

THURSDAY 1ST APRIL 2010

The Deputy Speaker, Mr Kengava took the Chair at 9.57 am.

Prayers.

ATTENDANCE

At prayers, all were present with the exception of the Prime Minister; Ministers for Planning & Aid Coordination; Lands & Survey; Foreign Affairs; Culture & Tourism; Agriculture & Livestock; Communication & Aviation; Health & Medical Services; Fisheries & Marine Resources; Mines & Energy; Environment & Conservation; Justice & Legal Affairs and the Members for East Are Are; Central Guadalcanal; West New Georgia/Vonavona; Lau/Mbaelelea; Central Makira; Ngella; Central Honiara; West Are Are; South Vella La Vella; East Makira; North Guadalcanal; Shortlands; North West Guadalcanal; Malaita Outer Islands and South New Georgia/Rendova.

STATEMENT OF GOVERNMENT BUSINESS

BILLS

Bills – Second Reading

The National Parliament Electoral Provisions (Amendment) Bill 2010

Mr Speaker: Honorable Members, yesterday, the Honorable Minister for Home Affairs moved the second reading of the National Parliament Electoral Provisions (Amendment) Bill 2010 and yesterday the debate was adjourned to the next sitting day, that being today. Debate on the bill will thus continue and Members may now speak on the general principles of this bill. In so doing, I kindly remind Members to comply with the rules of debate set out in our Standing Orders. The floor is now open for debate.

Hon. SOGAVARE: I shall talk briefly on this Bill since it is a straightforward Bill as outlined by the Minister. When moving the motion to the second reading, the objects

and reasons as outlined on page 27, and we took notice of that and it is in two parts. First, it explicitly empowers the Solomon Islands Electoral Commission to directly act on certain issues empowered to do, which he did not have before. And as outlined by the Minister, three parts: voter registrations, polling process and counting processes are the three areas that this Bill is trying to address.

The whole process is about getting decision makers into Parliament, electing Members of Parliament, and so it is a very, very important process. In fact, its importance cannot be taken very lightly. The effectiveness and quality of decisions made by Parliament starts with the vote cast, people go to cast their votes. It would probably be a very long time before we could educate our people to think policy in the casting of their votes, and we appreciate that this issue is an issue that is before Parliament right now in our discussions about properly organized political parties so that people can start to think in terms of party and policies. Those policies are still to be decided by Parliament and their fate is still not clear.

Of course, I also note that this reform is still before Parliament and it does not go to the extent of actually deciding the question of who should be the entity that goes before the people to ask for their votes. It is still individuals that are going down to campaign. Maybe when that policy comes before Parliament then we would probably discuss more about it. But if the thinking is to get our people to think party and policies, then it is about time that we should really get people to think party and policies, and it should be by law that political parties go campaigning instead of individuals. This is the beginning of a process to improve our electoral system all in the interest of getting the right people into Parliament. At the end of the day that is what it boils down to.

Other advanced democracies are enjoying this now because the level of literacy there and the ability of people to understand policies and think policy is quite high because you see people campaigning on policies and the direction a political party is advancing, not what individuals would do in their constituencies. That is basically what is happening here in our country. We are saying to the people, 'you vote for me and I will do this and that for you'. In fact, the elections now are narrowed down to what we are going to do with the RCDF and those funds that come directly to Members of Parliament. This sort of narrows down the thinking of Members of Parliament to what directly comes to him and it narrows down what a man will do as his contribution to the development of the country. We forget that we are players at this level, at the national level, not necessarily people who should be full time project directors, project managers and see how things are going on in the constituency. It is unfortunate that the delivery mechanism is not working and so Members of Parliament are taking some of these roles upon themselves. These are roles that we are supposed not to be because we are policy and decision makers and our role is here in Parliament. This needs a more comprehensive reform to address all finer details of how we would want to see

our electoral processes, and it is really too late now to come up with any comprehensive reform that will address all these issues. But maybe in the next four years it is good to start right from the beginning in the first year and if we come up with a comprehensive reform, start off with some mock elections in year one, year two, year three, preparing people for 2014, and come 2014 our people would have been ready knowing exactly what to do, especially when it comes to preferential votes, because people will need to tick some boxes, tick the next preference and if they do not do it properly we are going to have problem and it is just really confusing.

That is just a broad sort of comment on what we would like to see in an elaborate comprehensive reform of our electoral process.

The Committee raised some very important comments, which may be during the Committee of the Whole House the Minister will respond to or maybe in his response in the winding up of the debate on the second reading he will answer some of these points. But it is very interesting this point about external vote. In fact, the system right now excludes, with due respect, our people who are out of the country to study, like we have hundreds of our students in voting age already at the USP and other universities in the region, as well as some of our people working overseas, some of whom are very highly qualified and some of them are professors and who would like to contribute to decision making to decide on who should come to Parliament, and that should have some influence too. But they are left out totally in our voting system, because of the way it is structured they are left out.

I do think it is really difficult to cater for this. I think it only takes a simple amendment to include them so that they cast their votes where they are and send it by post or something over here and the votes are counted here. Even our people living here in Honiara, and would like to cast their votes at their homes can be arranged by putting up polling booths so that they vote here in Honiara instead of chartering ships and going down to their homes to cast their votes. There are a lot of things we can do to make life easy for ourselves to allow people who would want to vote to be able to vote. I raise that point because it was also raised by the Committee.

The quota for women to be members of parliament will continue to be an issue for us and it will challenge all political parties contesting the general elections this year. I think the best approach to this, in keeping with the process of democracy, is to build this into a comprehensive reform where instead of individuals going for elections, political parties actually go for the elections. We raised this point a bit when the White Paper came to Parliament and we made that suggestion and all that political parties need to do is come up with their lists of candidates. If 10 political parties contest the elections then it should be 10 groups contesting instead of hundreds of people going down to the constituencies asking people to vote for them. If there is a listing then it should be parties that actually go and campaign, and it is not restricting you to campaign in your own constituency because it is advancing the party, and the party can

move everywhere and contest and, of course, the distribution of seats in Parliament would be decided according to the number of votes, the proportion of votes casted for the group. That can allow the group to actually pick women already in their list to say they will become Members of Parliament for the three seats here in Honiara or any seat or constituency the party picks for a women candidate to represent, and if the party wins she automatically gets the seat. This is still kept within the principles of democracy. What is done in other countries by actually putting in quotas of seats for women, I think, will not go down well with this Parliament because we take it that everyone is the same that everyone must contest the elections and that we leave the decision to our people to decide who should come to Parliament. If it can be structured in a way so that it guides the people, I think is still in keeping with the principles of democracy instead of dictating how many seats should be for women.

As far as this amendment is concerned it is straightforward. The proposed clause 1 brings the amendment into force and it says there that sections 1 to 4 and section 15 to 21 of the Act will commence on the date it is published. The explanation given by the Legal Chambers and those who appear before the Committee is that the amendments that deal with polling are going to be affected by sub clause 2, and I think that is understandable. Anything to do with registration seems to be already over; registration is going ahead this time and so if this legislation is retrospectively implemented it would be really confusing. I think that is the reasoning there but maybe the Minister can explain this to us later on when he explains the reasoning behind the staggering date for commencement of the Bill. I think those are the things I want to raise in my contribution to the second reading of this Bill and I beg to support the Bill.

Hon FONONO: I would like to contribute briefly to this Bill because otherwise no one contributes to it and the Minister winds up the debate, and the message that we would like to put across in the debate is not put across.

At the outset, I would like to thank the Minister for bringing this proposed amendment Bill and, of course, the CNURA Government. In fact, this Bill should have come at the last sitting of Parliament so that it caters for the registration process that is now taking place. However, I could well remember when this Bill came before Cabinet there were a number of proposed changes to the Bill and so Cabinet did not accept it. Therefore, instead of just selecting amendments that should be in the Bill, the Cabinet rejected the entire Bill. However, in view of the recent High Court decision that disqualified the MP for Savo, it is very important that this Bill is brought to Parliament again. Also, in view of current problems or current experiences that the Electoral Commission finds that needs more powers in terms of decision for not only carry out an effective and efficient registration process but powers to make decision during the election is important that Parliament considers this Bill so that necessary changes can be enforced during the forthcoming election.

I must thank the Chairman and officers of the Electoral Commission for coming up with these proposed amendments for Parliament to pass to allow the process of election fair and free and at the same time less cumbersome for officers dealing with decision making during the process of the elections.

The proposed amendments are timely as we approach the forthcoming general elections except provisions relating to registration may not be applicable because we are coming closer to the elections for the registration of voters process. It is important that as a law, it will empower the Electoral Commission to be responsible for registration of voters in the future, as the Bill will certainly allow, not only when approaching the elections that registration of voters will happen, but it will allow the Electoral Commission to do a review of voters listing on an annual basis. I see this Bill as very important and timely for that process.

The objects of the Bill are straightforward as it only caters for the registration of voters and the polling process. The other recommended clauses that the Commission has proposed was seen by Cabinet and is likely to cause some problems so we did not include it in this Bill. Although I heard in the Minister's speech yesterday that the counting of ballot papers will be first done at polling stations just to ascertain the number of ballots cast before going to main centers like Auki, Gizo and Lata for a recount, that is not included, if I am correct, I heard the Minister mentioned that in his speech. But that amendment was taken out of this Bill that is before us.

An important area I would like to highlight is the election process. I think that is covered under section 16. For instance, at the moment, when a blind voter goes to the polling station, the blind voter will tell the presiding officer who he/she wants to vote for, and then it is the presiding officer who marks the candidate that the blind voter tells him. In some instances, experience has it or we have heard that if the presiding officer favors or supports a certain candidate, the blind voter may tell his candidate but the presiding officer ticks a different candidate. There is an amendment here to cater for instead of the presiding officer himself casting a vote on behalf of a blind person, it will now be done in the presence of a police officer and a polling assistant; at least three officers will hear the blind voter making his vote and ensuring the tick is made on the blind person's candidate. That is a complaint raised in the last elections given the system of choosing just one candidate in the election process. That is an improvement to the current system.

Another amendment in this Bill as well caters for the illiterates. Some of our people in the villages are illiterate and cannot read but just by looking at the symbols and the names of candidates, and they put a tick just outside of the box instead of inside the box. On the ballot paper are names of candidates and there is a box because the names that voters can tick. The amendment here caters for the tick that if it is just outside of the box it should be accepted as from the voter intentionally wanting to tick the candidate. The previous provision under the current Electoral Act does not allow for that; a voter

must tick inside the box on the ballot paper before it can be counted. Those are some improvements to the current Electoral Provisions Act.

There is also provision to allow presiding officers to bring in an additional ballot box if the ballot box is full. Experience has it during the last election when the one ballot box was first introduced, voters turn out in large numbers to vote in polling stations and the ballot box becomes full but there is no provision in the Act to allow for an additional ballot box to be brought in so that voters can cast their votes. There is improvement or provision to allow for an additional ballot box to be put in polling stations if the presiding officer sees a ballot box is full.

It is important that onus is on the Electoral Commission to look at creating additional polling stations to avoid ballot boxes are not filled or maybe at the same time create additional polling stations in our respective constituencies so that people can have easy access to cast their votes. These are some of the improvements to the Act. Although there was a proposed amendment to look at extending voting time beyond 5pm so that if there is a queue of people waiting to vote after 5pm, those who are already in the vicinity or locality can cast their votes. However, some of us in Cabinet are concerned about that because our rural villages do not have access to lightings and this could cause problems if voting time is extended to allow people queuing up to cast their votes well beyond 5 o'clock in the evening. It is very important that there is educational awareness and programs by the Electoral Commission to encourage our people to come out and cast their votes early. Since voting starts at 7am it is important that people go to the polls at 7 am to cast their votes early.

As I have said, some of the provisions here is to make improvements to the electoral process as it is the democratic rights of our people to cast their votes during the election day. I could not agree more to a wider review of the Act to allow an observation raised by the Leader of Opposition where our citizens, especially students and people working outside the country can cast their votes, maybe in the future and even allow for our people who want to vote for their MPs at home to cast their votes here in Honiara or the urban centers rather than going back to respective polling stations in rural Solomon Islands. I think with improvement in technology that can be looked at in future.

Whilst this Bill is trying to make improvements to the registration process and is trying to stop people registering twice, it is important for future consideration that each voter when registered must have an ID card. That is the only way to avoid people voting twice. I even heard stories about the last bye-election in East Honiara of some voters casting their votes more than twice. One voter, I was told, even voted 17 times. That is a rumor that I have heard. People go to vote and when they came out, remove the indelible mark with kwaso and they go to another polling station to vote using another name. Those are some of the discrepancies that this Bill is trying to address.

Whilst I appreciate and congratulate the work that is now currently being done by the Electoral Commission in reviewing the voters listing, it is very important that we, law makers put in place laws that avoid such practices that our people are abusing. It is also important that people are made aware of the penalties that come in breaking the law as we have already passed the Penalties Bill and our people must be mindful. I have heard on a radio program that the penalty for voting in another person's name or voting twice is \$3,000. Doing things like that is an offence and our people need to be aware so that people are honest and cast their votes only once. Registration is an area that maybe in future can be improved so that there is compliance and voters are only allowed to vote once. That can be made possible with the introduction of ID cards or registration membership so that presiding officers look at a voter's ID before allowing him/her to vote in a polling station. Bearing in mind, of course, that when names appear on the voter's list, with our cultural system where people from the same family or close relatives bear the same name. Having an ID card will help officers of the Electoral Office to check whether names at a polling station are the same and this may not be fair. Because of our culture where a person's name is the same with his/her other relatives, three or four people are named after that same name and their names might appear in a particular polling station so it is not fair if the Electoral Commission sees the names and strikes out the others thinking it is the same person. Culturally, two or three people who are close relatives are named after the same person's name. That is a consideration that must be taken into account during the process of compiling the voters' list.

It is also important that officers compiling the registration list must be honest because sometimes after the reviewing of the voters' listing, the final list that is put up does not reflect the list that was put up first because some names might be deleted from the listing. I believe that these proposed amendments will try to reduce the process of abuse or dealings that are not proper.

With these few remarks, I support the Bill.

Mr. TOSIKA: Thank you for allowing me this time to talk very briefly on this Bill. I read an advert on some vehicles and also given out by the Electoral Commission that says 'one name one place', it causes some kind of confusion to me. This is because people who reside in another constituency went and register in another constituency. But section 55(2) of the Constitution says, "No person shall be entitled to be registered as an elector, (b) in any constituency in which he is not ordinarily resident". This point here must be taken note of that if you do not live in a particular constituency or you are not an ordinary resident in that constituency then you are not eligible to be an elector in that constituency. This is prohibited by the Constitution. Many times people from different constituencies go and register in another constituency. Take for example the West Honiara Constituency at this time. The census figure shows that the population

living in West Honiara is less than the number of people registered; the number of people registered is higher than the census figure. What is wrong here? It means a lot of people not residing in West Honiara registered their names in West Honiara. I do not know what the reason is because they do not live in that constituency. Some people residing in East Honiara at this time went and registered in West Honiara. Some people living in Malaita even came and register in West Honiara, some from Russells, Ngella and so on. I cannot see their reasons for coming to register here.

We have been talking about corruption and if we want to eradicate corruption, this is corruption that is going on. I only wish this Amendment Bill addresses this situation. We want the election process to be done clean, and that is why these electoral provisions are here. If you read sections 71 & 72 of the Electoral Act, it talks about undue influence, threatening and bribery.

What I wanted to raise here is that this might create complacency in people to think like even if I reside in east I can register in west because one name and one place entitles me to register there. But the Constitution says you must reside, you must be a resident of that place, and under the provincial act a person must reside in a constituency or ward for more than six months before he/she is qualified to be registered as an elector. I want the Electoral Office to take note of this otherwise people think they can just vote anywhere they want. If people are allowed to vote anywhere they wish then it means East Honiara will have two men in Parliament or people in Russell/Savo come here and elect the person they want so the fairness in giving opportunity to people who reside in West Honiara does not come about because different people voted this man, therefore, the person to represent them is not there because the people in West Honiara do not have the opportunity because people from other places just come to West Honiara and vote for their friends or vote for people who gives money to them come into the scene and destroy the rights of people residing there. This is what I would like the Electoral Commission to look seriously into.

Section 58 of the Constitution states some interesting things. It says, "The Electoral Commission shall have general responsibility for, and shall supervise the registration of electors for the election of members of Parliament and the conduct of elections of such members and the Commission shall have such power and other functions relating to such registration and such election as maybe prescribed". This change to 3 where the Commission is responsible of conducting elections stems out from section 58 of the Constitution. But I am happy the Commission comes out not wanting to blame returning officers or blame other people but the Commission as the body responsible for the election must have some powers that it can use when needed.

I think the government or the Ministry should give back the onus of registration back to people who would like to register to become electors. Today, assistant registration officers are selected and some of them have already aligned themselves with candidates. Some of them even struck out the names of people who would like to

be genuinely registered whom they know are not supporters of their candidates. Many of the people doing registration work now favor certain candidates of their choice so they are not neutral and independent. In my opinion, one way of ridding this is to give onus back to the people, and that is when they turn 18 years old they get about two or three of their photos, give that to the Electoral Commission to be registered so that a secret code is put on the photo, it is laminated, one photo is given back to the voter and another one kept by the Electoral Office so that voters listing is not put up at polling stations but the ID card is used. When a voter goes to a polling station the card is shown to registration officers before he/she is allowed to vote. This is regardless of where a voter lives, if he/she wants to vote for a candidate or a party and he/she lives somewhere but would like to vote for one particular person you can go and vote. By doing that it would be fair to every people. If that system is put in place, it means voting one time in one general election.

What we are seeing in past elections is taxis going from one polling station to another with the same people voting at one polling station first and then moving onto another polling station and vote there, so if there are 10 polling stations and five men voted in all those 10 polling stations, it means those five men would have voted 50 times moving around in the same vehicle from one station to another. This really happened; there are people travelling in the same vehicle from one polling station to another. These people just erase the ink on their thumbs with kwaso, like the DPM has said and then they go to vote at another polling station. And do you also know that some of the presiding officers or polling assistants at polling stations are friends of those people and so when they go to the polling stations they just go in and vote in different names, and that is why sometimes people go to vote but their names have been already used by other people. That is not fair. But that is exactly what is happening now.

To avoid that, I think it is good to give back that responsibility back to people who would like to register so that when anyone turns 18 years his/her photo is taken and given to the Electoral Office, the photo is laminated and then given back so that when you want to vote you can go anywhere to vote but you vote once during the general elections, and only the electoral officers know how to punch the card; the card is presented, it is punched and that means a vote, and that card cannot be shown elsewhere because it was already punched with holes. This can be done through a system where only the Electoral Commission knows how to punch the card, just similar to what the 360 boat is doing that when passengers board the ship, the ticket is punched with holes indicating the ticket is used. Put in place a similar system like that so that fairness applied. We must look beyond so that the party system we want that even though I live here and I go to Gizo or anywhere else and the election takes place, I can vote there because my ID is with me, just like what the DPM said that my ID card is with me. If you do not have your ID with you then it means you would not be able to

vote, which means it is your responsibility to go to the Electoral Commission with your photo and you are given one ID card to you and one is kept by the Electoral Commission.

What I am trying to say here is that I think the slogan One name One place must be relooked into again because the Constitution does not allow for that to happen; a voter must reside in a certain constituency for a period of time before he/she can become entitled to be a voter in a constituency. I even heard some people say that it is okay that even though they do not reside in a particular constituency they can register their name there and vote because that is one place one name equals voter registration. But that is not taking into consideration the provisions of the Constitution which does not allow for that. We must think about this again because it is going to cause confusion to our people during election time.

I also want to raise an observation here in regards to taking a ship and going back to the provinces to vote. I told the people concerned that if they go back to constituencies in their provinces to vote, even though they live here in West Honiara for 20 years, I am not going to assist such people because their voting rights have been casted back at their homes. That is your constitutional right cast at home, so why do you want to bring that right back here and say that you are living here in West Honiara when you have already cast your constitutional right back at your province. If anyone of you is doing that you will not be considered for any funding assistance and you have to go to constituencies where you cast your vote. Even if your candidate lost the elections you have to go to the candidate that won and sought assistance from him/her because that is the place you cast your vote. I say this because those of us who are Members of East, West and Central Honiara came across people who went home to vote and when their candidates lost, they came to us and say they have been living here in town for the last 15 to 30 years. For example, one man came to my office and asked me to assist him and so I asked him where he casted his vote in the last elections and he said that he casted his vote in Malaita. I politely told him that since he casted his vote in Malaita he should go to the MP for the constituency that he cast his vote in because he is rightly his Member of Parliament, for I am not. I must say this so that our people hear this and understand.

If it is a national issue or national project, it is a yes, but for people to come asking for the RCDF is not right because it belongs to people who vote in that particular constituency, whether they vote for another candidate that lost or the candidate that wins, it is their right and they must receive the money. For people who go back to their provinces and vote even though you live in town, it means you have to go back and seek assistance from the person who wins the election in your constituency. This is causing confusion to our people to think that it is right to go and vote back at home even though you live in Honiara, when the Constitution does not provide for it.

With these few comments, I support this Bill.

Mr. ZAMA: I would like to briefly contribute to this Bill in Parliament. I thank the Minister for moving this Bill for us to debate. I thank the other Members that have raised issues and their conscience on this Bill.

This Bill never convinces me for once; it never convinces me in the sense that it is yet to address issues and concerns that we are trying to address in Solomon Islands, and that is why I must say this because the government fails to pick up these issues.

This Bill finds its way to the floor of Parliament because we have been riding on the waves of reform, on the waves of institutional strengthening and these other reform issues without really going down a little bit deeper attaching those reforms to society and to Solomon Islands, in particular. The 50 Members of Parliament who have been elected here and who will be elected again sometimes this year do not only represent the people who voted for them. That is the very first point I would like to raise. We do not only represent the people that voted for us, but we represent the unborn babies, we represent the children, we represent the students, the youths and people of all age, and to a certain extent we also represent the dead. That is why age limitation is a requirement in the Constitution that only those reaching 18 years are eligible to vote, in my strongest opinion, is unconstitutional. Whether we go by the common law or just because we are a member of the Commonwealth that 18 is the age limit that must be attained before one is eligible to vote, must change; it must be changed. If Parliament is to be robust and if Solomon Islands want to have fair representation of people that elected leaders must represent, then I strongly believe that the voting age must reduce to 13 or the teenage years. This might sound stupid or sound rare but Solomon Islands is Solomon Islands and we must make a difference on this planet. That is the first point. Take for example now we are promoting children's rights, children have rights, the disabled people have rights but if these people are not eligible to vote then what are those rights for. This is an important question and issue that I want, not only this government because it does not have time to look into, but maybe the next government when it comes into power will have to take up this consideration. When we raise the issue of rights then those rights must go as far as to the extent of casting that right in the ballot boxes. That is the first point.

The other issue I see about the reforms in trying to eliminate or maybe cut down or narrow the gap between double names is not going to be possible, it is not possible. Although we are in the computer age these days, you still cannot read the hearts of man or you cannot know who these people are. For example, because free movement is allowed in the Constitution so anyone is free to live in one province or live in one constituency and is free to register there and cast his/her vote. This movement of people is going to make things difficult because say for example a man from the east by this name can go and register in another constituency using the same name. This is a typical example that normally happens to voter registration in the Western Province

where one man being a plantation worker would go and register his name as Jimmy or bitter. Now how would registration officer in the West know that that is the true or real name of that person. I mean this is a typical example of duplication, and it does not matter what kind of computer you are using or what kind of brain you might have, you would not be able to detect the discrepancy or the real person with the name. But just because it is his right under the Constitution to vote, okay, a fair go, which means one of his names is going to appear in this constituency and another name in another constituency. This can never be picked out, and so these reforms are hopeless, they are hopeless reforms. These reforms will not be able to deliver what we expect in the upcoming general elections.

The other issue I would like to raise is the appointment of registration officers or people that go around wearing all sorts of t-shirts these days as registration officers. Intending candidates would always want to put their own people as registration officers and they will go round now only registering people they want or people they know and they will also remove people's name for fear that they are supporters of other candidates. This is not fair. Registration officers should be appointed by officials, I mean whoever, and there should not be any influence whatsoever from outside, from intending candidates as to who these people would be. If we want to have a level playing field during the elections everybody must be registered, every single soul that is eligible to vote must be registered regardless of who and what. And I will still get back to my point that from children up should be eligible to vote. Eliminate those that are dead and register every single person, not taking any sides.

The other issue I would like to raise just reading through the report of the Bills Committee is the effective date of this Bill. It is quite interesting that on page 8 of the report by the Bills Committee, this Bill as agreed on will come into effect on 1st October 2010. That was the date appointed for this bill to be effected. I am just reading from the report. The report has gone on further to say that hopefully when this Bill is passed it will be gazetted on May 2010 and its effective date will be 1st October 2010. In some of the sections here it says "subject to clause 1 only sections dealing with polling will come into effect immediately". I would like to raise the question that if we are going to pass this bill in its entirety, why do we want to implement this Bill on a piecemeal basis? If the effective date of this Bill is going to be 1st October 2010 then let it be; let every amendment and every reform of the new bill to come into effect on 1st October 2010 and anything that falls between the process of gazette from May 2010 and the effective date of 1st October 2010, like polling and things like that must go back to the old system in my view because I do not see the rationale or common sense in implementing a bill on a piecemeal basis.

The final point I would like to raise is that travelling from Honiara back home, like the MP for West Honiara has already raised to cast ones vote is an expensive exercise for candidates and for voters who would like to go back to their constituencies

to cast their votes. This reform fails to capture one of the important issues that people must travel back to their constituencies every four years at election time to cast their votes. This is a very expensive exercise, and this bill fails to capture offshore voting. There must be a provision in the Bill whether this Bill or future bill to cater for this so that people do not have to physically travel back home to vote, like very modern democracies are doing now that they can cast their votes where they are.

I would have thought that that is the kind of reform we should have come up with, but this Bill has not captured this important reform so why should I support a lousy bill that does not capture an important reform that needs to be seen in this Bill. Going back home to vote is an expensive exercise and it will continue to be an expensive exercise in the future. There has to be a provision in the Bill for people not to travel back to their constituencies to vote but cast their votes where they are whether it is in Honiara, Auki, Gizo or wherever they are they can cast their votes.

Those are the comments I want to raise and just to recap that this Bill is inadequate in its reform as it does not capture the important issue of fair representation of people to have a voice and that has not been heard. And yet we have advocated all along, every year, in every sector of life in our society that it is fair representation or our people want to be heard, but the system does not allow for that, and these are important issues that we need to put in place as legislators. We need to take into consideration these small but very important issues for the existence of human kind in Solomon Islands. With those remarks, I resume my seat.

Hon. SOALOI: I must thank the Minister for bringing this very important amendment. I think this amendment is very important because in every election we did experience problems, not only with registration but the polling process as well.

The idea to give the Commission overall power over the registration and polling process has my support because we always find registration officers and presiding officers doing things, which they claimed is catered for under the Act when instead it is done outside of the Act too. I think we already have had examples of what can go out of hand if registration officers, for example, decide to use their power as provided for under the Act, even after being given legal advice on what should be the right thing to do. But because of the power they have they can do whatever they want to do. So I wish to support these amendments because there is real need of amending the way registration is carried out, polling processes and counting as well.

One of the concerns that people might have is to do with registration which is currently underway now. As far as I understand the voter registration part of the bill will come into effect on October. Our fear now of some of the registration officers we have is that they might be supporters of intending candidates, and even some of them are intending candidates themselves. I think it needs to be explained to people whether registration officers who are intending candidates are qualified to contest the coming

elections. I do not want to come out clearly on who they are, but this is something that needs to be clarified by the Commission or when the Minister responds because people need to know.

Also, in regards to voter registration as raised by other colleagues already, we are also aware of some of the names being deleted from the voter registration list because the officers are not independent but are supporters of some intending candidates. We expect registration officers to be independent candidates, and therefore their selections should only be done by the Electoral Commission. When their selection comes through the provinces, we would always expect this kind of thing to happen where people recommend to the Commission officers whom they think would support them.

Also, during the registration process which is going on now, and we are glad that come October or the next election we will have a new system of registration of voters. As the Member for West Honiara has already mentioned, when people of Solomon Islands hear about this word 'corruption', they think it is Members of Parliament. But corruption already starts as we are talking now; it starts on day one of registration. Some constituents or voters are starting corruption now by visiting intending candidates, even visiting people who do not intend to contest trying to tell them to contest, and when you say yes, you would find them coming to you every day asking for money. Therefore, if corruption starts during registration you can just imagine how worse it is going to be during polling day and even during counting and even after a candidate wins corruption is already on top of that winning person.

People blame other people for corruption but I think corruption starts with the whole process starting from registration to polling until a Member of Parliament who is elected is already infected with corruption. I am glad the Ministry has seen it fit to give overall power to the Commission to direct the overall administration of registration and polling processes.

Sir, some of us came in the first time the one ballot box was used, and I think that is a good system because there is only one box for people to drop their ballot papers inside. Some of us witnessed what used to happen when ballot boxes have candidates' names on them. During that time when people go in to vote, some people are sitting under the banana trees waiting, and when a voter gets his/her ballot paper, go inside the polling booth to vote, instead of dropping the paper in the box he/she puts the paper in his/her pocket, comes out, goes to the person sitting under the banana, gets his/her \$100.00 and give that person the ballot paper. When counting time comes you would normally see 10 ballot papers folded together. That happens when the kind of practice I mentioned goes on. I witnessed this practice happened when I was not a member of parliament. That is a practical example that can be termed corruption during polling day.

These amendments are welcomed. The Government thinks when this bill was still under discussion that some of the things in it might even increase corruption to happen. This Bill is, in fact, a result of thorough analysis by Caucus Members and also Cabinet who have been looking at this bill, and then went back to the Commission suggesting that some of the proposed amendments should not be included because their intention is good in that it might improve the election process but it can also make things to become even worse. The Bill here, I think, is going to improve the polling and counting process.

I just want to rebuff the claim made by a certain MP that I do not think we in here represent the dead people and those that are still not born, the unborn. I also think that 18 years is when we believe a human being is able to make independent judgment and decision of what is good and what is not good, and he or she is able to judge candidates too when people come to campaign. People who are 18 years and up, I believe, can make good judgments and not children because if children are eligible to vote, candidates will just throw packets of lollies to them and they will vote for them. But I know that many of you normally buy packets of lollies but otherwise only children voted you into this house and the big people lose out with some candidates, then I think is not proper.

I will be brief and in supporting the amendment I also wish to stress that I think a few things need to be clarified before the elections happen, for example, those things that I have mentioned already. Registration officers, some of them are intending candidates, some are supporters of intending candidates, and some of them are also supporters of some of us inside here. I think next time the appointment should only be done by the Electoral Commission, and not through the province because that is where things start to go wrong. With those few remarks, I support the Bill.

Hon. MAELANGA: I too would like to briefly comment on this Bill. First of all, I would like to thank the Minister for bringing this Bill before the House. The Bill is very important for us to deliberate. I would like to be brief on just a few points. First, the objective of this Bill is very clear, and we understand what this Bill is for. It focuses mainly on three areas, which are voter registration, the polling process and the counting process. Those are the three important areas this Bill is focusing on. It is very important that powers be given to the Electoral Commission so that it enforces strict rules to take care of registration officials doing their official duties. It is important that this Bill gives them power to carry out their duties.

In regards to voter registration, it is very important that voters are registered so that they are entitled to vote because if they are not registered they cannot vote. I see this amendment as very important in that regards. In regards to the polling processes, as the Deputy Speaker stated, there are some areas that come from the Electoral Office and those initiating this bill to be amended, for example, extending the voting time

when people already queue up to vote, and the time is up there is need to extend the time. In my view, I think it would not be proper to extend the voting time during polling day because as some MPs have already stated, it might not work for some areas where there is no electricity or lighting, like for us in the highlands there is no power for lights, and so it would be good if voting time stops at its usual time, which is 5pm. That is on the polling process. Timing is very important and so the electoral office must remind voters to go to the poll early and go to the polling stations to vote on time.

On counting, there is also an amendment in regards to that, which the Cabinet endorsed and it also has my support because I think it is best that counting should only be done once. I do not think it is proper to do counting twice. The first suggestion was that counting would be done in the polling station to find out how many people actually cast their votes, the number of people casting their ballot papers. I am not in favor of that, as I have said some of us are living in the highlands, which means our polling stations are in the highlands and it is not proper to open the box at nighttime to do the counting. I think it is best the amendments are here for counting to be done at the right place. It is good that this amendment bill is here so that the counting process is held where it is supposed to be held.

On voter registration, I go along with the view that citizens must reach the age of 18 before they are eligible to vote. I also share the concern that other Members have in their debate that children are also eligible to vote. I think that is not right. Anybody eligible to vote must reach the age of 18 so that he/she has good understanding of what it means to vote. The right to vote is different from human rights and the other rights. They are different things and so do not mix these things up. I think it is best to go by the eligible age for a person to vote.

In regards to other areas that also need our consideration that others have mentioned, and that is some of our citizens are outside of the country and they should also be given the right to vote. I think it would be good that the next government coming into power after the election should look more into that area that has been raised so that our people outside are eligible to vote. I am supportive of what the Opposition Leader has said that we need to look at enabling our people working outside of the country to cast their vote at elections and also look at how people living in Honiara can cast their votes here instead of going back home to cast their votes. We should look at ways to do that. It would be good to come up with any amendments that would take care of such issues.

Just to contribute a bit on voter registration for which some have said that people residing in another place go and register in another place they did not reside in. That is true and I want registration officers to look very carefully into this as it is likely to cause problems as some colleagues have stated. The only thing I would like to point out in regards to registration, which I find in my own constituency, is that voters' names are usually placed in different polling stations making it very difficult for people to vote

because they have to travel long distances to get to the polling stations, and by the time they reach the polling stations where their names are, the voting time is up, all the time is taken up traveling to the polling station. That is a concern I want the Electoral Office to look into when voters registration list is finalized. It is better for Members to check the registration list because all of us have people that we know so we need to check their names to know they are in the right places for voting. This is a concern I have because some people in my area have to travel a long distance to the polling station where their names are in order to cast their votes. This means their names were put up in polling stations that are far from where they live. Some cannot even make it to the polling stations because of the long distance and so they just gave up and did not go to vote. That is one important area the Electoral Commission Office needs to address on how voter listing is put up in the polling stations.

This Bill is timely and it is important that we pass these amendments. With these, once again, I thank the Minister for bringing this Bill and I support it.

Mr WAIPORA: Thank you for giving me this opportunity to raise some points, which I think are important to be raised in this debate on the National Parliament Electoral Provisions (Amendment) Bill 2010.

Although I am not satisfied with the Bill, but I must thank the honorable Minister for coming up with the Bill, and I am surprised with the CNURA Government for being shortsighted in not bringing some very important issues in this Bill. This is the chance or opportunity to look into improving the Electoral Act and so there should be amendments in this Bill to that effect. This is a big opportunity for us to make the changes. The amendments in this Bill you have brought to Parliament, to me, are very shallow and shortsighted. I was of the opinion that we are going to change the problems that we usually find during election time but those are not catered for.

Today we find registration of voters as very flexible, which means anyone who wants to register can do so at his/her own choice because that is a person's own democratic right. Many times people go fishing, hunting or gardening and only came back in the evening and when told that registration officers came around the village for registration, they would say that is their own worry because if they register and vote is that person going to help them. That kind of attitude is very democratic because registration is very flexible to anyone. We should at least come up with a regulation to make registration compulsory so that everyone votes on election day to avoid this practice of using someone's name to vote because come election day, you get excited and you want to vote but your name is not on the register and so you went lie using another person's name, maybe Dick or Alick. That normally happens. That is one problem I am hoping it would be addressed in this Bill, however, it is not.

My other point is that some areas are overlapped in wards, in the provinces or even here at the Honiara City Council. I could remember way back in 1984 we made an

overall exercise on registration of voters here at the Honiara Town Council when I was Town Clerk. On Mt Austin, some houses encroached onto Guadalcanal Province area and some within the Honiara Town Council area. What are you going to do in such a situation? There are places in other constituencies that also face the same situation. How are you going to resolve that kind of situation?

When registration officers come I would say if that man's activity every day is to go to the Honiara Town Council or Honiara Town, just register his name even though he lives in the boundary of Guadalcanal. It is a wrong decision but seeing it is an administrative convenience I must do it. Those areas are very important as it can amount to corruption that we have been talking about. But this Bill only addresses the counting process. Counting for what? The counting process can be done amicably with Police involvement by telling people not to go to the place of counting. If the counting process takes place, say in Parliament, no one should come around the parliament precincts, and if anyone comes around will be arrested. No one should come around the place of counting otherwise they might likely stir up problems. Just leave the polling agents or counting agents and people like that to be in the place of counting and no one else. We just listen out to the radio when the results are announced. That was emphasized on counting when we go through the Bill, and I said to myself, my goodness, why talk about counting.

During election day, it is possible that about 3,000 people may have been denied their democratic right of casting their votes. The policemen, the sailors, the public officers, the presiding officers, all those people throughout the country have been denied their right of casting their vote during election day. Why did you not provide for them in this Bill? Do you not feel sorry for police officers who work very hard during election day and would also like to vote for their candidate but were hindered from doing that because they have to go out to other places to do their work. The Minister of Police should look into this because the police officers are the people who work hard during election days. These officers have been denied their rights to vote, but they are our people and citizens of this country. Police officers in Kira Kira, Gizo, Auki and Taro, every one of them will go out to provide security during election day and so they would not be able to vote. Police officers working here in Honiara will also go out to the provinces and some are going to be deployed elsewhere. If you count all of them, I guarantee you that it should be more than 3,000 people not voting in our system during election day.

My fourth point is the election fee. Section 27 of the Principal Act says, 'a person shall not be validly nominated unless the sum of \$5,000.00 is deposited by him or on his behalf with the Returning Officer within the time allowed for the delivery of nomination paper'. That figure has already been overturned by the High Court through a court case won by the Member for Lau/Mbaelelea. But why is that figure not amended in the law? The figure \$5,000 is still there in the law. I am aware of a High

Court case that the Member for Lau/Mbaelelea, Honorable Walter Folotalu has won the case and so it is up to the government of the day to make sure this figure is amended. Today, we are paying a fee of \$2,000.

On voters list, and the Minister for Provincial Government is not here, but why did you centralize this function once again? Do you know that a section of the Local Government Act says that the list of voters is the property of the provinces, and not the National Government? Why are you now changing this so that the Electoral Commission has power over it? Voters list is the property of people down there. You are centralizing things. What kind of decentralization are you talking about? Is the government decentralizing things to our people down there or is it intending to centralize things, just like all the universities that are going to be centralized here in Honiara. You are carrying out centralization here. We must grow up in our politics so that we recognize our people by decentralizing things. Do you want me to come in the next government and abolish the provinces? This is because you are not interested in decentralization but centralization. That is wrong, that is a wrong move. I want to tell you that we are almost going out but most of the things we are doing is encouraging centralization so that everything is done here in Honiara so that another ethnic tension happens again. You are advocating centralization, this in itself is centralization.

Voters list, under the Local Government Act is the property of the provinces, the nine provinces. The Electoral Commission only borrows the list and use it during the election day of the National Government and it should be then given back to the provinces as it is their property, it is the property of the provincial governments. That is why you are trying your best to change it. You repeal or amend that law so that it is bended so that Dennis Lulei's group can be in charge of it.

This is very, very important. If the premiers were here they would have argued against us on this because you wanted to get back their function, and I know that it is not a devolved function. But from the beginning it is the property of provincial governments under the Local Government Act regulations. Now that is the reason why I am going to reserve my vote on this Bill. I cannot vote for this Bill because it advocates centralization. Voters list is the property of the provinces.

The new ballot box, I think, should be improved because the boxes can be abused. I would rather have the ballot boxes colored as well as the picture of the candidates and also the identity of the political party the candidates are members of on the box. During the last election, the ordinary A4 papers were drawn out and given to us, like we do during the election of the Prime Minister and the Governor General and it was ticked. That is ad hoc arrangement. We must follow the law. Somehow the voting form must be improved to make it look much more professional. The kind of ad hoc arrangement at the last election was one where I was given a form like this and a box was put at the polling station and so I have to tick the candidate of my choice, fold it and then put it in the box, just like our system of voting for the Prime Minister. I

want us to make it to become like the receipt books or something big and it must have colors. That is my suggestion on improvement to this so that it identifies the voting paper.

My second point is eligibility or qualifying period where one resides in a particular place before he/she is qualified to register to vote in a constituency. This Bill does not mention anything on qualifying period. I read through the Bill but I could not find it, it looks like it is not addressed in this Bill. How long do I have to reside in a constituency before I am qualified to be registered as a voter? I thought it used to be 12 months. If I reside in Honiara for 12 months my name down there in Makira would be struck off and then I become a voter here in Honiara. If I reside here for six months I am not yet qualified to be a voter here in Honiara and so I have to go back and vote in my own village at Pamua. That is how I understand this to be, but this time it is silent and so we should take this into consideration so that maybe in the next reform it can be taken care of. I do not know how long but registration officers when going around must find out how long a person resides in a certain area otherwise he just goes there last week, which means he cannot be registered and that is why 12 months is the time period one has to reside in particular area before one is qualified to be registered. If you live here for 12 months and up you are qualified to be registered here and to vote here in Honiara, which means your name in the province is struck out. But I can see boatloads of people going to Auki, Makira and the other places. Maybe they are voters of those places who come to live here in Honiara for the time being and then they go to be registered or maybe their names appear here but just for the sake of going to vote there. I am not sure about that, but I think there is need for us to look at Form B. I think it is there but I did not see it, but Form B should tell us how long I would have to live in a certain place before I am qualified to be registered as a voter.

Today, there is a lot of confusion in the provinces in regards to constituency and wards. Therefore, the Boundaries Commission should put more effort into addressing these confusions because there is a lot of confusion on the different wards so that registration of voters is done rightly. In the eastern part of my constituency when it comes to provincial election, a part of Ward 20 would vote in East Makira, a candidate of the ward will be for East Makira. When it comes to the general elections they will vote for a candidate in West Makira. Those are the things the provincial government and the Boundaries Commission should look at, and not only look at reducing the number. They should instead look into this issue; sort out the boundaries of wards as they are causing confusion and this is for the whole country.

I have in mind a lot of other things as well, but I am just sad that this government is going out very soon and it should leave behind a good reform our electoral system before it leaves the office. Instead you are going out with a mess. I called it a mess because it is not going to improve the running of the coming elections and those coming

later. That is how I read it. You can accuse me for it but it is okay, I stick up my neck for any accusations. But this is my belief.

What you are doing now is creating abuse. The system is very easy to be abused now with these reforms you are coming up with in this Bill, and that is why I very much reserve my vote on this Bill. This is because the Minister does not look beyond; he did not advise his officers or give directives to his officers but just listens to them. The Minister is the political head of that Ministry to direct the Ministry on the policy of your government. I see this as very important.

I am talking very strongly about this because in two months time we are going to hold the general elections and we are missing the time to correct the things that would avoid problems that would happen at the end of June or July. And whilst on this, I want to ask you not to drag the election. In fact, we should have a snap election on the 15th or 20 June. But do not drag it, you cannot leave Parliament to be empty for a long time. We need a new government to address the nation on the 7th July 2010 and not the old story.

I am talking very hard on this subject because it is a very, very important and crucial subject at this time.

Hon. Fono: Point of order. I think the West Makira has raised a very important whereby a lot of people or the public are of the perception that it is the government or cabinet that will set the date for the election. I want to make it clear here that it is the Electoral Commission that will set date for elections and not the cabinet, the government or the executive per se. I just want to clarify that to the listening public. The MP for West Makira pointed out that we should do a snap election. However much we would want to do that we do not have the power to do that because the Electoral Commission has the power to set the date for the elections.

Hon. Sogavare: Yes, a further point of order to that. In fact, the National Parliament Electoral Provisions Act, Cap 87 says that the Governor General appoints the date for the election. That is in section 24. But I take the point made by the Deputy Prime Minister that we are waiting for the processes the Electoral Commission is working on and when that is completed, under section 24 of the Electoral Provisions Act Cap 87, the Governor General will make the proclamation and 42 clear days after the proclamation is made would be the election day on the advice of the Government.

Mr. Speaker: Just to put things into perspective. The point made by the Leader of Opposition is correct that the Governor General makes the appointed day upon the advice of the Electoral Commission, and I am sure that will be done after the registration of voters is completed.

Mr. Waipora: I thank the Hon. Deputy Prime Minister and the Leader of Opposition for their point of order. I have to mention that as this is a political house and I can voice out my political views in here. This is a political house and so I can say what I want to say. But it is good that it has been corrected. But I can say that some of us have conducted elections in the past and so that is why I said what I have said because it is a lot of headache running it. And this is a very good opportunity to state the headaches. I cannot say much more otherwise the whole house will be angry with me. With those few remarks, I resume my seat.

Hon. ABANA: Thank you for giving me the opportunity to also add my voice to the debate on the proposed amendments with the National Parliament Electoral Provision Bill 2010. But, before I do so, I would like to acknowledge the Minister for Home Affairs for the operational foresight for bringing to the floor of Parliament practical amendments aimed at enhancing our electoral process.

My colleague did not bring these amendments to the Electoral Act because the election process is just months away. But it is an indication of the government's commitment and seriousness to ensure that our people who are eligible to vote in the coming election are not necessarily disadvantaged by systems and processes. It is important that our people fully participate in this rare but critical opportunity to exercise their democratic rights in the election of their leaders through their ballot papers. Furthermore, it is the government's duty to ensure that through such proposed amendments, people's voices are heard by electing their democratic leaders into this honorable House.

It is important to acknowledge, at the outset, the challenges of the administration of the national election process in this country. For instance, in spite of the many good plans and intentions in the country, the practical logistics of just moving between our islands for the purpose of any national process, such as elections, census or even national school examinations have proved to be very challenging from past experiences. In such context, it becomes inevitable to the provisions for operational improvements to the system used in our national election process. As such, I am confident these proposed amendments are practical and operational improvements aimed at enhancing the areas of voter registration, polling and counting processes of our electoral system.

Whilst the Constitution clearly states the mandates of the Solomon Islands Electoral Commission in the conduct and administration of the national electoral process, these proposed amendments do, however, reflect a clear need to empower the Electoral Commission to oversee and be accountable for the conduct of the overall electoral process more effectively. A fact also is that prior to such national elections or by-election processes, there are often mass recruitment of election officials for the purpose of carrying out the election processes on behalf of the Electoral Commission. These are not full time positions due to the obvious nature of the tasks related to the

election processes. Often too, there is a general assumption in the recruitment processes that the people recruited do know their responsibilities and the implications therein.

Whilst I acknowledge the short training sessions often provided by the Commission to these personnel prior to the election processes, they are, in my view, only administrative convenience but still inadequate to fully equip these personnel to carry out their duties effectively. This may be an area worth noting for the future.

Coming back to the proposed amendments, some areas for improvement may not necessarily be related to legal concerns but merely applying best practices to ensure an effective conduct and administration of the electoral processes. An example of a common area of concern during past elections is the nonexistence of a check and balance process for addressing duplicate registrations across constituencies prior to the polling day. Such weaknesses do expose our natural process to abuse and malpractices and does have an impact on the election results as well. In this regard, it is essential that the proposed amendments of the National Parliament Electoral Bill do empower the Electoral Commission to ensure effective conduct and administration of our national electoral process.

With these few remarks I support the Bill.

Hon. SOFU: Thank you for giving me this opportunity to join my colleague Members of Parliament who have already spoken to this very important piece of amendment.

Before doing so, I first would like to thank the Minister for bringing this very important piece of amendment before Parliament for Members of Parliament to deliberate on. I wish to also thank my colleague Members of Parliament on both sides of the House for contributing towards the debate of this Bill.

What have been stated by those who have already spoken on this Bill is very clear. And so I only have one or two things to add on to this debate. It is obvious that this House is meant for bringing of laws, changing of laws and amending of whatever laws. Therefore, I feel it is not right for us to say that the CNURA Government is blind in bringing bills like this to the floor of this house. Whatever laws we pass in this Parliament, let us all understand that laws are subject to changes and amendments. Whatever government comes into power and sees it fitting to amend a law would have to bring an amendment to that law on this floor of Parliament, and it is the duty of Members of Parliament to deliberate and discuss laws brought to this house. That is the first point I want to register in my debate.

The second point is, before this Bill was tabled here in Parliament, the hard working Minister for Home Affairs brought the Bill to Cabinet for Cabinet's deliberation and approval before the Bill was brought here. If one had listened carefully to what the Deputy Prime Minister said earlier on today there are certain amendments that were removed when the Bill came before Cabinet. What is before us now is what was approved by Cabinet before it comes before Parliament. I would like

to thank the Minister for Home Affairs, the Permanent Secretary and staff of his Ministry for a good work in compiling and putting together of this piece of legislation before it is brought to Parliament.

My final point is, I think this piece of legislation is trying to make improvements to things that we found in the past are not good. And making amendments to the principal act will continue, it will continue, it will not stop. Whatever we see fit for improvement is amended because this is the place for it. The important point I would like to put across here is that the administration of whatever bill we pass on this floor of parliament is very important because the machineries will implement whatever laws we pass in here. It is very, very important they implement the piece of law, the piece of legislation in the way the government sees fit.

When we look at registration of voters, a registration officer of a province would register people from the coastal area in the bush of the constituency. Do you think people from the coastal area would go to cast their votes in the bush? No, they would not go but will remain in their village on election day or just send someone because they are not used to travelling up hills to go to the bush or go up the mountains. We want everybody to participate in casting their votes because that is their right. Therefore, the machineries of government that implement any piece of law are very important. Improvements like these, some of them are administrative matters that those people down there should carry out.

It is very important that I have the opportunity to take the floor just to raise these points because these are the experiences that I know, especially the constituency I come from where you have to climb mountains. Make sure when assistant registration officers are chosen, they must register people living within the vicinity they come from so that they can easily go to vote and they are known within that area. The point by my good MP for West Honiara and Leader of Independent echoed earlier on today is true in that people living within a certain vicinity should know each other and so if a different person comes along to vote in their area, they would also know as well. But to put someone living in town as a registration officer in an area he knows nothing about, he will not be able to do the work very well. It is very important that officers must be careful of those things. This is administrative matter that I want to point out whilst I am talking now.

Another point worth taking note of on polling day in order to cope with timing and give opportunity to every people in the rural areas to cast their ballot papers, to participate in the election process, it is important that returning officers and assistant returning officers when they find an area has a much bigger population, put additional polling stations to avoid long queues of people lining up to vote after 5pm or until nighttime to cast their votes. If I could refer to the statement made by the DPM today that the government looked into the idea of extending the voting time to 5pm, which is night time and in some places there are no lights and this can affect the voting process.

It is important that whoever is in charge, whether a returning officer or an assistant returning officer for a polling station or a constituency when he sees fit should put in additional polling stations so that people have the opportunity to cast their votes.

It is now 12pm, but it is very important that the Minister of Home Affairs brings this legislation to this house so that we pass it to improve the areas that need improvement. And making improvement to the principal act will continue. Next time when there is need to make any changes, it can be done to take into account the important points that members of parliament expressed today in their debates.

With these few remarks I would like to thank the hardworking Minister for Home Affairs for bringing this Bill for us to deliberate and pass. I support this piece of legislation.

Hon. WALE: Thank you for giving me this opportunity, I shall speak very briefly in support of this Bill. I am sorry to hear the MP for Tetepare and Western Makira being animated about this Bill and have reserved their support at this stage.

Judging from the debates so far, every one of us has a commonality of concern in the sense that we want the outcome of the elections to be credible. I think we also recognize that the credibility of that outcome can only be underpinned by an electoral system and process within which its integrity is safeguarded, protected and advanced by all participating in such a process in ensuring its integrity right from the time the name of a person gets on the register until it gets off the register when a person dies or when he changes citizenship and so it must come off the register. Whether the name is on the register in one constituency or in another one, it is also obviously under our current system is an issue that the process must safeguard. It is obvious too in our debates so far that some of those safeguards are not as robust as they ought to be and so it is important that we look at the safeguards.

It is unfortunate, and this I think is a point that has been made by a number of speakers already this morning that this Bill came in very late. The late coming of this Bill is the result of a number of different factors that conspire not in a negative way but has resulted in the situation for this Bill to come in late. Of course, you will appreciate in its policy that the government made it very clear that we need to move to a preferential voting system, and discussions at the policy level has been clear in that the government wants all the issues we raised as deficiencies in our current electoral framework has had a lot of discussions to it already in terms of making sure we, not only move to preferential voting but we address voter identity, which is the very core issue in regards to integrity in voter register roll that must be addressed. The question as to whether it should be compulsory registration or to still remain as voluntary registration has also been discussed. I think the desire of the government has been and still is that that must be the direction the country must take.

I think most of the bottleneck has been more on the capacity of the Ministry of Home Affairs, especially the Electoral Commission to get to a stage where in its view it feels its capacity is robust enough to move forward on the issues. Personally, I am of the view that we can do it. It is up to the government now to take that direction and to implement it. Unfortunately, when the government raised these issues that they were strategic and urgent issues we felt, the response we got was that time is short, the two years that CNURA has is too short to bring in a wholesale electoral reform and to educate the electorate to understand the new system and the intricacies of it and to then use it properly at the coming elections this year. Now, to this day I still doubt that advice. I still think that that advice understated the capacity of voters in electorates in the nation to understand those issues and any new systems and the proper use of them.

I think our people can be given a bit more due credit than has been given to them by the Electoral Commission from their advices. They can also line preferences too, so however which resulted in this Bill coming as has been labeled piecemeal, is true in that sense in that it only seeks a few incremental improvement in some areas but not all. I think the substantive reform that moves totally into a new electoral system must happen and it must happen quickly, perhaps at the end of this year under a new house or early next year so that we have four years and there is no excuse in the next House.

Along those lines of thinking I find the MP for Makira's debate on this Bill as childish. He is not here to hear what I am saying now, but it is good that he is not here otherwise he would be angry with me on what I am saying about him. But he has been in Parliament for two terms now but he did not address those issues he raised. He was also at one time a minister for provincial government. The issues he raised are not new issues of today. Since we gained independence we have used the first-past-the-post system until today. And it is much the same for all who have served in this House for more than a term that these issues are not new issues. Once we start accusing each other to say CNURA brought this Bill in the last minute, we are now beginning to take stock of the issues and address serious reform. And I think this House, and by that I mean not just CNURA, but GCCG before it, its policy document is very clear on this because we were all part of that government of course, in terms of what the strategic reforms must be. This is why I said the statement by the MP for West Makira is childish, and even the MP for Tetepare as well and that is why escaped outside because he does not want anyone to reply to what he said, he does not want to hear any answer to the statements he made.

These are issues that are causing a lot of bottlenecks in our governance system and they must be addressed and they must be addressed a bit substantively because window dressing or tweaking on the edges is not going to fix anything. However, the issues contained in the Bill are trying to just address things for the coming poll. It is not intended to achieve thinks to go all the way but at least we have a little bit more credibility in the process on this particular poll.

The question of absentee voting is a very important one that we must have. The election after the one coming must have this. Our people must be afforded the opportunity to exercise their vote, as it is a constitutional right. The current system conspires against that but we must make it possible.

The whole thrust of reform that we have been discussing; we have been talking about the political party, the constitutional amendment which we are going to debate along with the Political Party integrity framework legislation. Of course, looking at the preferential voting system in the next round, strengthening parties, that whole move in reform is to give greater ascendancy to political parties, in recognition of the fact that individuals may contribute in terms of policy but political parties ought to become the legitimate vehicle in identifying, processing and then advancing policies. Without that kind of platform, without a level played by political parties, it would be a bit difficult when individuals come and we expect better governance and better policies. We expect the policies to be reasonable because we have a lot of policies and a lot of policies are unreasonable too because they are just wish lists, they are just shopping lists with absolutely no reference or no regard whether it is affordable, reasonable, achievable or implementable. And so it is important that greater ascendancy over time is given to political parties so developing that culture, developing the legislation and other regulatory mechanisms to help in nurturing that culture is obviously a key piece of reform going into the next House.

The Leader of Opposition talked a bit about party lists. I think this is a serious policy proposition that we must think seriously about on this notion to see more women inside parliament. I think given the current situation in our country, the clear fact that it is a man's world, should not preclude us from embracing such a notion of bringing women into parliament. It is good to see some women coming into parliament to balance us a bit, and to advance issues that perhaps women feel a bit strongly on it more than we the men, but the current system conspired against that.

I am not sure whether party lists as was suggested where the party nominates the list and people vote for the party and then those on the list become Members of Parliament is good. Of course, that is a proposition to be studied, but I think on the surface of it, it is important that representation in parliament is bedded in the people that the legitimacy of parliament itself has got to be bedded directly in the people. How members who represent people are then incorporated into the party is obviously a matter to debate and to be looked carefully into as well.

I have always wondered when we talk about integrity in the registration process and so forth, because those of us in Aoke/Langa Langa also suffered the same fate where some people from Central Kwara'ae and West Kwara'ae came over to vote in the Aoke/Langa Langa constituency and then went back and vote in their own constituencies as well. This is obviously an issue that is common to every one of us. But I have always wondered about the integrity of the data base we have in our

citizenship, birth and death because there is a natural growth that is happening; people who are being born should enter the register not to vote but when they mature upon reaching the eligible age so that they are automatically inside the voters' registration list. Where they are allotted in terms of constituency to vote is probably a matter for verification, and the same should also apply in deaths so that when a man dies, the church is required, as is required in marriages, to file a copy of the death certificate to the magistrates or the Ministry of Home Affairs so that a person who dies is automatically taken off the register and there is no need to wait for the registration process to verify this. The same is with citizenship that copies of these are forwarded to the Electoral Commission and the register is continuously updated as we go along. In that sense, we would not have this kind of bottleneck situation where we have to look for \$12million two months before an election to try and complete a registration process, a process that was thought of, and the scheme of timing set when funding is not considered a bottleneck issue. Today, funding is considered a bottleneck issue because any delay from Treasury tilts the whole situation out of hand and so we land ourselves inside some difficulties. This again is one matter for reform going into the future; we must integrate the data basis that we have in the different parts of the government that are registering our people.

Many countries have social security numbers, like the NPF number but is a bit beyond that which covers everyone. The sheer fact of being a Solomon Islander means the government must have an interest on them. If the government does not know about its citizens then there is no way of formally registering them and then it would be difficult. Of course, on the other side of it has been the issue of privacy and personal liberties. But many, many countries and especially the developed or advanced democracies in the world have personal identification cards for each and every one of its single citizen. It is important and perhaps that could be the basis for the register in future and perhaps that could be something in ensuring the integrity of the register.

Lastly, the issue of eligible age to vote has been raised, and I think it is a valid point. We know that consenting age is 16 and therefore, at the age of 16 a girl can choose to marry or to have relationship that does not require the consent of her parents and also at that age if someone commits a crime he/she is individually responsible for the crime. If in criminal law a child is considered responsible for his/her actions at 16, it is only a logical conclusion too to say that perhaps at 16, we consider that he/she is responsible enough to participate in this important governance decision of voting in election. In that regard, perhaps the age of 18 looks arbitrary a bit. This is not a unique situation to us; many countries around have the same problem, like in Australia, New Zealand, the UK and US have also a similar situation. However, that does not mean we stave off from that and perhaps we should seriously look at pegging it with the consenting age, and then if by law consenting age is lowered more at any time in the future, it automatically lowers the eligible voting age. But it is again a matter for us to

look at. But definitely going into the future, the key reforms that must come must be to move to an entirely new electoral system, and with the commensurate processes and mechanisms to ensure the outcome of the elections is credible and that we are getting the best talent to come into this House and that it binds our people together to look seriously at policies at the national level that is counted, and of course what happens at the constituency level is also important. But it must not have a disproportionate impact on the decision of representation in Parliament.

Thank you once again for the opportunity to speak just before the Minister winds up.

Hon. HAOMAE: Thank you and I shall be very brief; in fact I will be only dwelling on one aspects of the Bill, which is the registration. But before that, on the Electoral commission, it appears that we need to, and this is a reform bill, and the issue of the electoral system in our country is being reformed, and I think the process of reformation is an ongoing process and other reform bills will be introduced for purposes of reformation of the electoral system.

An observation I have is that the Electoral Commission appears to be hibernating all the time until it is closer to election time or the year that election will take place when it becomes active again. I think reformations in the electoral system should ensure the Electoral Commission is fully given the capacity to ensure the process of registration continues all year round to the extent where we can hold elections as soon as possible. One of the reformations would be to ensure the Electoral Commission is in the position of full capacity so that the issue of registration is done every year and not at the end of a term, like this year is election year and a few months before the election registration is being done. It is becoming more like the census. I understand about the national census that enumerators were hired to go around, but in terms of the Electoral Commission, I think the registration process, like the Minister for Education has said, we should have a data base where its integrity is preserved so that when people die there is a mechanism in place to notify the Electoral Commission or Home Affairs about it so that the dead person's name is removed from the list, and also people who come of age whether it is 16, as suggested by the Minister of Education or it remains at 18 years old so that registration is done every year.

I speak on this issue because registration is one of the most important instruments because if you are not registered then you cannot vote, and this is the process that can be politicized. If a registration officer or assistant registration officer favors another prospective candidate, he will try his best to disenfranchise the supporters of the other candidates, making this an issue we hear in the media where there are a lot of comment on this.

I was proposing and I think for the future we must have compulsory registration and the onus of not registering anyone falls on the registration officer; the penalty of not

registering anyone must fall on the registration officer and not the voter. In that way, I think everyone will be registered and when it comes to voting it would be voluntary depending on whether a person wants to vote on that particular day or not, but registration for everyone must be compulsory. That is my submission.

As I said at the outset, this Bill is part of the reform bills that will come into this Parliament, and I hope that when the next reformation of our electoral systems comes, we will ensure that the issue of compulsory registration is being looked at. Because at the moment even in constituency there are complaints about registration officers not properly registering people. When we reach the stage of compulsory registration and the penalty for not registering anyone falls on registration officers, I believe registration officers will do a good work regardless of their political affiliations or political views they might have as opposed to prospective candidates at that time. Not only that, but if the Electoral Commission registers people every year by the time of voting they will not know who is a candidate so they must do that work in an environment that is free from politics. That is one of the submissions I want to make. This is not in this Bill at this time but that is an issue we can look at when the other reformation bills in terms of the Electoral Commission does its work of reforming the electoral system that we have at this time.

That is the only issue I want to raise at this time and I thank you for giving me the opportunity before the Minister winds up the debate, but that is an important point and I want to make it at this stage. I do not want to repeat what others have already said and so I support the Bill.

Mr. OTI: I was going to speak if the Minister is going to wind up now. If the meeting is going to be suspended until the afternoon, then of course I can reserve this opportunity perhaps for the afternoon. I just want to seek your indulgence whether the Minister will wind up now so that I can make a contribution.

Mr Speaker: I would like the Minister to wind up the debate on this Bill and so I will give you the opportunity to talk now.

Mr. Oti: Thank you, so therefore I would have to make my small contribution and join other colleagues in congratulating the Minister and the Electoral Commission for this amendment to the Electoral Provisions Act.

Yes, timely or untimely it might be or late it might be, this is one of the legislations that is critical to the work of the Electoral Commission as the Chairman stated sometime ago, I think in the past two or three weeks ago that this is a legislation that must go through this House to enable some processes that are deficient in the current provisions to ensure we address a number of issues that have been brought up by various contributors to the debate on the motion.

Also, clearly from what has transpired on both sides of the House, parts of the debate or the sound of the debate, some are debating issues that have nothing to do with the Bill that is before us, and that is why you have taken up a long time and we missed the point. In fact you are trying to debate in advance of what you want to come, which is not the intention of this Bill.

The objects of this Bill are just two, which is inside the Bill. I think we have not read the Bill clearly and that is why we talked outside of it. First is to empower the Electoral Commission to be in control and dictate to officials that have been appointed to carry out the registration process in particular. The second is to make sure double registration does not take place, hence forms or draft forms that are part of this legislation. Thirdly, is to make a small adjustment to the polling processes to validate the single box voting. Those are basically the objects of this Bill.

Of course, issues that have been brought up in the wider debate are policy issues or policy matters for which the intention is there, and we cannot throw around whose responsibility it is and who is not doing it. But explicitly perhaps and unfortunately, CNURA is in power at this time, and in its policy statement, this is a matter that should have been addressed between January 2008 and December 2009. This is in your policy statement. So maybe those who said you should have now brought those things is because it is explicitly a task that the CNURA Government as put in its framework on how it would implement its policies in this area.

Of course, there are other competing demands and therefore we cannot blame each other as to why this has taken second priority or has been relegated to third, fourth or last priority and so on. The task that is before us now is to ensure that we try out these small amendments so that they help out in the 2010 elections. For the long term would be a proper review and a wholesale approach to the whole electoral reform process.

The suggestions that have been made, which I think is also along the lines I have is what the Minister of Foreign Affairs has touched on and the Minister of Education has also made reference to is in regards to the registration process. This law is about the current arrangements of registering of voters. What we are saying is for the time being this will not take us forever and on. We have to adjust and approach it on a wholesale manner.

This is important because, first, the credibility to have the voter list and some of the suggestions including the age, but I cannot agree with the Member for Tetepare that it must go as far as the children. Of course, that is their right, but their right for the time being is vested and entrusted on those who are 18 years and over for the time being. If it is brought down to 16, perhaps because of the age of consent then that is something we should look further into. This also includes the issue of others right to vote but who cannot take part in the current processes of our system because they are not at their registered polling stations at the time of the elections.

Apart from the deficiency in the practicality of some of the issues and the means that we are trying to address the elections, one fundamental one, and which I think by doing some of the suggestions being aired on the floor, such as a continuous process of registration to avoid some of the costs that continue to see increases in the budget. This year, for example, about \$32 million appeared in the budget of the Ministry of Home Affairs to run the elections, and that includes the registration process. In the development budget you will see \$12 million this year under non appropriated for funds and \$14 million last year. For reforms to the electoral process, these are the monies that we should have used. One wonders what have we used those moneys for, particularly those under the non appropriated sums.

If the policy is not clear and not prioritized, of course, the moneys will be sitting down there or used for other purposes than the purpose for which we intended it to be. The policy must be clear as to where we want to go before those kinds of moneys can be effectively used for those purposes. It reduces a lot of costs in the future but we cannot continue to use the same electoral arrangements and expect the sums to come down; far from it. Now it is \$32 million, and in the next election if we do not address these changes to the electoral system, it is going to hit \$50 million. The higher it goes, the harder it gets for us to finance it. For us to continue along that line means something is wrong with us. We must turn back and see what are the issues, how could we cost effectively address electoral issues in Solomon Islands, and therefore one that we can start off with is the registration process, which is ongoing, it is a daily activity of the functions of the Commission, hence as we have seen one of the first amendments now catered for under this Bill is to empower, directly empowering the Commission. Now that is already moving in the direction we want the Commission to take charge of the responsibility, hence perhaps in future that is the way for us to go.

Furthermore, there is a constitutional provision in section 73 of the Constitution were under our current system electoral system, you will never never invoke that part of the Constitution where the House is prorogued. You prorogued, where is your voter list, and you cannot hold elections within the 120 days in the Constitution because the electoral system does not allow you to invoke that provision of the Constitution. By doing that, like snap elections that people are calling you, it can be done only if the snap election is changed through dissolution of the House before the fourth term, you can actually go to the elections if you amend the electoral system to cater for that kind of situation. I was wondering too as why this kind of provision is in the constitution, and practically it is not going to happen because you are not prepared.

Now, as we have heard from the Minister on Monday, the last day for finalizing of the registration process is 9th of January. Give another two or three weeks perhaps, and the Governor General invokes his power under the constitution to set a date, then count down 42 days. That takes you into August. If that timing is applied to the present requirements of the Constitution on the dissolution of the House, this is a

redundant process; it is impractical so you will never have snap elections in Solomon Islands because you are barred and marred by the constraints of the voter registration and that is why we have to go. For the long term we must move into that direction.

On the one hand, I am contributing to what is not in the Bill, of course, but that does not mean I agree with all those who are contributing outside of it. I made that to make a point, a specific point and defend the position I come from, as you did not defend the things you have been saying.

So I come back, this is a very simple one, and for purposes of this Bill, perhaps we can look at it as ad hoc, but to address some of the pertinent issues that are current now we have to pass this legislation. Test it out to see whether it works, whether it is practical. You cannot preempt it is not going to. You can only say it is not working after testing it out. You only learn by your mistake. You do not preempt something in the future that you still do not know. With these small contributions I support the Bill.

Hon. Tom: Thank you. I wish to thank Members who contributed constructively to the debate of this Bill. The Bill is evidence of the seriousness of the CNURA Government policy to ensure Solomon Islands has a free of error voters' register and election results that are credible and reliable. On this note, I wish to assure this honorable House that this is not only the legislative change to our current electoral system, rather they are the only changes time has allowed us to make prior to the coming general elections this year. There will be more major legislative, structural and organizational changes coming after the elections, and again I can assure this honorable House that many of these changes will come even before the 2014 elections.

As I have already alluded to in my opening remarks, the Bill specifically focuses on the powers of the Electoral Commission in three specific areas; voter registration, polling and counting. These are areas considered problematic as late as the last general elections in 2006 and the bye-election that followed. Many of these areas are areas that the Electoral Commission has already certified in its future reform plans to deal with. The contributions of honorable Members this morning only confirms that these are problematic areas in our electoral system that we must address for improvement. I wish to assure this honorable House that I take serious note of all the good and important areas raised and assure they are taken as under the reform program that is currently in progress at the Electoral Office.

With these few remarks, I wish to thank those who have contributed in support of this Bill. Thank you, and I beg to move.

The Bill is passed

Mr Speaker: Honorable Members, according to the Order Paper for today, we still have the committee stage and third reading of the National Parliament Electoral Provisions

Amendment Bill 2010 to dispose of with as well as consideration by the Committee of the Whole House on the Foreign Relations Committee's Report. However, I have been advised that the government wishes to postpone these items of business until next week and to have the House adjourned forthwith. I understand that in view of the upcoming long festive weekend, the Government wishes to give Members as it has done for public officers, time to attend to personal and family commitments prior to Good Friday and Easter.

I have also been informed that the government has a general consensus of its intention from Members, including the honorable Minister for Home Affairs and the honorable Chairman of the Foreign Relations, both of whom have outstanding business on today's Order Paper. The Prime Minister, however, cannot move the usual adjournment under Standing Order 11(4) at this point because there are still other items of business on today's Order Paper, and it is not yet 4.30pm when business maybe interrupted for adjournment. I have been thus requested by the honorable Deputy Prime Minister with the understanding of the Prime Minister to exercise the Speaker's discretion to give effect to the wishes of the government, and I consider the basis of this request is valid and indeed very considerate of public officers and Members of Parliament.

Adjournment is in order and outstanding business will come on at the appropriate time when we resume next Tuesday. Honorable Members, accordingly, pursuant to Standing Order 10(5), the House is now adjourned until 9.30 am on Tuesday, 6th April 2010.

The House adjourned at 12.44 pm.