.
- That Gerasi, Lupa, Rodana and Koroga customary land areas would continue under the Act.

The submission by the chiefs and landowners confirmed the support for the amendment now before the house, and I am pleased to say that tribal chiefs and the members of tribes for the land covered by the Act as well as the board of directors prior to the 3<sup>rd</sup> of September 2009 have rendered their support for the restorative action for the same entity, and whose amendment now being tabled to be part of the parliamentary proceedings today.

As has been alluded to earlier on, the duration of the North New Georgia Timber Corporation was 30 years and it should have ceased last year. As well, the Corporation had executed a contractual arrangement with the Golden Spring International Limited, a logging company to continue harvest timbers on land areas covered by the Act. This contractual arrangement by the North New Georgia Timber Corporation expires in 2014. Section 17 of the North New Georgia Timber Corporation Act clearly states that the provision of the Forest Resources and Timber Utilization Act are not applicable to this Act. Therefore, it is impractical and difficulty as well to transfer or legalize the logging operation that is current under the North New Timber Corporation Act and Golden Spring International Limited. The arrangement that they have needs to continue.

In terms of access to harvest, the timber resources in the forests of North New Georgia and on the lands covered by the Act, the North New Georgia Timber Corporation is a success story. There were virtually no land disputes on those lands covered by the Act to date. As has been mentioned, one of the objectives of the Bill is to extend the life of the Corporation for a further 15 years, and as mentioned too, the tribal representatives and the board of directors of the Corporation requested to have extension for another 20 years. However, thorough assessment of data on the forest resources of North New Georgia saw that reduction to 15 years from 20 years would, in the view of the Ministry, and agreed to by the North New Georgia Timber Corporation is appropriate for harvesting of the timber standing in North New Georgia and the land areas covered by the Act. This period should allow for the development and harvesting of the remaining merchantable trees and also for replanting of logged over areas to ensure sustainable forest management and the continuity to invest in the future.

To ensure effective management of the Corporation, a general manager must be appointed, and this is also catered for in this amendment. The general manager will manage the Corporation and ensure that the Corporation functions properly. Additionally, it is a requirement under this Bill that proper accounts and records of Corporation transactions are kept and that annual audits on the accounts undertaken. This audit will form part of the annual report which will be presented to the board of directors during the annual general meeting or extra ordinary general meeting called by the directors.

The Dekurana customary land area is removed from the Act. Hon colleagues would recall that the land was amongst the original flat land areas covered in the Act. However, the customary land area is excluded after consultation with members and tribal chiefs of the said land. But this does not mean that both Dekurana and Gerasi land areas cannot work with the land holding groups of the land areas covered in the Act. On the other hand, these land areas can form part of the Corporation again in the future when they so wish, and by way of another amendment.

Finally, I wish to suggest that the North New Georgia Timber Corporation (Amendment) Bill 2010 has the overwhelming support of the tribal chiefs and the land holding groups of the land areas covered by the Act: Gerasi, Lupa, Rodana and Koroga. The people whose interests are incorporated in this Bill are natives of North New Georgia. They too wish to participate in the economic development of the country. In the context of nation building they too must contribute or play their part in the development of the country. They are the reasons for the Bill to come before the House, and these people are not only the natives of the northern part of the island of New Georgia but importantly they are our people, citizens of beloved country, Solomon Islands. But know ye also that in the concept of democratic government they do not belong to us, we are. The Parliament and the Executive Government belongs to them. They deserve our consideration and indeed the Parliament is obliged to grant them their wish by allowing the passage of the North New Georgia Timber Corporation (Amendment) Bill 2010. It is on this perspective also and the worth of the Bill that I commend the Bill to Honorable Members for their scrutiny and debate. I beg to move.

**Mr Speaker:** Honorable Members, debate on the North New Georgia Timber Corporation Amendment bill 2010 will now commence. 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 as usual. The floor is now open for debate.

**Mr. NUAIASI:** Thank you for allowing me to speak on this important bill, the North New Georgia Timber Corporation (Amendment) Bill 2010. I do not see any problem with this bill as it is a straight forward bill. What I would like to say is that the North New Georgia Timber Corporation is an Act that controls timber extraction on their land. To me, the areas that the mover himself mentioned are well covered in the extraction of timbers from their land. I assume that this legislation helps people of those areas to have maximum financial benefit from logs extracted.

Likewise, it also gives these people a better opportunity to talk on investments these people would like to enter into after harvesting of their logs, and these people are fortunate. I am talking on this important Bill because I understand that the Ministry of Forests has the forestry act. But the Ministry and the Forests Act do not have the mandate or details that the North New Georgia Timber Corporation have. Hence, the government should also see fit to ensure that other areas in the country are also governed by this same Act. I think this is very good for our people. This is my point of

view that the North New Georgia Timber Corporation has been in place for those in North New Georgia hence they have been enjoying extracting timbers and the financial benefits and other benefits that they themselves have agreed upon with the company.

The two small amendments that brought this Bill to Parliament for blessing are very simple amendments. One is that they would like to have a general manager in place in their structure and at the same time extend the number of years from 30 to 45. In my point of view, if this is the wish of people from North New Georgia because they have enjoyed the benefits from it, then I see no reason why I should say to this Bill. Therefore, with these few comments, I support the Bill.

**Hon. SOGAVARE:** I also rise to contribute to the debate of this Bill that comes before the House and moved by the Minister responsible for forestry. As the previous speaker has already mentioned, this Bill is very simple as it is only asking the House to agree to a specific request, and it should go through the House. The object of the Bill, as we noted is clear, and it is to extend the period of operation of the Corporation for another 15 years. That is the main reason and, of course, to tidy up some of the management by establishing the post of a general manager and also to deal with some minor amendments.

I think what is very important to us, in fact, most of us probably were probably not around in Parliament when this Bill went through, and so we do not really appreciate the reasons why this Bill was brought in the first place. And I think as hinted by the Minister when moving it and I think touched on a little bit by the Committee on its discussion of this Bill as presented in this report. I guess there is advantage in that sense that we cannot refer to why it was brought in at the first place, but I think as I said it was hinted in the discussion background of the report. I think, for me that is the important thing for us to look at, whether we can draw some lessons and improve on the way we develop this very important resource we called forest. We take it that at that time the legislative framework to provide the kind of security and satisfaction to the tribal landowners was not adequate and so the need to come with a specific legislation to address the development of forestry on North New Georgia. The Minister touched on that; the wise use of forestry in supporting the livelihood of people.

Maybe the question in response during the committee of the whole House for the Ministry and the Minister to clarify to us is that now that there is a forestry act in place that provides the legal mechanisms in developing the forestry of this country whether there is still need for the North New Georgia Timber Corporation Act to be still around dealing specifically with a specific area in this country when there are also forests around other parts of the country when we now have the Forestry Act that provides the legal mechanisms for us to develop our forests. I think that is basically the question we would like the Minister to explain to us.

Also, probably it is an opportune time to put a question to the Ministry as well that if the Forestry Act is inadequate to support the operations of how our people in North New Georgia want to develop their forestry resources, can that be addressed through the Forestry Act and why did we not bring in the new Forestry Act? This Act



has been there for such a long time now and we do not know what kind of improvements we could have suggested to that Act that could have addressed some of the issues that our people in North New Georgia would want to incorporate in that Act to give them that comfort. And since this Bill has not seen the light of day and probably it will never see the light of day this around, probably it is the next government that would will bring it in, maybe that question would still be around. And looking at it on the other side of the coin, maybe our people in North New Georgia are fully justified to say that since the law governing the development of forestry did not give us the full benefit, we are not satisfied with it thus we want a special legislation that will give us that comfort. And since there is a bill already in existence, they are just asking this Parliament to extend their application so that they continue to use it in developing their forest resources. In that sense, maybe they are fully justified. But I think we will still insist that as Parliament, as leaders we still need to get that forestry act to Parliament so that we can, maybe, rethink how we want to address the development of whatever is left of our forests.

We understand that there are three more years of logs left in loggable areas, at least that is our understanding and this does not apply to areas that bulldozers did not get to. But in loggable areas, only three years are left. So what is happening now with the request by our people in North New George gives rise to that issue. Bring the new Forestry Act to Parliament so that Parliament is given the opportunity to decide on how we should address the development of our forest resources considering the fact that it is depleting.

There are also other issues that we are concerned about, and the effect of logging on the environment, climate change, which are real issues. We attended high level meetings overseas, the country is represented there and so on. I believe maybe it will be addressed through relevant environment laws. But I believe we still need to bring in that Forestry Act so that it complements whatever we are doing on environment related laws.

The question is still around that developed countries are pointing fingers to small countries like Solomon Islands and other countries that are very heavily involved in logging. In terms of remission per capita the smaller countries are remitting very, very high, higher than any developed countries, and so probably they have the right to tell us to tidy up our backyard before we go and present our case to them. They will tell us to start sorting out our backyard because their claim, in my understanding, is that we are remitting per capita higher than the developed countries because of logging and so we really need to address it if climate change is really an issue for this country, and I think it is an issue. This thing about forestry covers wide, wide areas of concerns that we can discuss a whole day in Parliament. But I think the objective this Bill is quite clear; people of North New Georgia will like the application of this Bill to be extended by another 15 years. They want a change of name from secretary or chief executive officer to a general manager so that he provides the leadership that is required in that organization. So the objective of the Bill is quite clear, and as I said earlier on, it probably arise and the need for it is there because the people of North New Georgia are

not comfortable with the way the Forestry Act is giving the government and developers for so called development of their resources. They would like to have a legal framework that caters directly for them.

And following up from a point raised by the Chairman of the Bills Committee as well, if this Forestry Act does not see the light of the day, probably every tribe in this country would like to have a kind of bill like this too so that we bring it to Parliament in order to protect our resources. And that would be the end of unity in this country when we would like to stay a united country. And so it is now incumbent upon this Parliament and Government to quickly bring in the new Forestry Bill, deal with it and maybe look at specific issues that our people in North New Georgia are concerned about and incorporate them inside the Forestry Bill, which has national applications so that it applies everywhere in this country in terms of the development of the forest resource.

Sir, as I have said, this Bill is straightforward, and so this side of the House has no problem supporting it, and we accordingly support it at the second reading.

**Hon. FONO:** Thank you for allowing me to contribute briefly to this Bill. From the outset, I would like to thank the Minister for bringing in this proposed amendment in his capacity as Minister for Forests, although as he rightly stated that it is for his constituency, but it is a need of his people. And so I would like to congratulate and highly commend the chiefs, leaders and people of North New Georgia for their vision and wisdom for suggesting in the past, maybe during your time, Sir, in your leading of the government at that time in establishing this piece of legislation. As stated by the Leader of Opposition some of us were not there during that time to see this original bill when it came. But I can see the wisdom that is in this Bill. And so I congratulate the people of North New Georgia and also their leader, who is none other than the Minister himself who brings in this bill. I see this as a very good model that other areas that are involved in large scale logging operations should emulate or look to follow a kind of model that targets their resources. Maybe the main legislation, the Timber utilization Act is not specific on particular areas.

I see this piece of legislation as important because it also governs the areas that landowners allow to be milled. I say it is a good model because I was yet in high school when I heard about North New Georgia Timber Corporation having investments here in Honiara in terms of housing estate. I believe it still has, and it is a good long term investment for the people because in allowing their resources to be harvested, they in turn invest that into property development.

I wonder how many of our resource owners have engaged in similar investments, especially in areas where huge logging have taken place over the past 30 years, much to our dissatisfaction that successive governments including this government have not set up proper mechanisms so that our resource owners could benefit. Therefore, this model is a very good model in terms of allowing our resource owners to benefit fully from their resources. As I said I heard this Corporation invest in property developments, and I encourage them to continue on. Not only that but they have also reforested the loggable areas that have been harvested. I understand that

there is huge reforestation going on in this particular area based on the Act they are established under encourages the resource owners to replant areas that have been logged out. That is why I see this model as a very good model that other areas that have been logged out in the past should follow so that they replant their forests so that future generations can benefit from.

I want to encourage and challenge them through their good leader to look at harvesting their own trees in the future. Although there is provision here that one of the functions of this Corporation is to allow them give out licenses to loggers, I think it is high time and that they would benefit more if they harvest their own resources in the future. It is important that we pass this amendment so that it allows them to establish a general manager. I was a bit surprised when I see this proposed amendment that the Corporation, maybe in the past does not have a general manager. And so it is important that this provision allows a general manager to be established so that he is fully responsible in managing the Corporation's activities. Just like any company that has to have a manager that is knowledgeable on management issues to advise board of directors. As I have said, this is a very good model.

There are other bills that Parliament enacted that specifically targets certain areas like the Mamara/Tasifarongo Act that was passed some years back to develop a kind of development that would benefit not only resource owners but the whole nation. The government needs to relook at that Act, and may be other bigger developments that we talked about like the Bina Harbour, the Bina Industrial Center, the Rob Roy Industrial Center. I think as long as land holding groups allow their land for development, we should look at creating legislations to cater for specific operations. I think that is the way forward for a model that will benefit resource owners.

This Corporation and having known its leaders in the past and the current Minister, it is a very good model that should be emulated throughout the nation, especially areas that logging companies harvest logs from, especially foreign logging companies that continue to rip off people's resources and the benefits are not there to be enjoyed, by not only the current generation but future generations as well. That is why I see this amendment as timely that Parliament should accept it so that the operations of the North New Georgia Timber Corporation can continue. By giving them an additional 15 years is also fitting for it to continue to operate.

With these few comments, I support the Bill.

**Hon LILO:** Thank you for the opportunity to contribute on this Bill. I thank the Minister of Forestry for introducing the Bill.

I think in terms of the conceptual context of the whole North New Georgia Timber Corporation, as alluded to by other speakers, is a very useful concept of promoting commercial operation of resources in the country, and it is a very successful one in the case of North New Georgia here.

Also, I think the whole concept promotes and encourages leaders in the communities that are endowed with natural resources to be wiser and to think very skillfully as to how they can organize themselves to deal with decision making in terms

of resources and how to bring good benefits to the people. I also subscribe to the idea that this kind of concept should be emulated by other parts or regions in the country as a way of promoting a good development of our natural resources.

I think one thing that has been very, very evident in the way this particular amendment has been developed is the commitment portrayed and demonstrated by leaders of North New Georgia in trying to improve and to work towards better improvement to the current arrangement of the North New Georgia Timber Corporation that resulted in this particular amendment now brought to this House.

I sometimes think about how relevant is this North New Georgia Timber Corporation and when the Leader raised that question today, out of the cut, I thought of two possible ways of explaining it. The first one is what the Minister of Forests stated today. I mean the whole concept of North New Georgia is only about two things, and that is it makes easier the process of acquiring timber rights. So the license is vested in this Act and the people make the decision. The management and distribution of the financial benefits are prescribed under the legislations so that it lessens disputes amongst members of the communities. When I sometimes try to reflect on how relevant is this concept, because we were thinking about it too in the case of Kolombangara when Levers left, and we were thinking about what we are going to do with this land when Levers left. Eventually we decided to back up the government's proposal in the early 90's for the KFPL, the Kolobangara Forest Products Limited, which is not quite as the nature of the North New Georgia, but it is somewhere along that line that we have decided to give the government to hold the rights in trust for the people of Kolombangara, and it works.

But coming back to the question of how relevant is the North New Georgia Timber Corporation Act. In a way I do not see any real risk it imposes on the government. Because if you look at the cost, the North New Georgia Timber Corporation bore the costs itself, in fact it becomes net revenue to the government; it is net revenue to government. The government spends very little costs in terms of the administration of it but takes more revenue out of it. In that way it is a very successful story in terms of government encouraging resources owners to develop resources and government gain more instead of spending more on the administration of this Act.

The other issue I have been thinking about is in terms of land dispute; has this concept lessened land disputes. Of course, yes. If you look at North New Georgia I think it is one area there has been very less or decrease land dispute in that area as compared to other areas in the country. If you look at Choiseul, Isabel or Malaita there are increasing cases of land disputes in those places. But in North New Georgia land dispute is less, and so it costs less to the government in terms of administration of this customary land.

In that context, I think the concept of North New Georgia Timber Corporation is still very relevant and can also complement any national legislation framework that we put in place to try to promote development in rural communities or island regions in our country. The Act in itself, if you look at it, and those of who you conceived it including yourself, Sir, and others who have gone past, the concept still remains relevant today. It

is all intended to encourage development to happen in our rural areas, and I think as time goes on, they thought that some amendments need to be made, and these amendments are very useful and I must congratulate the Minister for bringing them forward to be reflected in this particular amendment that is now brought to this House.

But just looking at the specifics of this Bill, for instance, if you look at the creation of a general manager, it is a good one because it leads to strengthening of the managerial capacity of the Corporation where in the past they do not have it and now with this new amendment coming in it should strengthen the Corporation. Although it might be very, very late because they are only asking for extension, the remaining 15 years, but I think more work can be done in the remaining 15 years, and I will explain why I support this Bill giving them another 15 years extension.

The new additions that will provide for audit and financial reporting is very relevant because it promotes good and better governance of the Corporation that obviously may have been lacking in the past, so that the Corporation can be a good, strong commercial entity that will continue to support the economic development in the country.

We also support this 15 years extension because we should not look at it only on the logging side of it. There are potential forest use that can be made in this area. For instance in the areas of conservation forest development, or plantation as alluded to by the Deputy Prime Minister and other research activities that would promote sustainable forest development in this areas. I think giving them an extension of 15 years would see, at the end of the 15 years, some better work would be done to determine what would be the best potential forest use development that the people of North New Georgia can opt for as against logging.

I think the way that the Ministry of Forests through consultation with the landowners and resources owners of North New Georgia have come up with that recommendation, I think they did foresee that there is going to be some good forest use development that they can come up with in the future. Of course, at the same time we have this whole idea of coming up with new forest acts, and what does that mean in terms of some of these legislations, for instance, in here is the North New Georgia Timber Cooperation Act. I think they is scope for these legislations to complement each other, because as I have said, this North New Georgia Timber Corporation Act is an Act that provides the resources owners of North New Georgia to have the right to determine the allocation of who they should award the license to carry out harvesting in their area to, and how should they distribute the financial benefits that come out from that area.

Other issues of forest standards and practices and so on will still remain in the main principal act. But in here it is specific to how the communities and resources owners of North New Georgia can deal with the resources they have there. In that respect I think this amendment is welcomed and one that we should support, and I certainly support this amendment. I also do not foresee that there is any danger or risk or uncertainty in this Bill going forward with other national legislations that we have in the area of forestry, environment and conservation and so forth.

With those remarks, I support the Bill.

**Mr. TOSIKA:** Thank you for giving me time to contribute briefly to this Bill. As others have said, this Bill came about because maybe laws during that time do not cater for the kind of activities that tribes and landowners would have wanted to engage in and therefore they came up with specific laws that govern areas of harvesting and extraction of their resources.

When the Minister for Forests outlined his reasons, I support him when I listened to what he said that the Bill is for preservation of water resources, wild life and trees for medicine and also timbers for making of houses so forth. Logging has been going on in Solomon Islands for quite some time now.

Logging is business, in my own personal view, and is not an investment. It is purely exploitation and a rip off. This is because of the fact that God created the trees standing there and you just bring the chainsaw and cut them down and bring the bulldozers and pull them down to the log ponds and put them inside the ship and export them. There is no downstream processing taking place on those logs. And this has been going on for quite some time; 30 years has gone and North New Georgia Timber and people in that area have enjoyed it and also the government is enjoying revenue derived from the export of logs from those places.

I believe after 30 years of operation, the good people in North New Georgia should by now have adequate funds to engage in logging themselves so that they extract the remaining logs in the next 15 years that they wanted to be extended, the engagement of a general manager and also removal of the Dekurana land from this particular law. At the end of the day, logging comes with what is called ghost logging in Solomon Islands, and I have experienced this when they came with what is called an irrevocable bank guarantee, and this is coming with a piece of paper. They come to Solomon Islands, sign the contract, export the logs and money from the logs is held overseas and only operational funds come into the country, and this has been going on for quite some time now in Solomon Islands. We just merely supporting another country overseas, and we are also supporting the bigger economies in terms of our resources. I do not think we realize that.

I think it is high time that if we want to extend the life of such legislation, we look at the maximum benefit it derives from those resources to go down low as far as people owning the resources so that they enjoy the value of total exports, so that even if government exempts duties from taxes, the benefits go back to the landowners and the people so that they reforest the places that are logged out.

I support this Bill of the extension of its life, but my view is that 30 years is long enough and that there should be enough money generated and is there so that machines are bought. Roads are already constructed in those places, log ponds have been established and so these people, the landowners should already have access to facilities already on the ground. Maybe some bulldozers are already there, excavators there and people have skills already on how to fell trees, how to trim logs, how to measure logs, how to calculate the cubic, all these should have been with the people for the past 30

years. I think it is high time that people of Solomon Islands should take up logging in their own way and for their total benefit.

Logging destroys the natural environment. The Minister of Conservation is there and he would agree with me that today we should be taking serious steps to discourage logging. We have seen with our own eyes that logging has done a very big damage to roads and bridges down there in West Guadalcanal. Big logs come down the rivers and wash away bridges into the sea. What are we trying to encourage?

I think it is high time that government policy should focus at prohibiting the extracting of logs in Solomon Islands. Other countries that are extracting logs in Solomon Islands are prohibiting their own forests from being logged, and this is for the simple reason that they want their forests to re-generate so that they preserve their medicinal trees, protection of their wildlife and water sources because water is very important. In the report of the United Nations, it says that two thirds of the world's population does not have proper drinking water. If we continue to deplete our forests, which are the catchments of regenerating water so that we have good drinking water, our future generations in Solomon Islands will not have water to drink. And we, for so many times are careless about what we are bound to look after in this country.

I think it is high time to amend our laws so that laws encourage people to look after these areas or people must go inside and engage themselves; inside logging so that they can harvest their own trees within these 15 years, and some of their forests still remain their children can again harvest that in future for their own benefits, maybe for building of their houses or may be to support industries like the furniture industries or may be export the trees, little things like that, that will create employment opportunity and create opportunities for future children to enjoy that we are trying to promote in the country.

This law is good but at the end of the day we must try to limit the extraction of logs in Solomon Islands. With these few words, I support the Bill.

**Mr. WAIPORA:** I only have one very important point to make here. At the outset, I would like to thank the Government, especially the Minister for bringing this Bill for the consideration of Parliament.

I am a member of the Bills and Legislation Committee that deals with this Bill, and in one of those meetings I saw some expatriates who are interested in logging and so I thank you for coming to discuss the Timber Marketing Authority Bill, which we have thrown out and then dealt with this one. I was telling them that logging is long gone. We invited one very important person from North New Georgia to come and we discussed very important points with him. I mentioned during that occasion that when I was with the Ministry of Trade, Industry & Labor, expatriates at that time were going up and down, talking about the North New Georgia Timber Corporation. I said what is this, and then the senior people at that time, because I was a junior officer, were saying that they are dealing with a law for areas in North New Georgia. But I did not know that place until today, and I am happy that the Minister informed us about the reasons

for having this specific bill for areas in North New Georgia to have a separate law to control their resources there.

The point I want to raise here is that if you go around to all the log ponds around the country, you will see a lot of logs rotting, off-cuts and so forth. I am worried about this, and so I think these people of North New Georgia are lucky to have this kind of arrangement that binds them and they can be in control of themselves.

In my submission today I want to advise the good people of North New Georgia to control their timber in this way. They should mill their own timber and they should bring in a company from overseas with a plant that can grind timber into massonite, aconite and so forth, so that timbers are not rotting away like what is happening in a lot of log ponds that I have seen.

I visited mainland China some years ago and I was taken to one of their plants where even tree branches, tree roots, off cuts, tree stumps are milled. They make use of all parts of a tree. That is why I think it is a good model if those people in North New Georgia could try to look into this as it would be helpful to them because it is their own timber. I specifically mention this because they have the power, they are protected by this Act and they can organize themselves not like some of us who argue over logging and nothing good comes out of logging.

When we look at this North New Georgia Timber Corporation Act, it is a very good model that if possible can be adopted in other places as well as it also reduces land disputes because the special groups owned it under an act. It is very important to be protected, especially with this kind of act so that small groups can organize themselves so that their resources are not wasted. The Member for West Honiara mentioned the side effects of logging and so I think it is high time for us to produce finished products in our own lands where timbers are milled and the waste parts are also used at the same time too.

When I was taken to this plant in Mainland China, I talked with a person there and he said that they do not have any trees and so they have to go right up to Russia's boundary to get these trees down here. That is what he told me. Then he asked me about my country and I said that my country is still a green country. He also asked me about any waste dry trees and things like that and I said that we use them for firewood for cooking. Then he said what a shame! It is important that loggers, people who are interested to go to landowners for logging must try to improve it too, and not just interested only in round logs for export. They must come in with other alternatives so that Solomon Islands can benefit. We must be specific in our product. My point is that the North New Georgia people are lucky to have this special act that enables them to control their own resources without land dispute.

Since I have exhausted myself when dealing with bills, this bill is very important because it is very important for people down there that have their own act that protects them to control their own resources. They can issue license, they can negotiate with people who they want to do business in their area, especially with timber. They have all the power that is protected by this Act to make their own decisions in the issuing of licenses and exporting of their resources.



The Forestry Bill must come in with that kind of provision too, and also the points I raised should be protected. And we in Solomon Islands must make use, full use of our resources. We must know that when we export round logs, maybe only \$30,000 is for one log and the rest we do not know how they are calculated.

Many years ago I heard about this, especially during the times of expatriates when they were dealing with this Act back in 1979, I heard about it and now today I am lucky to hear the Minister explained why they came up with this special Act for people in North New Georgia. Because I see it as a very good arrangement I fully support the Bill.

**Hon. MAELANGA:** I am going to be brief just to show my support for this Bill. First of all, I would like to thank the Minister of Forests for bringing this Bill before the House.

As other speakers have stated, for me this is also my first time to see this North New Georgia Timber Corporation Bill. I think it is very important and I see why the people of North New Georgia have the wisdom of coming up with this Act for safeguard of their resources. That is why I see it as very important.

The point I would like to put here in contributing to this Bill that I see as very important is that although we might have the Forestry Act in place, sometimes it does not cater for things that our people or landowners want. Sometimes the Act does not cater for what people want. That is why I see it is very important. That is the only way we can avoid land disputes. That is why I am standing here to support this bill because it avoids land dispute. I really support this Bill because of that reason. I think it is very important especially to some of us who just see this type of bill put before us here by the North New Georgia Timber Corporation. It is important to some of us Members to look into it so that we can help our own people too in our constituencies.

As I have said this is very important especially to some of our areas as this kind of Act can safeguard our people in the harvesting of their resources so that there is no dispute, because the Act safeguards them, and any financial benefits from the resources will benefit all tribes. That is why I see it as very important.

In regards to extension for another 15 years, it is fitting. Also the position of a general manager as required in this Act is the need of this Corporation and so it is proper. The Corporation needs a manager to manage its affairs properly so that people in that area can find good and receive equal benefits among their tribes.

The important thing that I see here is that it will really help corporations if those of us in our constituencies need to. It is also good that the government accepts this Bill and sees it as fitting. Even though we have the Forestry Act but other corporations formed in our areas or constituencies need to have their own acts to safeguard them too, especially the important thing I see here is land disputes. That is the area I see as very important and that is why I support this Bill, and I congratulate the people of North New Georgia for seeing it fit to continue safeguard their resources. I thank the Minister once again and I support the Bill.

**Mr. AGOVAKA:** Mr. Speaker, you would remember last year during the Public Accounts Committee hearing, the Permanent Secretary of Forestry was saying to us that the logging industry is a sunset industry, and so I was a bit confused when I saw the North New Georgia Bill came to Parliament because I thought that the logging industry is a sunset industry. It was revealed at that time that in two to three years time we would have harvested all our logs.

**Hon Sikua:** (*interjection*): Sunset in Central Guadalcanal.

**Mr. Agovaka:** Yes, Central Guadalcanal has some logs but we are not harvesting them.

Coming to this Bill, it is interesting to note the fact that the North New Georgia Timber Corporation Act was established mainly to gather all the customary lands in that area for the Corporation to hold in trust for the purpose of logging and timber milling.

When I read the report of the Bills Committee, I noted that there were only three representatives present during the hearing. This makes me to wonder whether the landowning groups were fairly represented in the hearings so that we can actually hear the views of what the landowners have experienced through the period of corporation. We were not able to hear the views of the landowners hence we could not get whether it is a successful story or not.

It is important also for us to note in the report of the Bills Committee the definition of timber. Without knowing the definition of timber, the Corporation gets away with production of round logs and not downstream processing. The Ministry needs to come up with the definition of timber. What this Act really says here is that it is the North New Georgia Timber Corporation and not the North New Georgia Log Corporation. We need to come up with what the definition of timber really is. Maybe the Ministry of Forestry has the definition.

Another thing I noted also, and let me go back to a story to express this. We were in Manila in the Philippines and we were shown two logging companies. One of the logging companies there imports log from Solomon Islands and we saw awkas and we saw many of the logs imported from Solomon Islands to the Philippines. What one of these companies did was build houses, pre-fabricated houses from our logs that were exported to the Philippines, and they are making millions of dollars out of that downstream processing.

Whilst I note the report by the Bills and Legislation Committee, and I agree with them that the potential for the Corporation to go into commercial logging and downstream processing is important. Instead of allowing overseas companies to come and harvest their logs and process them, they should take the ownership of doing it by themselves. I think it is important that the Minister who is also the Member for North New Georgia takes note of this and does something to change the direction of the Corporation so that it goes from selling logs to foreign companies to harvesting the logs themselves.

The other thing I would like to note here is that the law governing the exportation of forests in Solomon Islands is vested only on the Forest Resource and

Timber Utilization Act, Cap 40. Now that we have enacted this Bill, the North New Georgia Timber Corporation (Amendment) Bill, in my view and also the view of the Bills and Legislation Committee, it is a duplication of the country's timber process and procedures. If there is going to be a court case, which of the law are we going to take on board. Is it the North New Georgia Timber Corporation Act or is it the Forest Resource and Timber Utilization Act, Cap 40?

I also noted in the report that whilst I appreciate all the good things the Minister has said, it is important for us to take note of the Bills and Legislations Committee report so that the government and also the Ministry of Forest will be able to act on it to give us a better understanding of what we are trying to achieve.

With these few remarks I beg to support the Bill.

**Hon MANETOALI:** Thank you for giving me this opportunity to contribute briefly to this Bill. Firstly, I would like to acknowledge the Minister of Forestry for bringing this Amendment Bill to the floor of this House for our deliberation.

I would say from the outset that I support this Bill for the reasons I am going to explain as I go along in my submission.

In Solomon Islands we have two acts related to the forests. We have the Forestry Act and the North New Georgia Timber Corporation Act. But I would like to say that the North New Georgia Timber Corporation Act is a model for this country. These two acts operate differently. We have the Forestry Act where you have to go through the process of timber utilization, you have to have timber hearings because of disputes and the process is a long process. In regards to the North New Georgia Timber Corporation Act, the landowners or the landholders transfer their ownership of all timber on the customary land of landowners to the Corporation. In fact, the Timber Corporation, the North New Georgia Timber Corporation stands as a trustee for the landowners. The Corporation acts on behalf of landowners. It can enter into agreement on behalf of landowners, it receives money on behalf of landowners and it spends money on behalf of landowners.

The North New Georgia Timber Corporation is suitable for communities and tribes that work together and do things together, and also those who cooperate together. The Forestry Act is suitable for communities and tribes that do not work together or do not accept to work together and so have to go through that process. The North New Georgia Timber Corporation Act, as everyone have already mentioned, only applies in North New Georgia and cannot be applied elsewhere. As I mentioned earlier on today, this Act is a suitable model for this country as others have also pointed out earlier today that it is a good idea for this country to have a timber corporation like this one.

Yes, it is true that this arrangement under the Timber Corporation Act, there is no land dispute. But one of its problems sometimes is that there is dispute of the trustee. That is a problem that normally comes out with this arrangement. But at least there is an act, the Timber Corporation Act that resolves this issue because we can have good trustees and at the same time we can also have bad trustees. Dispute is not land dispute but there is a trustee dispute maybe because of the use of the fund or maybe the

agreement entered into by the trustees is not accepted by the landowners. The dispute is there but the good thing is that we have the Act there to resolve any disputes between trustees, between landowners and trustees. We are so fortunate to have this Act, the North New Georgia Timber Corporation Act.

I want to reiterate once again that this is a model for Solomon Islands, and I want to thank Minister for bringing in this amendment to improve the Act and also to extend the time period requested in this Bill. Therefore, I support the Bill and I beg to take my seat.

**Hon. SOALAOI:** I would like to support my colleague Minister for bringing this amendment Bill to Parliament. I think this is a fine example of how people are working together for their good. I know that processes and procedures for exportation of forest resources are catered for under our current Forest Resource and Timber Utilization Act. However, in the absence of a national legislation, I think the people of North New Georgia have done themselves good by coming up with this Act. I must congratulate the Member and his people for this fine example. I am impressed to note that since 1979, this Corporation has become a vehicle of development for that particular area and it also has become a uniting factor for the different tribes of that area.

The other points raised by other speakers, I totally agree with them, however, the only other thing I would like to mention is that, I think, this same arrangement can also be done in other areas, and not only forest resources, especially for us people who come from areas that have a lot of marine resources, this kind of idea can be applied to our marine resources and can also be done for other types of natural resources that we have in this country.

This Amendment Bill has my support and is a fine example of how people from a particular area, especially when we have tribes and people with different interests from different areas where land dispute is common in our country, and I think land dispute has been avoided in North New Georgia because of this corporation, and that is why I congratulate the Minister for coming up with this. I am in support of the extension of 15 years given to the corporation. If it works for them then I do not see any reason why they should continue to get extension of how more many years they want.

With that, I continue to urge the Ministry, if not now but in the future that we are expecting the Forestry Bill to come to Parliament which should cater for the rest of this country. Having said that, I shall be very, very brief and I wish to once again express my support for this Amendment Bill.

**Hon. SIKUA:** Thank you for giving me this opportunity. In fact I was not going to get up and say something as the Government supports this Bill in government Caucus and Cabinet. However, I thought I should get up to clarify some of the points that were raised in relation to the definition of timber and how the principal act operates, define timber as well as the exclusion of the Forest Resources and Timber Utilization Act that the principle act allows for.

But allow me to, first of all, thank the Minister of Forests for bringing this Bill before Parliament for us to debate. As you know, the North New Georgia Timber Corporation Act comes into force in 1979. The Act was established for the purpose of, as expressed by my two Ministers for Forest and Lands, establishing the corporation known as the North New Georgia Timber Corporation, the principal object of which shall be to promote the utilization of timber resources of North New Georgia for the benefit of customary landowners of North New Georgia.

The Act transfers the ownership of all timber standing on the customary land of the landowners of North New Georgia lands to the corporation as trustee for those landowners who shall be the beneficial owners of the timber. The principal act defines timber to mean trees of every description with the exception of goliti, ngali nut, sago palm, breadfruit, mawana, bow and betel nut. That is what the Act defines. They are in terms of definition of trees.

In relation to the Forestry Resources and Timber Utilization Act, the provisions of the Forestry Resources and Timber Utilization Act, except section 43 thereof shall not apply to this act of the North New Georgia Timber Corporation, and section 43 the Forest Resources and Timber Utilization Act says that nothing contained in section 241 of the Lands and Titles Act shall prohibit or invalidate the acquisition by a person other than a Solomon Islander of any right to cut and remove any trees growing on customary land or/of any right of access to/or over customary land for the purpose of cutting or removing trees growing on customary land. That is what section 43 of the Timber Resources & Utilization Act is saying. It refers to section 241 of the Lands and Title Act and that section states the restriction on disposition of customary land which says, "except to the extent to which the contrary is expressly provided in this Act, no person other than a Solomon Islander may hold or enjoy any interest of whatsoever nature or/in over or affecting customary land". In this case, I think the North New Georgia Timber Corporation Act operates independent of the other acts that were referred to except for this section I have just read that when it goes to the Forest Resources & Timber Utilization Act and the Lands and Titles Act.

Coming back to the extension and the purpose of this Bill we are discussing, as I have said has the support of government in so far as the specific details that the Bill requires in terms of the extension for another 15 years. I think the extension of 15 years is already explained by the Minister himself the reasons why it was reduced from 20 to 15 years. The establishment of the position of a general manager is very important because the schedules to the Act only talks about the appointment of directors. That is Schedule 1, and then Schedule 2 talks about the appointment of directors. So you do have directors and then you have the 3<sup>rd</sup> Schedule talking about the distribution of profits, and then financial provisions as well as general meetings of members, and going on to the powers and duties of directors and proceedings of directors. I think this is a very welcome improvement to the principal act where they will now have a general manager that will be responsible for the management operations of the Corporation.

As I have said that I just want to clarify some questions and issues that have been raised but otherwise this Bill has the support of everyone in government. With those comments I support the Bill.

**Mr Speakers:** I noted that other members wish to contribute still and so I shall suspend sitting until 2 o'clock.

*Sitting suspended at 12:28 pm.*

*Parliament resumed at 2.21pm*

**Hon. TOZAKA:** Thank you for giving me the floor to contribute very briefly to this Amendment Bill by my colleague, the Minister of Forest and Member for North New Georgia.

I would be very brief in my contribution. I know that this is a straight forward amendment bill to the principal act. But I would just like to join other colleagues who have contributed to the Bill in acknowledging and recognizing the people of North New Georgia for availing their resources for the benefit, not only for the people and landowners of North New Georgia and the people there but the nation as a whole, Solomon Islands as a whole.

We have already heard the history of the North New Georgia Timber Corporation; it is common knowledge already in this House. It came at a time when our Government, during that time, has just attained independence and recognized our resources; it recognizes the importance of our people to participate in managing their own resources, recognize the importance of opening up of our resources; opening up our land, and opening up the things that we own in our country and share with others in the country, and that challenge presents itself at that point in time after independence.

The same thing happens when we look at the Provincial Government Act. We were looking at devolving the functions and powers to the provinces. This is the era when this particular Timber Act emerged. It was out of that scenario at that point in time. The government then looked at it and then came up with this model. There is the complication, of course, of our land tenure system and also how we are going to share our resources in our country. We came up with this model and the government also would like to participate in it so that it helps our people on areas the Government sees fitting for it to participate in to help people in North New Georgia. So it is not only the North New Georgia Timber Corporation, but it is actually an investment flag career in timber harvesting in Solomon Islands, and I think it is still today.

The benefits of this model could only come from no one but the people of North New Georgia themselves, the landowners who own the resources, the timbers and the logs that come out of that place. We have our own ideas, as to how it benefits them. But this is a powerful corporation, it is a modern thing, it is a modern institution that was imposed at that particular point in time to our people who are only ordinary gardeners, plantation owners and they come to be involved in this. But it was good of our

government for giving them a chance. The direct beneficiaries of this arrangement can be found at this particular time. The corporation was engaged, as other colleagues have mentioned, in property ownership which was a direct sort of benefit or arrangement or involvement of the corporation. Indirectly, as far as I know, they were heavily involved in reforestation in North New Georgia. I think we all know that one of the leading reforestation areas is in North New Georgia. When the trees are all gone I am sure those people already own trees in the plantations there to take over. They have their own plans and their plans are going on quite well according to their understanding and according to the way they manage their resources. As other colleagues have said, it is a very good model that some of us would like to try. For us in North Vella we tried the Baga Island, Baga Island was mentioned by the Minister, unfortunately we did not have that skill at that point in time, and so we fail. We also did not benefit from it, and so we still have to learn from the 'big boys', so to speak or big projects so that we could learn as to how we can improve from the experience of others.

The Minister must have a very good reason for introducing this bill. He must have a good reason because after 30 years he has come to suggest that we must extend the time period of this operation to another 15 years. I would have thought that he would just say it is finished. From my experience it is not working and so I should just stop from here. But he proposed it is a good idea to give them another 15 years of operation. Now this again we must congratulate them and thank them that the Government is going to benefit from the extension of the period of operation by this Corporation.

One thing I am in support of the Minister very much is on the area that other speakers including the Leader of Opposition have mentioned and the Prime Minister himself is on the organization and management of the Corporation. We all know that many organizations of the same nature have failed in management. We blame these corporations but management is the cause of it and that is why it has taken them that number of years to come to this decision, but I recognize their decision of coming with this idea or this very important point of having a general manager to manage this corporation.

This Bill does not stand alone, it is not a lonely bill. I am sure the Minister has seen it fit that time has lapsed, and I am talking about colonial times. The Deputy Leader of Opposition who is a colonial person knows that was a long time ago, now time has lapsed and seeing that we have to move on and introduce new systems, new ways of doing things, and so I am sure this is one of the reasons why the Minister would like to extend the timing so that he could capture the new thinking and new ways of improving the Corporation at this point in time. Therefore, I wholeheartedly join other colleagues in thanking him for introducing this Amendment Bill. I am sure these changes to the principal act would contribute to the effectiveness, efficiency and productivity of the Corporation.

Sir, with these few words I join other honorable colleagues in supporting this Bill.

**Mr ZAMA:** I just want to add my voice to the debate of this Bill. But before doing so, I would like to thank the Honorable Minister of Forest for introducing this Bill.

I understand it is a difficult bill for him to deal with, especially presenting this bill because this bill directly affects or comes from the area that the Minister represents. Nonetheless, I have, for the last 30 minutes, read the Bill and the objects are very clear. Firstly, this Bill seeks the approval of Parliament to extend the period of operation of this Corporation for another 15 years and secondly to establish the position of a general manager and thirdly to provide for other minor amendments.

Whilst I have something to say on this I would be very brief. First, I do not have difficulty in as far as the extension period required here is concerned. But that said, we are now 30 years on after this Act came into inception. I think 30 years is almost as old as this country and there could be a lot of things Solomon Islands could probably learn from this corporation if there are things we need to learn from it and there maybe other things that we could learn on the negative part of it as well. But this Bill deals with a corporation that indulges itself in forestry. The thing I want to say here is that if these 15 years are extended to this corporation, what would be the good things that will be coming out of the corporation?

Now, we have seen the operation of this corporation, and my little bit of reservation here is that I think the government over the last 30 years has failed the forestry sector in the big picture. Our resource owners throughout Solomon Islands have not benefited directly from their resources. That is true as the picture I see in Solomon Islands. And this is not the making of the people, but governments over the last 30 years have failed miserably to directly assist our people to directly benefit from their own resources. The way things are going on now in the Forestry Sector will continue to make our people to be spectators. This is how I see it. I think the Government should be directly assisting our people in Solomon Islands to directly benefit from their resources as well.

I am raising this issue because we may extend this for another 15 years and if there is no direct injection of government assistance and support to the corporation in as far as what it wishes to carry out, I think it would be just another status quo. But that said, since this is an act of Parliament that establishes this corporation then it must come on the floor of Parliament for extension. And for that, I do not have difficulty as I have said.

The establishment of the position of a general manager to replace the secretary or whatever that maybe as I was unable to get the principle act, but I think there ought to be some form of transparency and accountability in the manner the business of the corporation ought to be conducted. And I say that before with all good intentions. I do not have difficulty supporting this Bill but I simply just wish to raise the concern that I think the government has failed over the last 30 years, not only towards this corporation but towards all resource owners in Solomon Islands for not directly assisting them. The practice in which the Forestry Sector is being utilized, the resource owners, up until this point, are still not getting maximum benefit from their resources, and this is just a broad picture. That is why some people have termed this a sunset industry or sunset sector.



Others may have their different terminology about the forestry sector. But there are a lot of good things we can see from this corporation whereby people are working together, involving in reforestation and some other community aspirations for development. But what is initially good for the North New Georgia Timber Corporation may not be good for Central Kwara'ae or maybe for East Malaita or maybe for North Vella La Vella. But what is good can be extended because we are seeing some benefits in terms of forest replanting.

But that said, as I said I will be brief, I think the manner in which this Bill is moved is in order and so with those few remarks, I support.

**Hon. Tausinga:** First of I would like to thank honorable Members who have contributed to the debate of the North New Georgia Timber Corporation Amendment Bill 2010. In situations, where you have contrary views on a matter in debate, you tend to speak long to explain the opposite views expressed by colleague members.

The North New Georgia Timber Corporation has overwhelming support by Members of this House and therefore it would not be appropriate, in my view, for me to speak long on the debate and in my submission. There are comments made in respect of the NNGTC Amendment Bill debate, and much of what were said are on policies and operational matters, and in a situation where you have issues raised which are not related to the bill, it would be erroneous for me to talk about things that are irrelevant.

The North New Georgia Timber Corporation Amendment Bill 2010 is very specific. The principal act in itself is designed for a specific area for a specific people. It has no general application throughout the country. On that context, the suggestion that it might duplicate the timber acquisition process is not correct because duplication can only be true if there are two legislations that have general application to the country. In this instance, there is no general application of the North New Georgia Timber Corporation principal act or the amendment that can duplicate it in its entirety.

I think that which perhaps need me to advise the House about is the comment of the Leader of Opposition in relation to the new Forestry Act whether it may have something that relates to North New Georgia or not. It would be very wrong for me to suggest so. The new Forestry Act is now in drafting stage, and it is entirely different and it would be, as I said, wrong for me to preempt the content of that new legislation. But overall, I think the debate before the House is very encouraging for our people in North New Georgia, for again they will continue to participate in the development of the country and play their part towards the support to the government.

There are environmental issues that were raised by the colleague Members. These too are operational matters and do not need me to go further to explain those issues. Timber control on harvesting again is operational matter and should not draw my attention to continue debate on those irrelevant issues.

The North New Georgia Timber Corporation Amendment Bill 2010 seeks to amend specific areas in the Act, and I think the areas are those I have highlighted already in my introductory remarks. But for purposes of recap, these amendments in

relation to the extension of the Act are for the next 15 years and would have a retrospective effect to 3<sup>rd</sup> September 2009.

The other one, as I said, is the establishment of the General Manager. This is purely a position to be responsible for the day to day operations of the entity. The audit part of the amendment is to keep proper records on the transactions of the entity. There might be people who feel there maybe something wrong therefore we have to put in that particular amendment. Yes, but also importantly, that provision is not to find dishonesty but rather to protect honesty.

The final amendment is the exclusion of the Dekurana land area without affecting any rights' interests or benefit of the owners of the Corporation. These are basically the elements of the Amendments. Without further confusing Members of Parliament I suppose, I beg to move.

*The Bill is agreed to*

### Bills – Committee Stage

The North New Georgia Timber Corporation (Amendment) Bill 2010

#### Clause 1

**Hon Sogavare:** Maybe to urge the Ministry to explain this dealing provision to have this Amendment Act come into force on the 3<sup>rd</sup> September 2009, as the Minister said has retrospective application. I just want to seek clarification from the Ministry and maybe the Attorney General about any actions that maybe criminal in nature. Since the Act has retrospective commencement, it covers that, what will happen to actions that may not be proper?

**Attorney General:** There are two points here. The first one is this Bill will only deal with matters that are already in this Bill. I think that is point number 1. Point number 2, as a matter of constitutional law, there will be no retrospective law affecting it. The principle of law is that an offence is only an offence if there is a law in existence at that time, and so if it does not exist at that time then it is not a law. We need to go to constitutional provisions to explain that, but that is the base of the law. Therefore, whatever the deeming provision we have here is not going to affect the constitutional provision.

**Hon Sogavare:** Just for the Ministry; so this retrospective application is only because the Act expires on the 3<sup>rd</sup> September 2009, and Parliament does not meet until now, and that is why clause 1 is worded that way. It is only because Parliament does not meet at that time to deal with this Act and that is why this extension starting from September 3<sup>rd</sup> 2009. Is it only because of that reason and not any other reasons?

**Hon Tausinga:** Subject to the Attorney Generals further explanation, but the North New Georgia Timber Corporation expired in September last year, but the actual liquidation of the Corporation is not affected. Then the Board of Directors and people submitted an intent to renew or to amend for extension. Under that context and the fact that it is not liquidated, there is reason that when it is extended now it is still in order.

**Attorney General:** Just an addition to that, section 14 in the principal act says 'upon expiration of 30 years from the date of commencement in the Act, the Corporation shall be wound up in accordance with the provisions with the Companies Act'. So it will wound up in the normal way. However, that wounding up did not take place and 30 years, as the Prime Minister has alluded to earlier on today, started from the commencement date of 3<sup>rd</sup> September 1979 which is noted in the Principal Act. The company was never wound up and so it still exists except that the rights vested in that corporation have ceased and that is why it needs to be validated and backdated to the date it ceased.

The Principal Act automatically vested timber rights on the lands listed in the Corporation. So although we have the company not yet wound up but the vesting comes to an end, the automatic vesting of timber rights vested by the law on the corporation has come to an end on that day. They may have carried out some business activities and so those business activities may or may not be lawful because the vesting of the rights have ceased between 3<sup>rd</sup> September up to now. This kind of retrospective commencement date will validate whatever business activities they have been carrying out from the date the vesting of right ceases to the date when Parliament passes the Bill.

*Clause 1 agreed to*

## Clause 2

**Hon. Waipora:** For whatever reason the corporation was without a general manager for the last 30 years, who actually managed the corporation without a general manager.

**Hon. Tausinga:** The corporation had a secretary for the past years that also acted as manager, but we thought of putting in here a provision that really stated a manager that needs to put there, and that is what is required and so that is what appears in here.

**Mr. Waipora:** In addition to that, the Honorable Minister has answered the question. Although he may not be here but how many members are in this corporation so that when a general manager is put, he will be the general manager for the management of the corporation. How many members?

**Hon. Tausinga:** I think the Member meant the trustees. There are five land areas and so multiply five to each of these land areas then it is about 25, and these are the board of directors.

**Mr. Agovaka:** Therefore, what the Minister is saying is that the board of directors were the initial managers of the Timber Corporation. That is the first part of my question. My second question is, with this arrangement now with a new general manager, he will have administrative supporting staff, is that the case?

**Hon. Tausinga:** In fact, the 25 trustees formed the board of directors, which means they sit at meetings to discuss what the interests of the corporation are and what will go to the people. It is a board of directors that looks after the affairs or the policies of the corporation and the people there. They are not really paid people because they only come for meetings and after the meetings they go back to their homes. For example, if meetings are called twice a year they only meet two times a year, and so they are not fulltime employees of the entity.

Apart from the general manager, if the board so wishes to appoint other assistants to assist in the work of corporation, it can move a resolution for people to help the general manager. There are areas of operation, for example, the forestry site they might be interested to appoint forestry rangers or forestry officers to look after replanting or to look after other forestry interests of the corporation.

**Mr. Folotalu:** I just want to know whether this post is to be localized or for expatriates?

**Hon. Tausinga:** The appointment of a general manager is for the board to decide on, which means if they want an expatriate they can but if they want a local they can take a local. But experience has it in past years that the secretary/manager is just a local.

**Mr. Waipora:** Just a question to do with land in New Georgia. I suppose this land is a registered land or purely customary land.

**Hon. Tausinga:** All the lands mentioned in this Act are all customary.

*Clause 2 Agreed to*

Clause 3

**Hon. Kwanairara:** Why do you want to change from 30 years to 45 years? Have you been doing any activities within the corporation?

**Hon. Tausinga:** The change of 30 years to 45 is the amendment we put in, and so if you count those 45 years it is inclusive of the 30 years in the principal act before this amendment is 15 years.

**Hon. Sogavare:** Just to seek the views of the Minister. This seems to be a very good arrangement and it could also apply to other things that the corporation would like to do, and not only restrict it to timber operations.

This whole idea of extending it to 15 years is a decision we are making here now. I do not know but if it is a good arrangement why not allow it to go on forever, an act that provides a legal mechanism to address some specific developments in North New Georgia, to be extended beyond timber and cover other areas. I understand that a lot of other things too are happening in North New Georgia, and we should commend the people there for great developments that are happening there. This idea of just restricting it to 15 years extension, maybe we could look at the idea of letting this Act to go on forever but provide a legal mechanism to address the development in North New Georgia. Has this thought ever come across the Minister's mind?

**Hon. Tausinga:** I think it is a very good suggestion to amend it beyond 45 years to 50. The timber corporation is for harvesting. Data is available and it might go as far as 15 years, so in the meantime it is put at 45 years on the basis of that data. But nothing stops us if there are some more trees left. When felling some trees other ones are become to be cut or the reforestation that the Corporation owns matures for us to cut again.

Should we find 45 years to be short, in view of regeneration and reforestation, we can always come back and ask for extension for additional years. But in the meantime on the natural forest that is available, data suggests that it might be the next 15 years.

**Mr. Oti:** In regards to the extension of 15 years, I also understand that the current felling license under which Golden Spring holds will expire in 2014. That somewhat coincidentally ties in with this extension to end in the next 15 years.

That said, I would also like to ask the Minister also, because of the removal of one of the original land holding trustees, the Dekurana Customary land area, whose timber rights are considered under this law for the last 30 years, what happens now that they are not part of that establishment or the corporation? What is the validity of the operation inside the Dekurana Customary land area with no longer application of the scope of this legislation on them? What do they fall back to? Do they fall back to the Forest and Timber Utilization Act to access their customary land? Lastly because of that, what happens to, whether Golden Springs rights to the Dekurana Customary land area is also affected one way or another by this change?

**Attorney General:** With the removal of Dekurana, as of the date of commencement of the Act, the Corporation will not have any more right to enter into Dekurana land. In fact it will cease on the date of expiry last year, and so any validation will not be carried over to Dekurana, because Dekurana has been already removed.

When we come to Clause 6, we will see that any interests belonging to Dekurana tribe or land owning group would still survive. I am just trying to explain the point. If there are some benefits accrued already and the Dekurana tribe is entitled to, that accrued right will not be affected, the Corporation still owes them, (the Dekurana tribe)

in respect of those accrued rights. That is what you will see in Clause 6 when we come to Clause 6.

As far as the right of the corporation to carry on any logging or to grant any license in respect of Dekurana, has already ceased, and is not validated under this bill.

**Mr. Kwanairara:** Who ceased the license from Dekurana?

**Attorney General:** It is the operation of the law because it is law that vested the right on the corporation, and when the law lapses or finished that right also expires. So it is by the operation of law.

**Mr. Kwanairara:** But I would have thought it is covered under the license of the logging company, Golden Springs.

**Hon. Sikua:** If you would recall when we discussed this particular bill at the Caucus level, there are some submissions made by the landowners of Dekurana, which in the first place were inside and then another submission came in, it was the Dekurana landowners themselves that say they are excluded. These are the submissions we work according to, and so they are excluded from this amendment. I think that is the question the Honorable Member for North Malaita is trying to ask.

**Hon. Tausinga:** What the Prime Minister has just said is true. When Dekurana was excluded it means it is finished to be part of the corporation as of the expiry date. This new amendment includes only four land areas namely Gerasi, Lupa, Rondana, Koroga. But the exclusion of Dekurana does not invalidate the license the Corporation has given to the company that is harvesting the timbers. In actual fact, only Dekurana is excluded but the license is still valid and it is that license that runs with the arrangement up to 2014, and the amendment we are debating now is to extend it to the next 15 years.

**Mr Oti:** I thank the Minister for that explanation and also for the Attorney General. In fact, that was the issue raised in my original question that even if Dekurana ceased to be part of this area of coverage, but the license of Golden Spring still applies by virtue of the license coverage in the first place because that license has not been reviewed to also exclude Dekurana Customary Land. That is the first part of this question.

Secondly, because the license still applies, if indeed the license given to Golden Spring still applies but the Dekurana customary land area is no longer part of the coverage of the Corporation, would the accruing of returns from logs extracted from Dekurana will no longer be channeled through the Corporation but will go direct to the Dekurana Land Holding Tribes?

**Hon. Tausinga:** There would be no logging on Dekurana and so Dekurana is on its own now, it is no longer in the Act. Any agreement it entered into by virtue of this

amendment and it ceased to be part of it on the expiry date, it is excluded from the current four lands; it is no longer in the agreement.

**Mr Waipora:** We are still on Dekurana, although we have not reached the place to discuss it but because it is mentioned I have to ask another question about Dekurana again. I thought that because Dekurana land is out, certainly the land for logging is also reduced and so I do not think it should be extended to 15 years. If the land increases then it makes sense to increase the number of years. That is the reasoning I have. But here we are taking out one part of that land and then we extend it to 15 years. That is what I do not understand. I think the Honorable Minister will answer me but that is my reasoning on this. I thought that since Dekurana is taken out why is the number of years increased to 15 years instead of reducing the years to 8 years or 7 years or something like that.

**Hon. Tausinga:** I believe if I continue to talk in terms of land area I will continue to confuse the Member still. What is available from data that is provided for purposes of operational plan indicates up to 15 years for the remaining land areas. I think if Dekurana is included we will find that we will go for 16 or 17 years but the current lands can sustain the operations for the next 15 years according to data.

**Hon. Sogavare:** Then make those data to be consistent. When the Ministry came to brief the Public Accounts Committee last year they said that the loggable areas will be all finished within three years in this country. That is what they told us, and here it will be 15 more years before we can finish logging of those areas. Is the national data that the Ministry has that they used to come and brief the Public Accounts Committee about also takes into account as well the number of years needed to log these areas, and that is why it comes up to three years? How do we reconcile these two figures that come from the Ministry?

**Hon. Tausinga:** The harvesting of timber resources in North New Georgia was done on selective logging initially, which means some trees still remain standing until they reach the last land areas, and now they are going back to back fell what is matured now that were put aside in the past on selective logging. That particular technique of logging might have some leftovers which they are starting to work on because they calculated it might go as far as 15 years.

*Clause 3 agreed to.*

#### Clause 4

**Hon. Sogavare:** I want the Minister to clarify to us the incorporation of this new section 8(a) on the audit and annual report provisions. Is this saying that the Corporation has not been submitting reports or has it not been a requirement for the last 30 years?

**Hon. Tausinga:** The Corporation has been doing some accounting work but is not really part of the law, the North New Georgia Timber Corporation. It was a law, maybe in the Companies Act that it used and it submitted, I think, to the government. But my experience has and the experience of the Corporation in recent years there were no proper accounts kept and as such do not have any auditing accountants. To have that provision put in here would oblige them proper that they have to do auditing and must look after accounts.

**Hon. Sogavare:** So without the benefit of reading the left hand page to this amendment, it is a requirement in tabling this report in Parliament. Is that the case?

**Hon. Tausinga:** It is not for tabling of the accounts to Parliament, but it is just for proper record keeping and to see the working of the Corporation.

**Attorney General:** In the third schedule to the Principal Act there are financial provisions applicable to the Corporation, as to whether it complies with that part of the schedule is something I do not know, but there are financial provisions for keeping of accounts under the Principal Act.

**Mr Folotalu:** This provision is not clear whether this is a wantok auditor or an independent auditor or friends or what, it does not state it clearly here. Otherwise this timber corporation just simply appoints wantok auditors. It is not clear in here. Can the Minister clarify that to us?

**Hon. Tausinga:** I should have thought that, that particular area is the responsibility of the board to appoint the auditor.

**Mr Oti:** In relation to a question that has been raised that is the expectation that this annual report or accounts of the Corporation is going to appear here as a parliament paper. I am just wondering about the definition of the word in sub paragraph 4 of 8(a), "the Corporation shall lay the annual report of the Corporation". Lay it where?

**Attorney General:** If the Member was referring to paragraph 4, towards the end of that same paragraph it says, 'at a meeting held under Section 8'. That is towards the end of the paragraph.

**Mr Oti:** Without the benefit of what the original Section 8 for the information of the Committee, can the Attorney General tell us what is Section 8 of the law says. This is Section 8(a), but what is the requirement of Section 8. Thank you.

**Attorney General:** Section 8 is basically the provision dealing with general meetings of the Corporation. Section 8 deals with auditor and annual reports, and that is envisaged



to be part of the proceedings of the general meetings. Basically as what we see as in 8(a) at the moment. That is why in sub clause 4, the Corporation is required to lay the annual report at a meeting held under Section 8, and Section 8 talks about the general meeting of the Corporation, which is the annual general meeting.

**Hon Sogavare:** So can you confirm to us that there is no requirement to lay the annual report in Parliament.

**Attorney General:** That is not the text in the Bill. There is no requirement for the laying of any report or accounts before Parliament.

**Hon Sogavare:** I would like seek the clarification of the Attorney General that since this is a corporation established by an Act of Parliament, an Act made by this Parliament, does Parliament have the right to see that report.

**Attorney General:** This is a somewhat private corporation. The Parliament merely enacts the law for a private corporation. But I do not know there is anything prohibiting the company from exercising or laying its report, utilizing provisions of the Standing Order, like the Standing Order 17. In fact, Standing Order 17 allows any paper to be laid before Parliament. Perhaps the Minister of Forest can utilize Standing Order 17 to bring a paper or a report of the Corporation to Parliament although it is not expressly stated here. Otherwise, what I said was that this Section 8 is specifically directed at laying this kind of report before the general meeting of the Corporation.

**Hon Sogavare:** I am raising that concern because there is a general act that deals with the development of forestry in this country, and that is the forestry laws. Now, we are removing that function and put it to a special act to address a special group of people, and it has to take the Parliament to make a law to come up with that arrangement on behalf of the people. I am just flagging the question that is it not appropriate for this law to state that that report must also be laid in Parliament through the appropriate by the Minister responsible for forestry development.

**Hon Tausinga:** The point raised by the Leader of Opposition is valid and it is noted.

*Clauses 4 & 5 agreed to*

**Mr Kwanairara:** Why is the Dekurana land removed from the Corporation?

**Hon Tausinga:** The tribal leaders and the land holding groups decide to exclude it maybe because they have other options that they would like to pursue.

*Clause 6 agreed to.*

## Clause 7

**Hon Sogavare:** Just for you to clarify to us what are we deleting here in paragraph (e). Paragraph (e) is deleted, what does that paragraph (e) contains.

**Attorney General:** Because Dekurana was deleted, therefore, the tribal chiefs of Dekurana that represent Dekurana land and other representatives, their names that used to be in paragraph (e) were deleted accordingly.

**Mr Agovaka:** Just in passing, the deletion of Dekurana from the Schedule, I noted that in the Bills and Legislation Committee hearing the Dekurana tribal chiefs were not represented during the hearings and so we cannot hear what they were saying, but we take the Minister and the Member for North New Georgia's word for if that Dekurana definitely would like to be removed from the Timber Corporation. Just in passing I would like to make a comment on that.

**Hon Sikua:** I can assure the Member for Central Guadalcanal that there have been written submissions from members of Dekurana to myself and as well as to the Minister for Forestry for their removal.

**Mr Folotalu:** Seeing that this model is very attractive and progressing very well, let us assume that those from Dekurana would like be included in the list again, is there any room for them to be included?

**Hon. Tausinga:** I made in my introductory remarks that the exclusion of Dekurana does not mean it cannot be readmitted if they wish to come back. A lot of trees have regenerated and when they are mature including those in the reforestation you might find that the land areas that choose to go out now might be interested to come back again.

*Clauses 7 & 8 agreed to.*

*Parliament resumed*

**Hon. Tausinga:** I wish to report that the North New Georgia Timber Corporation (Amendment) Bill 2010 has gone through the committee stage without amendment.

## Bills - Third Reading

The North New Georgia Amendment Bill 2010

**Hon. Tausinga:** I beg to move that the North New Georgia Timber Corporation (Amendment) Bill 2010 be read the third time and do pass.

*The Bill is passed*

## **MOTIONS**

**Hon. Sikua:** Mr. Speaker, I thank you for granting me permission to move this special adjournment motion. I move that at its adjournment today, Tuesday, the 16<sup>th</sup> March 2010, Parliament shall stand adjourned until Thursday 18<sup>th</sup> March 2010.

The main reason for this special adjournment is to enable the Bills and Legislation Committee to hold and complete its hearings with relevant stakeholders tomorrow, Wednesday, the 17<sup>th</sup> March 2010 on the Tobacco Control Bill 2010. I understand that this is the only time available for the stakeholders who are invited to come and appear before the Bills Committee to attend the hearing scheduled by the Committee on this very important Bill. (It should also include betel nut). Hence, I have agreed to this request for the House to adjourn until Thursday, the 18<sup>th</sup> March 2010.

I am also aware that the Committee at times has been unable to meet due to lack of quorum, hence the delay in producing its report on bills before it, which ultimately affects the smooth conduct of government business during our meetings. It is important that the Committee also meet after official hours to enable it complete its hearings and reports on a timely manner.

Be that as it may, to use the phrase of my good friend, the MP for Rendova/Tetepare, this particular special adjournment will also enable the Cabinet to meet tomorrow, Wednesday, the 17<sup>th</sup> March, to consider the parliamentary debates that we had yesterday on the report of the Special Select Committee on the Political Parties Reform Bills 2009, to allow the Government decide on what appropriate actions or measures to be taken. I do hope that this special adjournment will also enable all Members of Parliament to prepare adequately for our deliberation on this Foreign Relations Committee report as well as the Tobacco Control Bill 2010, which was scheduled to be debate on Thursday of this week.

Finally, I wish to take this opportunity again to appeal to the hard working Chairman and the hard working members of the Bills and Legislation Committee to ensure they complete their hearings. I want to also use this occasion to ask all the stakeholders who have been invited by the Bills and Legislation Committee to come to this hearing and consultations tomorrows, and we all work hard in a timely so that all the reports can be ready in good time so that we can proceed on with government business as scheduled.

With these brief remarks, I beg to move.

*(The motion is open for debate)*

**Hon. SOGAVARE:** This side of the House does not have any problem with that request. I support it so that the Committee can complete its work, so that we can progress with government business. Thank you.

**Mr. ZAMA:** My leader has given approval for this motion, but I wish to say my bit. Parliament has a lot of bills listed and whilst the Prime Minister or the government has sought special adjournment for a day, I cannot see any justification to the reasons given by the Prime Minister. This has been the practice in the last meetings, and even during the last sitting this practice continued on, even at the eleventh hour. And I see no justification for this request but since my Leader has already consented, I have to go by that and support it so that it gives the government and backbenchers time to deliberate on some important bills that are yet to come to this House. Thank you.

**Mr. NUAIASI:** I would like to speak very briefly on this adjournment motion. I would like to thank the Prime Minister for his understanding for the Committee to meet tomorrow to deliberate on the Tobacco Bill. We will be having executives from abroad coming on Wednesday to appear before the Committee. The Committee is supposed to have completed its hearings but since the Tobacco Company would like to have one of its chief executives coming from abroad, for democratic reasons we decided to give him an opportunity to present his views on this very important bill, unlike what the Member for Rendova who said that this is similar to what has been happening. With this, I support the motion. Thank you.

**Hon. SOALAOI:** I do not have anything to say except to reiterate what the Prime Minister has said. May I once again appeal to our stakeholders to come to tomorrow's meeting. On the Government's part I have been very open to the stakeholders during our consultations, and so if they fail to turn up tomorrow that is not good enough. I think I must say that I have been ready for a long for this Bill, and I think it is good that they are cooperating because I have been cooperating with them. This is an appeal from me as Minister responsible for the Bill to our stakeholders and also the Bills Committee.

I know that we do not have time. The 24<sup>th</sup> April is pressing on us, and so let us ensure that we continue to perform our duties no matter come what may or what people might say, but let us be law makers until the end of our term and come back and continue to do so. With that, that is my appeal and I thank the Prime Minister for moving the motion.

**Hon. Sikua:** In closing I just want to thank all the members who have spoken on this motion for their very positive contribution, especially the Hon. Leader of Opposition and Members of the other side of the House and of course my side of the House, thank you for your understanding. With those few remarks I beg to move.

*The motion is agreed to*

**Hon Sikua:** I beg to move that the House do now adjourn.

*The House adjourned at 3.44 pm*