

FRIDAY 15th AUGUST 2008

The Speaker, Rt. Hon Sir Peter Kenilorea took the chair at 9.44 am.

Prayers.

ATTENDANCE

At prayers all were present with the exception of the Ministers for Rural Development and Indigenous Affairs, Foreign Affairs and External Trade, Commerce Industries and Employment, Energy Mines and Rural Electrification, Forestry, Fisheries and Marine Resources, Environment Conservation and Meteorology, Infrastructure Development, Education and Human Resources Development, Home Affairs and the members for West New Georgia/Vona Vona, West Guadalcanal, Central Makira, Central Honiara, West Are Are, South Vella La Vella, Temotu NEnde, North Guadalcanal, North West Guadalcanal and Malaita Outer Islands

ANNOUNCEMENT

Statement by the Speaker on Private Members' Business

Mr Speaker: Honorable Members I would like to make an announcement concerning the order of business for today. I have been informed by the Hon. Chairman of the Parliamentary House Committee that at the request of the Hon. Prime Minister, the Committee resolved at its meeting on the 13th August 2008 that the business of the House for today will include asking and answering of questions. In coming to this decision, the Committee was cognizant of the fact that there is still a considerable number of questions in the notice paper and that it would be appropriate that time be allocated in today's Sitting to dispose of some of these questions.

As you are aware Standing Order 20(1) does not allow asking of questions on the first sitting day of a meeting or on Fridays. Therefore suspension of Standing Order 20(1) is required to allow the asking and answering of questions at the appropriate time. I will call on the Hon. Prime Minister to move the necessary suspension.

PRESNTATION OF PAPERS AND OF REPORTS

Mr Speaker: Honorable Members, on 28 August 2007, which was the last sitting day of the fourth meeting of this Parliament, the Honorable former Chairman of the Parliamentary House Committee, the Honorable Member for Ranogga-Simbo, submitted to the Clerk the Report of the Parliamentary House Committee on the proposed Parliamentary Sitting Calendar for tabling. As the report had not been

placed on the Notice Paper, the Clerk did not announce the tabling of the report on that day, however, it was duly recorded and circulated to Members. As Members would be aware, the next meeting of Parliament did not occur until December and due to the events at that time the announcement of the tabling was overlooked.

On Friday last week, the current Honorable Chairman of the House Committee, according to resolution of the Committee, gave notice of a motion for consideration of the report under Standing Order 18. It was only after this that the oversight last year came to my attention. To rectify the matter, I have directed the Clerk to duly table the report today and propose that we proceed with the motion today on the basis that it was submitted and circulated according to the Standing Orders last year.

I now call on the Clerk to table the report.

Clerk: The following report was tabled by the former Chairman of the Parliamentary House Committee:

'The Report of the Parliamentary House Committee on the proposed Parliamentary Sitting Calendar (*National Parliament Paper No. 47 of 2007*)'

QUESTIONS AND ANSWERS

Mr Speaker: Honorable Members, we will now proceed with questions. Following my previous advice, I now call on the Honorable Prime Minister to move the necessary suspension of the relevant Standing Order.

Hon Sikua: Thank you Mr. Speaker. Sir, I move that Standing Order 20(1) be suspended in accordance with Standing Order 81 to permit the asking and answering of questions in today's sitting.

Standing Order 20(1) stands suspended.

Question No.12 withdrawn

Progress of Pardon/Forgiveness Bill

13. **Mr Sogavare** to the Minister for National Unity, Reconciliation and Peace: Can the Minister inform Parliament of the progress of the proposed Pardon/Forgiveness Bill?

Hon IDURI: Mr. Speaker, I thank the Leader of Opposition for his question, which I respect very. The brief answer to the question is that the Ministry is at the preliminary planning and consultation stages in line with the normal government expected processes required in the policy formulation and in determining the policy proposal that will need Cabinet approval before the next step can be undertaken.

The initial consultations as alluded to will follow established government processes, hence will involve the Attorney General's Office and other technical Ministries such as Justice and Legal Affairs, the Police and National Security and other Ministries.

Sir, the Ministry has started on the consultation process. Thank you.

Mr Sogavare: Thank you for the answers. This is just a supplementary question. Who are the prisoners to be pardoned and forgiven under this Bill?

Hon Iduri: Mr Speaker, I cannot speculate on this but we have not yet decided on this. Thank you.

Mr Waipora: Thank you, Mr Speaker, supplementary question. If we have the Pardon and Forgiveness Bill, does that mean that the power vested on the Governor-General to pardon and forgive those that are imprisoned will no longer be there? Is this Bill going to take over the responsibility of the Governor-General to pardon these people? Thank you.

Hon Iduri: Mr Speaker, this is a technical question and the Attorney-General if he is present should be the right person to answer that question. Thank you.

Mr Sogavare: Mr Speaker, thank you very much. Just a question on the consistency of government policy: How is the clear intention of the government to pardon and forgive works in line with or is fair with the proposed Truth and Reconciliation Commission Bill that is to be brought before the House, that basically rules out any idea of forgiveness and pardon?

Hon Iduri: Thank you Mr Speaker. That supplementary question is not directly related to the main question. Thank you.

Mr Sogavare: Mr Speaker I wish to contest that. The issue here is pardon and forgiveness and I am questioning government's consistency or government policy. When there is a clear intention here for the government to pardon and forgive, which this side of the House welcomes, Mr Speaker, it is not consistent with the intentions of the proposed Truth and Reconciliation Commission Bill that is coming before the House

Hon Sikua: Mr Speaker, the pardon aspect of the Bill will be something that is addressed upon people that are already in prison. The Truth and Reconciliation Bill is the one that will address the issues to do with forgiveness and things to that effect. Thank you.

Mr Zama: Mr Speaker, in my understanding the Amnesty Bill which has been passed has no teeth to bite. What is the assurance and guarantee the Minister or the government has for this nation and the people that this Bill will have any effect?

Mr Speaker: Can I elucidate myself first at this stage. Has the Bill we are now asking questions on been debated on and passed in parliament.

Hon Sikua: No, Mr Speaker.

Mr Speaker: So we might be asking hypothetical questions and abstract legal opinions and it might be very difficult to give proper answer if the Bill is not debated in this House and passed through this parliament. We might be asking hypothetical questions.

Hon Sogavare: Mr Speaker I appreciate your observation. The question is related to government's clear intentions as specified in their policy statement and they said that they are going to bring a bill dealing with pardon and forgiveness, and the question here, Mr Speaker which I thank the Prime Minister for his explanation, we are still looking forward to how this Truth and Reconciliation Bill will be framed and its contents because reading the content of this Bill Mr Speaker it rules out any idea of pardon and forgiveness.

Anyway Mr Speaker I thank the government for responding to that question. I will now take my seat.

Mr Speaker: Thank you Hon Leader of Opposition. For the information of the questioner, Hon. MP for West Makira, the Minister who is to answer this particular question has sent his apology. He is down with Malaria and may be you could leave this question to the next question time. You may therefore wish to continue to question no. 76 Sir, question 76.

Question No.75 deferred

Firearms Compensation

76. **Mr WAIPORA** to the Minister for Police, National Security and Correctional Services: What action has the government taken so far on the question of compensating legitimate owners of firearms that were confiscated during and after the ethnic tension?

Hon. MANETOALI: Mr Speaker, the Solomon Islands Government has made the decision that legitimate owners of firearms surrendered or confiscated during and after the ethnic tension will be compensated.

Secondly, Mr Speaker a financial provision has been included in the Supplementary Budget for 2008 for payment of compensation.

Mr Waipora: Supplementary question. How much will each firearms owner be paid?

Hon Manetoali: Mr Speaker, the level of compensation is as follows: for a shotgun 12 gauge, it is \$1,360.00, and for a .22 rifle, it is \$2,380. Thank you.

Mr ZAMA: Can the Minister confirm whether those are the only amounts you are going to compensate the people for?

Hon Manetoali: Mr Speaker, the answer is yes.

Mr Zama: Mr Speaker, does the government take into consideration the economic worth of these guns?

Hon Manetoali: Mr Speaker, the government has of course taking in to account the worth of the guns. The government has also looked at the cost of guns in other countries as well as in Solomon Islands. For example, in Australia the current value for a .22 rifle and 12 gauge shotgun is AUD\$500.00 for brand new ones, which is equivalent to SI\$3,441.00. For a secondhand gun, Mr Speaker, it would cost around AUD\$80 to AUD\$100, which is equivalent to DBD\$550 to SBD\$668. Thank you Mr Speaker.

Mr Zama: Supplementary question Mr Speaker, the Minister did not understand my question. I am raising this question because it is important for people with legitimate reasons to own a gun, but during the ethnic tension all the licensed guns were confiscated and destroyed.

People have reasons for owning a gun. It was not to be used for fighting other people. For instance, people who are farmers use guns to protect their crops from birds. That is the economic value of the gun I am asking about.

Does the Minister take that into consideration when arriving on the prices he stated on the floor of Parliament? The prices should be reflected on the right of owning the guns. What about the economic value of owning the gun?

Hon Manetoali: Mr Speaker, it is clear that the government's position is replacement value of those guns.

Mr Waipora: Mr Speaker, supplementary question. When they came around to collect the firearms the people were told that if they refuse to hand in the guns, they would be fined \$25,000 or 10 years imprisonment or if not both. Is this true or not?

Hon Manetoali: Mr Speaker, I think we just have to read the Act in order to answer that question in relation to the fine, the imprisonment and so on.

Mr Sogavare: Mr Speaker, in regards to commonsense and something that is reasonable. If you are prepared to lock a person up for 10 years or ask him to pay \$25,000.00 fine for

a gun that only costs AUD\$500, as the Minister pointed out, is this amount fair and reasonable to the government's point of view, Mr Speaker?

Hon Manetoali: Thank you for the question relating to the offences being mentioned in the relevant legislation in comparison to the price of a gun.

Mr Speaker, the question is, is it fair? If the punishment provision is not fair then in my view it should be us parliamentarians who should bring up amendments to reduce the punishment if it is too excessive. So it would be up to us, Mr Speaker.

Mr Waipora: Supplementary question Mr Speaker. It would look as though the Solomon Islands Government is responsible because we questioned during our time as well on who is responsible too. Is it RAMSI or the Solomon Islands Police? Is the order to confiscate the guns given by the Commissioner of Police or RAMSI? But now we have found out that it is the Solomon Islands Police that is responsible and that is why the Solomon Islands Government has to pay. Is that true?

Hon Manetoali: Mr Speaker, first of all I have to relate the question to Section 10 of the Facilitation Act. It is that provision which aid the guns to be confiscated. Who is responsible is not mentioned in the Act. But as a responsible government the CNURA Government has to take this course to compensate those guns whose guns have been confiscated. That is why I said that the government is responsible.

Mr Waipora: Mr Speaker, is it true that owners of those firearms are taking the government to court at this time?

Hon Manetoali: That is a very good course of action. If anybody is not happy that is the right forum because there are three arms of government that we have, which are the executive, the legislature and the judiciary. If the government made the wrong decision then the right forum would be the judiciary, the third arm of the government. It is there that the provision on the confiscation of guns would be interpreted.

Mr TOSIKA: Supplementary question. Are the records of the guns and the guns still in the custody of the Solomon Islands Police or not?

Hon Manetoali: Mr Speaker, the guns were destroyed.

Mr Tosika: Mr Speaker, I am asking whether the guns are still in the custody of the Police on the basis of what the Governor General Ini Lapli said at that time. The Governor General gave a notice at that time that guns with a valid license should not be destroyed, and their serial numbers kept in safe custody so that when peace comes about those guns should be returned to their rightful owners. My question is, if those guns were destroyed were the serial numbers of who owns the guns still there or not?

Hon Manetoali: Mr Speaker, I would answer the second part of the question on the serial number of guns, to say that all the records were kept. In relation to whether the guns were kept or not, if the guns were kept then they would be given back, if not the owners would have to be compensated on the amount approved by the government. Thank you

Mr OTI: Mr Speaker, in relation to the previous immediate supplementary question, Section 20 of the Facilitation Assistance Act 2003 under which notice was issued by the Governor General specifies amongst other things the territorial jurisdiction within which an exemption under that notice is given and also apart from that those who were allowed to carry weapons, that notice specify, and therefore the destruction of the firearms outside the scope of that notice is the subject of any legal mitigation in this regard.

What is the present government's thinking on the relevance of that particular notice as it affects certain people, individuals who fell within the scope of that notice that actually they are exempted but the Police and RAMSI went ahead to confiscate let alone destroy those weapons? What is the government thinking in terms of that particular notice so that those who were wrongly treated under that notice can seek redress under normal legal mitigation as is available to us? Thank you.

Hon Manetoali: Mr Speaker, in fact the government has not come that far as yet. The government has only come to the position where the gun owners would have to be given the replacement value of the guns. Thank you.

Mr Waipora: Mr Speaker, my good honorable Minister of Police properly answered questions earlier on today but I really wanted him to confirm whether the government is aware that firearms owners will be taking the government to court. My second supplementary question which you have yet to confirm is whether it is true that people who refuse to hand in their guns will pay a fine of \$25,000 or if not 10 years imprisonment or both?

Earlier on the honorable Minister explained that people have right to take the government to court if they are not satisfied. He also said that the \$25,000 is specified in the Act.

I just want him to simply confirm whether it is true that the people were threatened with a \$25,000 fine or 10 years imprisonment if they refuse to hand in their guns and whether the government is aware that people owning those firearms will take government to court?

Hon Manetoali: Mr Speaker, anyone who wants to take the government to court is their own decision. It is their decision to bring a case before the court. Everybody has the right to do that. It is a constitutional right of a farmer, a gun owner or whoever to bring

a case to the courts for interpretation or to seek redress for damages or compensation. It is open. It is left entirely to those who are grieved.

In relation to the \$25,000 fine, Mr Speaker, I am not sure which provision my colleague for West Makira is referring to on this \$25,000. Thank you.

Mr Oti: Just to assist the Minister, Sections 20 and 21 of the International Facilitation Act. Section 21 specifies who can have a firearm within an area declared under the Notice under Section 20. A lot of those people whose guns were confiscated actually fell outside of the scope of that particular provision, the area to which that notice applies and therefore the question of illegality of the confiscation of the firearms. Those are the two sections applicable under the Facilitation Act.

Hon Sikua: Mr Speaker, leaving the provisions of the Facilitation of International Assistance Act aside, the context in which the guns were confiscated from the owners at that time must be understood. It is a time when our country went through the ethnic tension. I would like to say that I think there needs to be an understanding in translating or interpreting the provisions of the Act with the actual situation our country was in at that particular point in time, Mr Speaker.

Mr Sogavare: Mr Speaker, we appreciate the comments by the Prime Minister. Every one of us understands the context in which the guns were confiscated. I think the question here is whether the compensation the government has decided to pay to the gun owners is reasonable and fair when it is clear that the intention of the government is locking up a person up for 10 years and you fine him \$25,000 if they do not hand in their guns. I think that is the issue here. It boils down to a fair and reasonableness of the amount the government has decided to pay the people. I think that is the issue here, Mr Speaker.

Hon Manetoali: Mr Speaker, I think the point that comes up is on the fine of \$25,000 and imprisonment of 10 years in comparison to the compensation amount or the amount the government has decided upon. My answer is, that is the amount the government has decided upon.

Hon Sikua: Mr Speaker, when the submissions were forwarded to the government, not only this government but submissions was also forwarded to the GCCG government. I think there were three options as far as I can remember. The options do have components of the issues that were raised in the supplementary question by the South New Georgia/Vona Vona and Tetepare on the loss of business value and 15% put on top to cover those kinds of issues. When the government considered these three options put to us by the Gun owners Association, the Government was very much guided by what the government can afford. That is the overriding consideration. All the other options were too expensive for the government, and so the government took the decision basically on what it can afford and what it thought was fair and just compensation for

the gun owners, and that is basically to compensate the gun owners on the current value of the different type of guns that have been confiscated.

Mr Speaker, the overriding issue to bear in mind is what the government can afford, and I think it is fair and just and that is what we have decided to do.

Mr Speaker, on the issue of taking the government to Court, it is the prerogative of the Gun Owners Association and right to take that course of action if it is still aggrieved by what the government has decided upon. Thank you, Mr Speaker.

Mr Zama: Mr Speaker, I am just not happy with the way the government is handling this issue when answering questions. Can I ask the Minister to withhold or withdraw the proposed settlement until a fair and equitable portion of compensation is reached? We should not use the issue affordability. We should not use any other circumstances to camouflage or cloud this issue because this is an important issue that must be fairly and equitably addressed so that people who own guns that were destroyed must be fairly and equitably compensated. Can I ask the Minister to withdraw that proposed settlement scheme and come up with a much more reasonable one? Thank you.

Hon Manetoali: I cannot withdraw this amount myself as it is what the Cabinet has decided upon. As the Member for West Makira said earlier on today there is a court case now between the gun owners and the government.

Sir, if that matter is before the Court and the Court comes up with a decision otherwise then that only that can change the decision of the government. It is impossible for me or any Tom, Dick and Harry to change a government decision. Even the Member for Rendova/Tetepare cannot change the government's change. Only the Court can change a government decision. Thank you, Mr Speaker.

Mr Oti: Supplementary question. Can the Minister confirm that when he talked about the package of compensation, and for that matter a message to those who want to resort to the courts to address their concerns that only those who possess legally licensed firearms are qualified to be compensated. It is not just any firearms owner, but only legally qualified firearms. That message needs to be made clear so that it is easy for us to identify, reduce, or afford the cost of compensation, and this is explicit in the law. Only those at that point in time who legally own firearms would be compensated and not those who possess illegally acquired or unlicensed firearms for that matter. Can the Minister confirm that?

Hon Minister: Mr Speaker, to go to the courts you must have clean hands. That is the rule of equity. Equity law means you have to go to the courts with clean hands. You cannot go to the courts with dirty hands. This only means that if you go to the courts especially on guns then you have to know that you have must have a license for the guns.

Hon Sikua: The list that was attached to the request showed guns that were licensed, and there is definitely no homemade guns in side. According to the lists that were given to us by the Gun Owners Association, they were legally licensed by the holders.

Mr Oti: Further clarification, Mr Speaker, and supplementary question in relation to the Prime Minister's statement on legally licensed. Is it current or expired? What would happen to the expired ones, are they still legal or not, or are they inside the list? Or are you only considering those whose licenses are currently valid at that point in time?

Hon Minister: Mr Speaker, the government will set up a committee to deal with the issue of compensation and replacement of guns. Those are factors the Committee will have to consider when the submissions are before them. Thank you Mr Speaker.

Mr Tosika: Mr Speaker, I think the issue here is not compensation, but replacement cost. The issue here is that it was RAMSI which took part in the confiscation and destruction of the guns. Can the government talk with RAMSI to help the government in paying the compensation and the government to pay the replacement cost? This is on the basis that RAMSI is here to help us but it would seem to me that some of the actions they have taken are in conflict to what they are here for.

Hon Manetoali: Mr Speaker, the question is to ask RAMSI to help out in the compensation part or the replacement cost. I would leave that to the government to negotiate on. Thank you.

Mr Waipora: Sir, I do not think there are any further questions are therefore I would like to take this opportunity to thank my good hardworking honorable Minister for Police and also the honorable Prime Minister for answering the questions that we raised here.

This issue is very important and if there are any national sensitive issues, firearms is one of them. Those who are affected by this issue are very concern. I do believe the government will address this issue very seriously. Thank you.

Question without Notice

World War II Relics Sold as Scrap Metals

Mr AGOVAKA: Point of order, Mr Speaker. I would like to ask a question without notice under Standing Order 21(4) if that is possible.

Mr Speaker: Please proceed.

Mr Agovaka: Thank you Mr Speaker, for your concurrence. This question is directed to the Minister for Tourism and Culture. I feel this question is of an urgent character as it relates to a matter of public importance.

The question is, is the Minister aware that old World War II relics at Henderson and Mt Austin have been put into containers to be sold as scrap metal by a Scrap Metal Company?

If the Minister is aware, what actions have been taken to make sure laws governing World War II relics are preserved?

Mr Speaker: I need to have documents to substantiate your claim before I can allow you to proceed?

Mr Agovaka: Mr Speaker, if you drive along the Panatina Highway opposite the Ela Motor, you would see containers of scrap metals of which some are scrap metal and some are war relics ; parts of propellers and all sorts of war relics, hence, this question.

Mr Speaker: What I am saying Hon Member is that you need to have documents relating to those activities so that we can really be speaking about things that are actually happening rather than may be information you gather from some informant and that you cannot really substantiate. That is what I am just saying. Have you got any documentary evidence?

Mr Agovaka: Mr Speaker, I do not have documentary evidence but there is evidence that these things are there on the grounds and ready to be put into containers to be sold as scrap metals.

Mr Speaker: I will allow this question with the understanding that there is no really documentary evidence to support the claims, and I am not too sure whether the Hon. Minister would like to answer the question.

Hon Gukuna: Mr Speaker, let me just clarify the question. We actually talked about this question outside. Since it is a question without notice procedurally I was expecting him to advise you, Sir, so that you are aware of it. However, I am ready for his question and so I will just answer his question.

It is an important question because it raises an issue, which I am sure a lot of people are concerned about. My Ministry is well aware of what is going on. The granting of license to conduct scrap metal collection is under the Ministry of Commerce, and I understand that a few collectors have been given the appropriate license and we respect that.

My Ministry is taking care of that. In fact my Ministry through the Department of Museum has designated one officer, particularly to keep track of what is going on. Particular mention has been made on what is going on outside the Ela Motors at Ranadi. My Ministry went there and on the 14th of August we had our first inspection and

subsequently another two or three has being done. We are aware of what is going on and are keeping track of it.

Whatever we see as under the War Relics Act will be retained and whatever not under that provision is allowed to go. But the documentation for export is an important document that we keep track of for clearance by Customs. I would like to assure the Member and whoever has concern of what is going on that my Ministry is taking good control of what is going on with scrap metal collection.

Mr Agovaka: I would like to thank the Minister for answering this question without notice.

STATEMENT OF GOVERNMENT BUSINESS

MOTIONS

Motion No.4

Mr SITAI: Mr. Speaker, I beg to move that Parliament resolves itself into a Committee of the Whole House to consider National Parliament Paper No. 47 of 2007, presented to Parliament this morning on the 'Report of the Parliamentary Sitting Calendar'

Sir, before I proceed to make my short presentation, I would like first of all to thank the Hon. MP for Simbo/Ranongga who in his capacity as the previous chairman of the House Committee, as well as our colleague members of that previous House Committee for dealing with this important matter for producing this report that we will be dealing with this morning.

Secondly, Mr. Speaker, I would like to acknowledge the presence of two Parliament officers who were also clerks to the table who are also present with us this morning to assist the chairman as we deliberate on this matter during committee Stage.

As I have said, Mr. Speaker, that I only have a very brief presentation to make on this important subject of a Parliamentary Sitting Calendar. I would like to begin by saying that any organization in this world today, big or small, normally has a calendar specifying activities it would undertake throughout a given period of a year.

Most parliaments have a Sitting Calendar, particularly Parliaments in the Commonwealth and other democratic states. We, in Solomon Islands, as I understand it, our Parliament does not have a Sitting Calendar to govern or to dictate Parliament business for any given year. However, whatever we do in that respect by the Legislature and the Executive is directed by provisions of the Constitution and also the Standing Orders in a general way.

Might I add that we have come a long way since Independence, now 30 years old as we have just celebrated our 30 years of independence and so is our Parliament if I may say that and it is an involving institution, the highest law making body of the land. Don't you think sir, that it will be appropriate for this Legislature to have a Sitting

Calendar? I think that is one of the justifications of this issue that has come in the form of a report for Parliament to deal with.

Secondly, the whole issue revolves around planning and the discharge of information as well as proper working of Parliament in one Calendar year. As I have said we have come a long way. Parliament today should be seen as an involving institution. There are many challenges, and some challenges affect the order and the way Parliament and the Executive together work to enable Parliament discharge its duties. These changes can only be put proper with a Sitting Calendar through which parliamentary schedules are properly specified. It is not only to cater for meetings of Parliament but also to cater for other meetings that deal with subsidiary legislation and also to support any programs to beef up the work of various Parliamentary Standing Committees in order for them to exercise their work in terms of providing oversight roles to Parliament.

On the Executive side, it also guides the Ministries into knowing when Parliament will meet, what business will be discussed during that meeting so that preparations by Ministries can be done properly and within those time frames specified before businesses end up in Parliament

I would like to say that at this time businesses of Parliament, having come this far, are made on ad hoc basis and sometimes Parliament is hijacked for political reasons. I need not say much more about that, as it is something we all know about. But perhaps with a proper Sitting Calendar, we could improve the present situation so that Parliament and the Executive can discharge their functions properly for the people of this country.

In addition to that, with a proper Sitting Calendar, it will assist Members of Parliament to schedule their work in terms of what time to go to the constituencies and what time to meet their various commitments as members of the various Parliamentary Standing Committees. And not only that but assist them improve their knowledge of parliamentary procedures and processes.

Sir, in so far as the public is concerned, the highest law making body of this land must maintain its credibility as a premier institution and therefore in terms of accountability and openness, such a calendar will assist people, stakeholders. Even our people from the rural areas who elect us to this Parliament will know when a parliament meeting will take place and what sort of business the parliament meeting will deal with.

These are some of the observations I would like to make in justifying this report. As I said I will be brief and leave the rest of the other matters to be covered by some of our colleagues in the present House Committee as well as our other colleagues in the previous House Committee to add on to what I have said.

Before I conclude, Sir, I would like to say that the in conclusion of this report, if you have cited it, there are two very important issues that were raised. Those two issues, if this report is accepted and implemented at a time appropriate to do so, will have some bearing on the Constitution as well as the Standing Orders. For the information of Parliament, our present Standing Orders are being reviewed, any changes thereof that

might take place emanating from this Report will be accommodated in the revised Standing Orders.

Sir, those are the comments I would like to make, and I commend this Report fully to the support and understanding of our Members of Parliament to deal with it during the debate and also at the Committee stage. I fully recommend this report for Parliament's support. With those comments, thank you.

Mr Speaker: Honorable Members, before I allow Members to debate on the motion moved by the Honorable Chairman of the Parliamentary House Committee, I wish to kindly remind Members that debate should only be on the general principles set out in the Committee's Report on the proposed Parliamentary Sitting Calendar.

The floor is now open for debate

Mr SOGAVARE: Mr Speaker, I would like to contribute to the debate on the motion moved by the Chairman of the House Committee that is now before Parliament requesting Parliament to resolve into the Committee of the Whole House to look more closely on this Report. I thank the Chairman for this very important motion.

Sir, any moves to improve parliamentary processes to make it more effective as the highest decision making body of the land should be supported. Parliament is very important as it is the highest decision making body of the land, and it comprises people who are elected by people from the various constituencies and so expected us to work for them. Therefore, any moves to improve that, is something that should be welcomed by both sides of the House.

Sir, the way rules, procedures and processes of managing the budget, for example, and other processes is structured in a way that assumes Parliament will meet regularly. For example, the issue of supplementary appropriation expects Parliament to decide and approve on them first before the government spends money on them.

Of course, there are other facilities provided under law that the government can maneuver if parliament does not meet. For example, the use of the contingency warrants and other warrants specified in the Public Finance and Audit Act and rules relating to Financial Instructions and so forth.

I think there is already the assumption, Mr Speaker, that Parliament should meet regularly to deliberate on very important matters to keep within the requirements of the law.

Mr Speaker, I think throughout the years, as we all know, not only this Parliament but other parliaments that come before, now we have about eight, is that the use of some facilities under the related financial laws are not strictly complied with, for example, the use of finances before we come to bless them in Parliament.

As the mover has rightly pointed out, Mr Speaker, a sitting calendar would give more predictability, helps to ensure the preparedness of everyone allowed to participate in Parliament; the Government, the Opposition, and individual Members of Parliament as representatives of our people. A sitting calendar gives more predictability in that we

can plan ahead and expecting Parliament to sit at a definite date that we are all aware of so that we prepare for that sitting of Parliament to meet and deliberate on important issues.

It also gets Permanent Secretaries and Ministries, as rightly pointed out by the mover, is something that everyone of us agrees on to be more focused on managing their respective ministries and preparedness for parliament meetings. They would know exactly when Parliament will meet so that bills are ready on time so that when parliament meets ministries and Permanent Secretaries fully get their Ministers and Ministries prepare for meetings. I think it would also get MPs to be more serious about Parliament business too.

Sir, parliamentarians are really supposed to be full time employees of Parliament, and not project directors of their constituencies. I think because Parliament does not meet frequently, Mr Speaker, and may be there is also the need to improve the number of Standing Committees so that parliamentarians are fully occupied in Parliament business so that we leave the delivery agencies to go and deliver the projects at home. I think it is the way those things are structured that made MPs to be sucked in to filling up the gaps that may be the system is weak on and so services are not directly delivered to our people.

Throughout the years governments have made the decision that parliamentarians become another delivery agent. But really, Mr Speaker, we are elected in here not to take up such roles because we are actually full time employees of Parliament and we must involve in the business of Parliament in Standing Select committees, as Ministers of the Crown and as Members of the Opposition Bench. That means we need to formalize shadow ministries so that there is somebody in the opposite bench that deals directly with the substantive Minister on the government side. By doing that, we all become full time employees of Parliament.

In fully supporting this motion, Mr Speaker, there is also the need for us to improve areas like that. I remember making some submissions to the House Committee to increase the number of Standing Committees from the existing five to another five more. And we were given assurance by the Chairman of the House Committee then that the Committee was seriously looking into it. But up until today those committees are yet to be established.

Sir, I really have no problem agreeing to what is proposed by the Honorable Mover in here for the committee to sit down and look more closely into this report. Also how we will relate to the conclusions and the recommendations that are made is another thing. In fact the House Committee made the recommendation that at the adjournment of Parliament, the wording of the motion of sine die be restructured in that the Prime Minister will inform us exactly what date Parliament is going to meet next.

What it effectively does here, Mr Speaker, is that it removes the decision on when Parliament is going to sit from the Prime Minister to the Parliament because effectively the motion that will be moved by the Honorable Prime Minister on the adjournment motion is subject to debate where Parliament can actually defeat or support it. Right now the motion of sine die has become a traditional motion where anyone of us just

stands up and talks about everything in the world. But I think this would be more structured and focused because you would have reasons that it is another issue to be considered in that Parliament is going to meet on that date. This removes that role from the Prime Minister to Parliament to decide on what time Parliament is going to meet. I think it is more appropriate that Parliament should decide on what time it is going to meet next.

Sir, I have no problem supporting the motion moved by the Honorable Chairman of the House. Thank you, Mr Speaker.

Mr OTI: Mr Speaker, I would like to join the Leader of Opposition to also thank the Chairman of the House Committee for this motion. Indeed, Mr Speaker, I think the report of the Committee is absolutely clear in terms of the intentions and the purposes why Parliament be equipped with a predictable calendar of when Parliament will sit during the year.

Mr Speaker, I alluded to in our consideration of the International Facilitation Act 2003 and there has been differing opinions, that it is one of the laws that strictly interpret to the letter of that legislation in that it actually dictates to Parliament that it must meet come the anniversary of that particular Act. Now that legislation has taken out the flexibility which the Constitution has given to Parliament to program its own meeting. Indeed, Mr Speaker, it has been the practice and has always been that the Prime Minister based on the business that government has calls Parliament to meet as provided for in the Constitution and in the Standing Orders.

With the separation of powers and having accountability to one another, the government is accountable to Parliament, and so Parliament should be left the prerogative to call Executive government and others to be accountable before it. That means Parliament should have the prerogative as to what time it calls for the meeting, and therefore setting a time table or a calendar actually goes to the extent of laying before government and before the Parliament that the time for Parliament to meet is on such and such a date.

Also, Mr Speaker, the important part of it also is the unpredictability of what time Parliament meets has sometimes made it difficult for Members of Parliament to visit their constituencies on representational matters. With this intention, Mr Speaker, as presented to the House by the Committee, and also in the report, for purposes of planning it will give Members of Parliament time to visit their constituencies when Parliament does not meet. In fact and indeed, Members of Parliament will be appropriately and properly equipped when they come to Parliament because they know that some of the issues, not all of the issues that will come before Parliament can also be taken to the constituencies and other various stakeholders to make an input before Parliament meets and therefore when we come here to talk we can rightly say that 'my people' or 'this group' said this and that. Today we are saying that we talk on behalf of our people but we did not visit our constituencies. I think the relevance of this particular proposition is a very good thing that could be developed further.

There are other models, of course, for example instead of us meeting and adjourn sine die in every three meetings, we can actually say for the whole six months Parliament is not sitting or is in recess and so you have another six months to go out because Parliament is just in recess. That is another option.

Thirdly, Mr Speaker, I think the predictability of when Parliament will meet would allow the ministries and executive government to plan their legislative programs. Putting a timeframe is also good so that not every bill lands in parliament at the busy time of the year, which is at the end of the year when we debate the appropriation bill for the following year.

The budget meeting at the end of the year before the end of the financial year and the beginning of a new one, requires a meeting of its own. All the other legislative legislations brought in by the government that need to come to Parliament can find their way onto the floor of Parliament in other scheduled meetings as proposed or as determined by the calendar so that there is ample time given to the consideration of the appropriation bill at the end of the year.

Fourthly, Mr Speaker, I think there has been over the years where the government calls a parliament meeting and everyone starts to push in their bills. Most times, not all the time, we would find some bills being delayed. By appropriately scheduling parliament meetings it is incumbent on ministries to ensure their proposal of bringing legislation to Parliament is actually done on time with every aspect of preparation of bills done. The recent one, for example, bills reach the Parliament Office and Parliament has to be suspended because some things are not right in regards to printing of the legislation. That is the kind of situation I mean because it is a crush kind of arrangement when we rush things. You cannot rush legislation that affects the very operations of government and which the country depends upon. It is very serious that they have to be given appropriate attention and focus and seriousness to which they call for.

Mr Speaker, I can only congratulate the House Committee for this particular Paper and the motion by the current Chairman. I also thank the previous Chairman of the House Committee for the work they have carried out. I also look forward that this can be developed further, streamlined and further consultations to perhaps take place, not only amongst us Members of Parliament but other stakeholders, the wider community in terms of the importance of having a parliamentary sitting calendar for Parliament to follow.

Mr Speaker, with those few remarks I too would like to support the motion.

Hon Haomae: Mr Speaker, I shall be very brief. At the outset I would like to thank the Chairman of the Parliamentary House Committee for moving the motion. Whilst on that note I also wish to thank the Members of the Parliamentary House Committee and also the former chairman and his committee. Mr Speaker, as the Chairman of the Parliamentary House Committee referred to when moving the motion, the paper emanated from the previous committee.

Mr Speaker, I shall dwell on the principles of the motion. Any move to strengthen or improve the role of the legislature in a parliamentary democracy is to be welcome, Mr Speaker, and I think this is in that particular direction.

I am not going to repeat what the Leader of Opposition and the MP for Temotu Nende have said about the regulatory of meetings of Parliament and the predictability of meetings of Parliament but I just want to say that in our Parliament in terms of calendar three terms are used here: one is session, parliamentary sessions, the second is meetings and the third is sittings.

The session of Parliament already has its calendar. From the time when Parliament is elected and in session to the time it is dissolved, its calendar is already made clear by the Constitution in terms of sessions of Parliament.

In terms of meetings that is what I think as not having its calendar. When sittings like the parliament is sitting now today, I think I already have a calendar for it in terms of the government business provided by the Prime Minister every Friday or every Monday and also from the Notice Paper, the Provisional Paper and the Order Paper. So I assume that the term used here as 'sitting' subsumes into the terminology of meetings, and I shall approach it from that perspective.

I think it is meetings that we do not have any calendar for it. Only what is provided by the Constitution is for parliament to meet every 12 months, and that is to make provision for the appropriation bill. That is the calendar provided by the Constitution but within that, and if you at the Standing Orders, it is making the calendar of the meetings remain open. In that regard, Mr Speaker, all sittings are subsumed in meetings and that is what I would like to thank the Chairman of the Parliamentary House Committee for coming up with this Report and its reasons as provided in the Report and its objectives, which needs Parliament's support.

Sir, as I said at the outset, to enhance and strengthen the role of the Legislature in a parliamentary democracy is something to be welcomed so that Parliament provides its role and plays it effectively and efficiently in the good governance of the country.

Having dealt with the matter from that particular perspective, Mr Speaker, I take my seat.

Hon GUKUNA: Mr Speaker, I would like to thank the Chairman of the House Committee for bringing in this motion, which is a very important one. The planning consequences of this motion were spelt out in this motion, and we can appreciate it.

As you know, the current system provides a lot of fluidity to the parliamentary system, and in some ways depending on how you look at it, that is one of the beauties that we have. We have a fluid system in this Parliament which the Executive Government and the Governor General have a lot of say in it. I think the wisdom in the present system now is that it depends on proper planning. The present system calls for an effective system; proper planning and it should cope with the current system.

What we are proposing here is to put in rigidity to this Parliament and instead of depending on proper planning to determine the scheduling of Parliament Sittings, we

will have to get a fixed schedule to induce proper planning in our system. That is one of the things that we will have to accept if this motion goes through.

In fact this motion proposes two things in order to achieve some order in terms of the sitting of Parliament. The first thing is that it proposes that we put in a schedule, may be two sittings, and the second thing it proposes is an increase on the schedules. If you look at page 8 of this report, it actually says 'an increase in sittings that will come as a result of this schedule'. These are two things altogether.

Mr Speaker, I would think one of the best ways of achieving the objective of this motion is to increase the schedule of the number of meetings we have. The Constitution provides for a period of 12 months. May be we can still allow fluidity in this Parliament by decreasing that 12 months requirement to may be four or five months. We will still allow or expect our Permanent Secretaries and our Ministries to improve their planning and work hard to comply with that. I think if we are to increase the number of meetings we have in one year to four, we can still achieve some good results while at the same time allowing this Parliament fluidity and still allowing the Executive Government to have a lot of say in actual meetings.

Having said that, one of the things that we should also do as part of dealing with order in this Parliament is to determine the time that Members of Parliament talk. Some MPs talk for one or two hours going through the same issues. I think that if we are going to be doing something about Parliament then we should put in some order in this House so that Members should talk only say for 30 or 40 minutes instead of talking for two or three hours, which is too long. In fact some Houses around the region have clocks which make a loud noise when the allowable time is up drowning out whoever is talking to stop talking. Some are using bags of sand that when the bag runs out of sand, the person talking should stop.

Sir, whilst I accept the need to do something about meetings, I am also of the opinion that this House does not sit enough in one year. We should be sitting four or five times. It is our work, that is what we are here for. We can just meet for one week or eight days instead of four or five weeks, which is too long.

Mr Speaker, these are my points I would like to raise. I would like to once again thank the mover of this motion, and even though what I might say sounds a bit contradictory, I support this motion.

Mr KENGAVA: Mr. Speaker, I would like to also contribute briefly to this very important Report that once this Parliament adopts it, will bring a lot of changes and improvement in the way that Parliament meets. I would like to thank the current Chairman of the Committee as well as the former chairman for bringing this Report to Parliament.

Sir, as we all know when Parliament meets, the business is very much in the hands of the Executive Government, so much so for the past 30 years we have the experience that Parliament meets only when the Executive Government feels that there will be no motion of no confidence tabled.

Mr. Speaker, I think that is one thing that tends to hinder the development of Solomon Islands. I see this Report as a way forward for this country. I think Solomon Islands is slowly developing and progressing in its parliamentary system. In developing our Parliamentary system, we should thank the United Nation Development Program for its strengthening assistance program for the Parliament of Solomon Islands. I think the idea of Parliament having a sitting calendar, I am sure, is a result of that strengthening program that Parliament is now receiving.

Sir, I think when Parliament meets, people of this nation know that we are doing our job as legislators and representatives of our people and nation. When we do not meet, many times people tend to see us as just sitting down waiting to receive our salaries and so they have more time to come and ask us for the RCDF.

Having a parliamentary calendar will help change the way we work in serving our people. Sometimes there are matters facing this country that may be Parliament should meet and discuss quickly, but because we do not have a calendar to quickly sit down and meet, things just go pass. When things are fresh, and you bring it up may be three or four months later, they have no meaning at all. For example, Mr. Speaker when the tsunami hit this country in Choiseul and the Western Provinces in April 2007, that was a national disaster and Parliament should meet to deliberate on that quickly, but we did not because of the system that we are following.

When the Bougainville Crisis hit this country, Parliament should meet and discuss this issue. When the ethnic tension hit the country the Parliament should meet to discuss the issue. When a natural disaster or a national issue faces this country, the Parliament should sit down and discuss it. Through sharing of ideas we can be able to come up with better conclusion, better services and better ways to address the issue nationally. But the Parliament cannot do so right now because it all depends as we only meet three times a year or it very much depends on the executive government when it feels it is ready to have a meeting. I think having meetings regularly should help us perform our duties as representative of our people Mr Speaker.

I agree very much, Mr Speaker, that the report once adopted I am sure will definitely facilitate for effective planning of services to be delivered to our people by the executive government and its administration. We, Members of Parliament will make our own plans as well to fit in within the parliamentary sitting calendar and so we will have time to visit our people, plan to visit and get their recommendations to present to Parliament or to the government or to deliver what the government wants us to deliver to the people.

I think public opinion or confidence building will also come up because they will know when Parliament meets, they will prepare to see their representatives and tell their stories, wishes, petitions or resolutions when we tour the constituencies. It will also allow the public to be able to share their views with us MPs.

Sir, the Parliamentary Standing Committee will also perform better because there were some MPs who are members of one, two or three Parliamentary Standing Committees and Special Committees, and have no time to perform better because they do not know the programs of Parliament in terms of its meetings.

Sir, once we adopt this motion, I know as the Chairman said there will be some changes to the Standing Orders and probably the Constitution. However, I am sure this is a positive report for our Parliament and such changes should come so that we move forward in our programs.

With all those positive outlooks, Mr Speaker, I would like to raise one or two points that once we adopt this calendar for parliament to meet regularly, there are certain issues that we must also bear in mind so that we work in parallel with how Members of Parliament perform for this nation annually.

Sir, the first one is that I think it will be a very busy time once this motion is adopted and takes effect next year. Members of Parliament will be required to be in Honiara throughout the year to attend meetings of Parliament, attend meetings of Parliamentary Standing Committee and so on. For that matter, I think it is very, very important for all Members of Parliament to be provided with office space here in the capital for them to work in. As MPs concentrate on our work, someone should be performing the work of MPs in their constituencies. Office space must be provided with support staff so as to carry on the work of the constituencies throughout the year whilst we are busy doing the legislative work of this country.

That is very important and I know that there are some plans with the Republic of China to build an office complex for Parliament. This must be pursued, and I encourage the government to do that.

Secondly, Mr Speaker, I know that most MPs are Ministers, Chairman of Special Committees, I myself taking up the post of Deputy Speaker and are provided with accommodate here in the capital to perform our duties. But there are other MPs, the ordinary MPs, if I may say that, once this calendar is up and working full year round they would need to be here in Honiara as well and therefore should be entitled to accommodation. I think the Parliamentary Entitlement Regulations (PER) should be reviewed to look at providing all Members of Parliament with accommodation to stay here and do research, plan for legislation, do our meetings and attending various works required of us. Once accommodation is provided for all Members of Parliament, one cause of instability will be wiped out. Sometimes the Opposition or the Government use housing as a means of attracting Members to go to their side. This has become a cause of instability in Parliament.

I think we use this purpose for all Members of Parliament to be based here in Honiara, the capital, where they should be entitled for office space and also accommodation so that MPs can work, unless the government is prepared to foot the bills of accommodating Members of Parliament in hotels and motels.

Sir, lastly I think with regular meetings there will also be the fear of motions of no confidence coming in now and then. In order to control this, the planned Integrity Bill must be brought into this Parliament. And I am happy that the government is now looking hard into this by appointing a special committee to look into this so that this bill comes into this House, we pass it so that there is control and stability, there is control in moving motions of no confidence may be indirectly within the bill so that meetings although may be held regularly there would be no fear of votes of no confidence coming

in every time we sit where say if we sit six times, it comes six times, and that sort of things.

Mr Speaker, those are the three points I would like to raise here in line with this report. We must develop it in parallel with the idea that Parliament meets more regularly, legislates more and address more issues of interest in this country.

With the expected coming in of the Federal System of government and the new constitution, truly indeed, Mr Speaker, it needs Parliament to sit regularly to get busy in dealing with a very important issue coming at the end of this year, early next year or the middle of next year.

Sir, I think with those few remarks I would like to thank the Committee and also congratulate the Parliamentary staff and Committee for a very job done. It is now up to us Members of Parliament to support this report so that we can be seen as true legislators and lawmakers of this country.

Thank you, Mr Speaker, and I support the motion.

Mr WAIPORA: Mr Speaker, just very few comments that I would like to make here on this motion moved by my Honorable Colleague for East Makira. I would like to thank him for the motion.

Mr Speaker, as we are growing mature in politics and becoming very conscious of our responsibility as Members of Parliament, one thing we must avoid whenever there is a change of government is arguing over privileges like vehicles and houses and things like that. Once this motion is passed there is going to be a demand of office space for Members of Parliament to work in, and I know that the new building is going to provide some offices for Members of Parliament to do their work. Some of us who are from distant constituencies normally find it difficult to deal with our constituency matters and our people.

When I look at this report I think the composition of the committee, Mr Speaker, should be re-looked at because I can see only Ministers represented inside. In my personal opinion, this committee should be headed by the Deputy Speaker and ordinary members who are not busy with any ministerial work. I think they should be the ones represented in the committee. That is how I see it.

If you look at the list here of the members of the committee they are all Ministers and that is why when people want to go and see Ministers in their offices they are not there because they are busy with Standing Committees of Parliament. We should engage backbenchers in that kind of responsibility as well as those on this side of the House. Not that I like to be one of them because I am comfortable so far where I am because I have a total of responsibility for my people. I am just raising this so that the composition of the committee should be re-looked at.

Mr Speaker, on the arrangement of meetings, what I find so far is that some of us do not have ample time to read things like bills and other businesses, and so may be those who are responsible or the committee responsible should try to improve their work so that we get documents in time for us to study. Some were saying that they have

give us the documents but may be it is ourselves that did not study or read the documents.

Mr Speaker, some of us who are former administrators are very good at looking and studying documents given to us by the government. One thing is that we must get very important documents to be discussed in Parliament in good time so that we can contribute constructively on issues when we stand up to talk here in Parliament.

Mr Speaker, looking at MPs privileges, although we were accused a lot about them, they are parliamentarian privileges. I think a very important need of ordinary Members is housing and transport. Any extra remuneration is for people like Ministers and Chairman. That is justifiable because there is extra responsibility on top of them but ordinary Members who are not doing anything, their most important need is accommodation so that they can help their own people as they are people of this country. We stay here and help people in our constituencies as they are people who are part and parcel of this country.

In terms of accommodation and transport, I think those two things are musts for every MP. I know it is very expensive, Mr Speaker, but at the same time we must look at different responsibilities that Members of Parliament who are called honorable members perform. We should be respected and we should not argue over these things whenever there is a change of government because some of us now are still waiting to go to court because we do not move out quickly from houses we were in as Government Ministers before and we were just slow in going out and so we were summoned to court. That is degrading for leaders of this country when they are taken to court on very simple things like a house or vehicle. These things should be sorted out, Mr Speaker, because when those things happen in the eyes of the public our people can become very degrading.

Mr Speaker, I stand up here to make these very few comments in support of my other honorable colleagues in supporting this motion. With these very few remarks, Mr Speaker, I support the motion.

Mr NUIASI: Mr Speaker, I would also like to have the privilege to speak on this very important motion moved by the Chairman of the Parliamentary House Committee. I would also like to thank the former Chairman and his members for actually putting together the report to be tabled before Parliament and now presented by the current Chairman of the Parliamentary House Committee, and so here we are discussing it.

Mr Speaker, as the report is self-explanatory, I do not have any confusion taking into account the recommendations and conclusions shown at the end of the report. Mr Speaker, I would like to thank the current Chairman for bringing this motion seeing that our Parliament is now becoming mature where we have been going through many experiences throughout these 30 years and we now realize that we should be making some changes to some of our approaches and the way we are doing our business in Parliament and the Executive Government.

Mr Speaker, I think the proposed parliamentary sitting calendar is a way forward as it would help us know that a parliament meeting is set for a certain period of time so that Members of Parliament could make plans for themselves as well as the

government of the day and other people who are involved in any government business for tabling before Parliament.

At the moment, Mr Speaker, we do not have a sitting calendar. The Constitution allows parliament to meet three times a year but with no fixed dates. Only the Prime Minister in consultation with the Governor General can determine the date for parliament to meet.

Mr Speaker, one thing is clear that we need to be busy and we need to bring in a lot of business to Parliament, then I think even the Standing Committee of your office, the National Parliament, needs to be increased. There should be more standing committee to deal with individual subject matter coming before Parliament.

Today, sir, we have several committees that have their own responsibilities and their own area of responsibility. However, Mr Speaker, the Standing Committees are working on ad hoc basis because of lack of office space and therefore many times there has been last minute scrutiny of bills that sometimes are very technical in nature and there is need for the Chairman and members of the committees to meet with somebody who is qualified or skillful to advise them on how they should deliberate on the bill and make a good report on whatever submissions put forward to them.

Now that we have this report in front of us, I think this is the right direction that we should be going having considered that Members of Parliament are elected by people to Parliament as leaders of their own constituencies. The treatment that responsible authorities put forward to be enjoyed or to benefit Members of Parliament should also be conducive to the situation. We should not see each other as 'I am better than the other one' or 'the other one is better than me'. Now that we are growing mature in our parliamentary system, we now realize these things.

Mr Speaker, as I said I will very brief, I would like to thank the Chairman of the Parliamentary Housing Committee, and with these I support the motion.

Mr Sitai: Mr Speaker, in winding up this debate, first of all I would like to thank the Leader of Opposition, Cabinet Ministers and Parliamentary Colleagues who have contributed to the debate. Thank you all for the points raised.

Let me say at this stage that in summary, I seem to observe that you all agree that through such a sitting calendar or what I might also called 'a year planner', Parliament together with the Executive should be able to work hand in hand with Members of Parliament to approve the involvement of our parliamentary system as a young democratic nation.

We all agree to do that as this is part of our learning process and our maturity as echoed by my colleague, the Member for West Are Are. This is the way forward and the way to go. I would like to believe that through the parliamentary calendar, parliamentary services will be better delivered for our people. Gradually Parliament will gain the confidence and also Parliamentarians will be equipped as they go through processes and procedures of Parliament. Thank you all for your support.

Might I mention the point raised by the Minister for Tourism that in such a calendar and schedule, I am sure any emergency issues that might arise, even if they are not catered for in the calendar would be catered for. That I believe.

Once again, thank you colleagues for your contributions and support. Mr Speaker, with those comments I beg to move.

It was agreed for Parliament to resolve into the committee of the Whole House to consider the report of the Parliamentary House Committee on the proposed Parliamentary sitting calendar

Committee of the whole house

Mr Chairman: Honorable Members, the Paper before the Committee is the report of the Report of the Parliamentary House Committee on the proposed Parliamentary Sitting Calendar', which I had earlier advised was submitted to the Parliament in accordance with Standing Order 17 on the 28th of August 2007 and tabled today by the Clerk. We will consider this report page by page. Please adhere to Standing Orders during the proceedings.

Page 1

Mr Kwanairara: Mr Chairman, have we learnt some lessons from other regional parliaments?

Mr Sitai: In reply to that question, I have been informed by our Secretary and Parliamentary Supporting staff that most Commonwealth Parliaments do have sitting calendars. This has been the practice, and in our case we do not have one, hence perhaps the need to consider this as alluded to in this report. Thank you.

Pages 2 to 8 - no comments

Page 9

Hon Lilo: Page 9 on recommendation (b), I am just wondering if the Chairman can just enlighten the Committee because the intention here is that when the Prime Minister moves the motion of sine die designating the next meeting, what about an alternative where under the Standing Order it actually prescribes the calendar of the actual time and year that parliament can meet. The Leader of Opposition also agreed to that option instead of designating the date for the next meeting under the motion, what are the benefits of having that versus having the calendar to be prescribed under the Standing Orders so that we do not need to have the trouble of giving the Minister or the Prime Minister time to think about when the next meeting will be. Thank you, Mr Chairman.

Mr Chairman: The question by the honorable Minister concerns specific dates on the adjournment motion at Parliament meetings because we have a Calendar of meetings, and so apparently the adjournment motion will actually specify a date to which the Parliament will adjourn to for its next meeting. And your concern is

Hon Lilo: My concern is the title of this recommendation, the sitting calendar for Parliament. The way the report is being made here is not really a calendar but it is just recommending that the motion for the next meeting be designated in the form of a motion. For instance, if you look at recommendation (b) it says here that 'at the adjournment of Parliament' and you enter the date for the next meeting where Parliament stands adjourned until that date when the meeting will take place. Oh, I can now see that recommendation (a) says that. Sorry, Mr Chairman.

Mr Agovaka: Mr Chairman, just a point on recommendation (b) on page 9. It says that at the adjournment of Parliament on a certain date the present meeting shall be concluded and Parliament shall stand adjourned until'. Normally we have the motion on Sine die. I would like to state here that it is important that the motion of Sine die should continue before the adjournment because that gives Members of Parliament the privilege to speak at the end of each meeting.

Mr Chairman: In terms of the debate this particular motion does not inhibit any debate like you normally do in a Sine die motion. The only difference is that this motion specifies the date to which parliament will adjourn to, where as a sine die motion is until whenever the next meeting is decided through consultation between the Prime Minister and the Governor General.

Mr Wale: On Part (b) of the recommendations, how do we get away with the wording of that motion by the Prime Minister? How do we get away from the current practice in its current reading, is it possible that the Prime Minister puts a date as late as possible, and still in that sense the calendar, it will be up to the Executive Government to then decide if an earlier date is possible depending on circumstances prevailing, whether there is government business to transact or whether politically the number situation and so forth.

I come back to this because of the point raised earlier by the Minister of Environment that if for instance it prescribed that Parliament meets three times whatever, frequency and it actually describes the months generally, and that way attendance of Parliament much more accentuated as opposed to the current wording of the motion it will be up to the Executive Government or the Prime Minister. Now if (e) in that motion designates a date, for a safer side, say in the situation of a numbers game, it will designate it as late as possible, and so we are back to square one. This piece of will not have any impact. That is the question I am raising, and so how do we get away from the current practice with a more regulated calendar.

Mr Chairman: I suppose the alternative does not help too in the point you are trying to raise because the alternative went on to say ‘unless an alternative day or hour or fixed according to Standing Order’. The actual dates are fixed.

Mr Agovaka: I think when we fix a date it will concur with the Parliamentary Calendar. The Parliament stands adjourn ensuring that a date is fixed concurring with the parliamentary sitting calendar.

Mr Waipora: Mr Chairman, I am a little bit confused when the Prime Minister moves a motion of sine die and here it says ‘a motion to determine the day for the conclusion of a meeting shall only be moved by a Minister in the following terms’. What I would like to have clarification on is what kind of motion will an ordinary minister move? Because when a meeting is finished I usually heard the Prime moving the motion for adjournment of the house. And also at the end of the meeting the Prime Minister also moved the motion of Sine die. This is what I want clarification on, Mr Chairman.

Mr Chairman: Essentially the Prime Minister is a Minister, and we are talking about a motion replacing the Sine die motion.

Hon Kemakeza: As a member of that House then if you look at the report it is a calendar for may be next time when we will put a meeting for a full year for planning purposes of Parliament.

Now in the event that this recommendation goes and the Prime Minister says November or December, for example, and then for some reasons the meeting cannot be held at that time, then Standing Order 7(3) is applied and therefore there will be no confusion here. But for the planning purpose of Parliament, I think this is very good as it is allowing us to meet three or four times depending on government business.

The Prime Minister also has an upper hand according to Standing Order 7(3). On the question of Standing Order 8(3) anyone can move a motion of Sine die and not necessarily the Prime Minister. That is why I think the word ‘Minister’ comes about because it is anybody. Or the word of thanks to the speech from the throne is not necessarily or compulsory that it should be the Prime Minister that should move those motions.

As we discussed then, this is for the planning purpose of Parliament, and it is also a good time too to give an indication to the Government for bills and ordinary members for their motions, questions, papers and whatever. I think that is the rationale behind this important motion. Thank you.

Mr Sogavare: I think the concern of the MP for Aoke/Langa Langa, is that even with recommendations (a) and (b), they still do not remove the discretion from the Executive Government. That is the concern, and I think the way out of here is that either we involve your office in it as well to make a decision on it or maybe the House Committee. Some third party must look at any dates for the planned sitting which the government

might consider to announce at the beginning of the year or next year so there is a third party involvement on it so that it answers the concern raised by the Member for Aoke/Langa Langa. As it is now, it does not remove the full discretion of the executive government and the head of the executive government is the Prime Minister.

Mr Wale: These issues, a good government, and this is a good government, do not stare at me, but a good executive government will want Parliament to meet fairly regularly. I can see may be two circumstances in which the Executive Government over the last 30 years in our experience did not want to call Parliament. The first is number situation. The second is no business to transact. It is not that the political government has no business to transact but it is because the Public Service has not delivered. Bills are not drafted in time, the printery does not have the technology to get bills out on time. But these are the various reasons the government is unable to call Parliament.

A Parliament that only works on the basis of what the government has ready or does not have ready, how can that Parliament hold that government accountable? To move away from that, it would be better that Parliament becomes self regularity in terms of the numbers, the regularity, the frequency of its meetings so that it can then effectively hold the executive government accountable.

We have a situation where the executive government comparable, relative to Parliament is more powerful than Parliament. The Constitution is very clear that Parliament is supreme, but practice has shown clearly that it is the executive government that is more powerful relative.

Further because of the number situation, the executive government can be paralyzed by that, and so that is why my question is, how can, in that situation, where in the end may be the public service becomes more powerful because it holds up the executive government by lack of implementation.

When Parliament self regulates, Parliament can then ask the executive government, it puts pressure on the executive government. It sounds like a bit of a debate but I am just clarifying my point on parliamentary self regulation in the frequency of its meetings.

Mr Chairman: Thank you Honorable Member for Aoke/Langa Langa. I will allow the Chairman of the House Committee to make a comment and then I will make my comment.

Mr Sitai: I am having a bit of a hearing problem. I did not quite hear the gist of the question, but if I can recollect and not knowing whether what I will say will further clarify the point or question or cause some more confusion.

But I just want to say that on that issue if we have a sitting calendar, and the next meeting before any current meeting where an issue has arisen in terms of concluding that meeting, I think it will be in order to do that because it will not cause a lot of confusion.

The current situation as I understand it is that when we use the term 'sine die', the Prime Minister concluding that meeting the issue of the next meeting is covered with a lot uncertainty. We not sure when the next meeting is going to be held. I think by allowing for this, it will make it clearer, all stakeholders including the ministries in terms of preparation and Parliament itself will be prepared for that meeting. That is how I see it. It is because of the use of the word 'sine die'. We might have the Constitution amended in order to put out that word.

But the second issue in connection with this, Mr Chairman, is that meeting on that particular day when Parliament concludes can be covered by an adjournment motion. That motion of adjournment should still allow Members the liberty to say whatever they like, just like in a motion of sine die. The only difference is the ending, when the word 'sine die' is used we do not know when the next meeting will come. When it is not used in this manner, as proposed in this recommendation, would it be ready for that. The Members of Parliament will still have that privilege on that day or the last two days under a motion of adjournment to be moved by the Prime Minister or any Minister, in order to enable them say all their thank you and raise whatever matters they are concerned that needs the attention of the government, the public and so forth.

This interpretation, Sir, goes in line with what my learned colleague, the Minister for Forests has already echoed. Thank you.

Mr Chairman: I shall treat the concern of the Honorable Members and procedures of deliberating on papers, under Order 18, that the Committee takes note of the concern raised because we do not have provisions for question or amendment under Standing Order 18. But they have the right to take note of concerns and when this particular issue is translated into our draft Standing Orders for actual debate during which questions will be put, during which may be amendments will then be allowed, the Parliament could decide on specific wordings it eventually approves. But for purposes of dispensing with the paper all the Standing Order says is that they will take note of the concerns expressed on the various debates on the paper, and for this particular issue it will be raised up again in our Standing Orders when we will debate it in Parliament because this will be a contribution into the draft Standing Orders for your debate. Whatever language is questionable, or is causing concern here, is not final, it will be further debated in the Standing Order draft for adoption. But for purposes of the report, the Chairman, and Committee Members will simply take note of your concerns and obviously they might be preparing for appropriate language in the Standing Orders thereafter. This should allow us to proceed or continue, because they will simply note and when the Draft Standing Order proper comes up, you can then raise those points for amendment or question and all that.

Hon Lilo: I am sorry for confusing you, but another concern here which I am going to raise it in terms of the way this recommendation on how it would be consistent with section 72 of the Constitution.

As you know, Section 72 provides for the Governor General to make a proclamation. But recommendation (a) says that it will be made in a form of a statement by the Prime Minister. The consistency of which one comes first, is my concern. I wonder whether the Prime Minister seeks the consent of the Governor General before he comes to put it in the actual Calendar or the Prime Minister makes the statement in Parliament and then recommends it to the Governor General to do the proclamation for the next meetings. That is the question I have but I am sure the legal people will sort this one out.

The other point I want to raise is I just really want to cement the point made by the MP for Aoke/Langa Langa that I think what is vitally important in this whole process is for us to ensure that with these recommendations, the independence of Parliament must be maintained so that Parliament makes its sitting calendar and not another arm of the government. Thank you Mr Chairman.

Mr Chairman: I think that same concern would fall within the advice I have given to the Committee that when we look at the language in the draft Standing Orders for approval by Parliament, we will then make sure that the language we approve stays in the Standing Orders.

Mr Wale: Mr Chairman, since these comments will be taken note of as the draft may come back for debate, just for completeness and additional to the point I raised earlier, when a date has been fixed or in a self-regulatory meeting that parliament gets to that, which is a couple of steps ahead of what is proposed, if the Executive wishes to change the date it would be good for Parliament to come and do it as opposed to the date being changed outside so that the grounds for the change is subject to Parliament's scrutiny as part of its oversight role. So changes to a proposed meeting date, should be a subject for parliamentary debate so that it accentuates that oversight function, Mr Chairman.

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Mr Chairman: Honorable Members according to Standing Order (18)(2), the only question I am required to put is that the mover of the motion to report to Parliament that the committee has considered the report of the Parliamentary House Committee on the proposed Parliamentary Sitting Calendar.

The Committee agreed to the report of the Parliamentary House Committee on the proposed Parliamentary Sitting Calendar

Parliament resumes

Mr Sitai: Mr Speaker, I beg to report that Parliament Paper No. 47 of 2007, the report on the proposed sitting calendar for Parliament has gone through the committee stage with three concerns being noted by the Committee for further consultation and work.

Parliament agrees to the proposals contained in the report of the Parliamentary House Committee on the proposed Parliamentary sitting calendar.

Mr Sikua: Mr Speaker, I move that the House do now adjourn.

The House adjourned at 12.09 pm