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OPENING PRAYER

MADAM SPEAKER took the Chair at 1.00 p.m

MADAM SPEAKER (N. RATTLE): Honourable Members please be seated.

We thank our Chaplin this morning for his wonderful words and his prayer that will guide us throughout the business of the day.

Kia Orana and greetings to each Honourable Member in this Honourable House this afternoon. I believe everybody had a wonderful restful long weekend.

To all the people of the Cook Islands listening in, the Northern and the Southern Group and on Tumutevarovaro, Kia Orana to you all on this beautiful day. To our guests in the gallery this morning, we welcome you to the sitting today.

We have got quite a lot of business for today and we will begin with that. First is the Ministerial Statement by the Minister Mark Brown and I call the Minister Mark Brown and you have the Floor.

HON. M. BROWN: Thank you Madam Speaker. I rise to give a Ministerial Statement regarding the new initiatives proposed as part of the Tax Amnesty.

The Government has long been concerned at the level of indebtedness that our people have been under for many years. The debt that I talk about is debt owed to banks, debt owed to creditor and debt owed to the Revenue Management Division (RMD) of the Ministry of Finance and Economic Management (MFEM).

In 2012, we conducted a banking review which highlighted areas of concern that we have taken steps to address in terms of reducing the cost of financing and transactions. The banks to their credit have done much in terms of writing off of bad and unrecoverable debts at their own cost.

The Government in the last few years has looked at the tax arrears that have not decreased since we became Government in 2010. Today those arrears stand at \$36million. Despite their best efforts the RMD of MFEM only manages to collect a small proportion of these arrears each year.

The question has to be asked as to why do these tax arrears have not decreased? Why are people still getting into tax debt? How can we reduce or remove this tax debt?

Over the years I have had dozens of Cook Islanders come to see me about their tax debt. For many it was a case of a lack of understanding and awareness of tax obligations which ended up accumulating huge penalties of additional tax.

Many of our people were good at their business but not good at keeping their accounts in order. For some it was incorrect returns that were not identified for many years by which time their tax debt had ballooned out. In some cases it was the tax arrears of deceased family that affected the remaining relatives.

And there are many that found themselves in such debt of loans and tax arrears that they decided to leave the country in the hope of either making a new start overseas or trying to earn more money to pay for their debts.

The Government decided on the tax amnesty in 2015 as part of the commemoration of our 50 years of self-Government. Drawing on the biblical reference to the year of Jubilee from the book of Leviticus, where it refers to every 50 years the debts on our fellow man are forgiven. The Government wanted to find a way to reduce these tax arrears of \$36million down to a figure below \$10million.

Initial efforts to introduce aspects of the amnesty started in 2016 with the "Fresh Start" initiative. A number of tax payers took advantage of this but not enough to make a significant dent in the overall arrears.

The Government amnesty that started in August last year was slow in terms of taxpayers taking advantage of efforts to clear all penalties or additional tax and did not pick up momentum until the month of December when the numbers of people started to increase in taking advantage of the amnesty we saw close to \$5million in debt being cleared.

However the requirement to provide annual accounts some going back many, many years meant that only a few were able to provide the paperwork necessary to get any amnesty benefit. It was at this stage Madam Speaker that the Government working with the Revenue Management decided on a clear policy to reduce the tax arrears by waiving the requirement for any return and waiving all arrears from 31 December 2009 going back.

This has had the effect of removing \$19million in tax arrears of which nearly \$14million is additional tax and \$5million is core tax.

This cleared not only a significant proportion of the arrears but also removed the need for the tax department to continue to deal with old tax debt that goes back some of it 20 years or more. It also has the effect of clearing a crushing burden of debt from 1433 entities.

These include 1063 Cook Islanders (some of whom no longer live here), 260 companies (many of which no longer exist) and numerous charities, societies, estates and other such bodies. The proposed changes will have a positive impact on existing businesses that are behind in their tax, allowing them to focus on completing their tax returns for the years from 2010 to current.

This improvement in financial certainty we expect to see translated into invigorated entrepreneurship and reinvestments into their business and increased economic growth overall.

It will allow the RMD to now focus its efforts on collecting the \$20million of tax arrears from the period 2010 to the current time. These arrears are far more current and the expectation is that records and accounts can be more easily compiled.

These more current arrears that RMD can concentrate its efforts on comprise of nearly \$15million in core tax and \$5million in additional tax. Let us be clear, Madam Speaker, the current tax law does provide for the Collector to waive penalties and core tax under certain criteria. This power to waive is vested in one person at their discretion and rightly so. It should not be in hands of politicians.

However, in this instance the bold policy decision to waive these arrears as a one off action means that we will take those power vested in the Collector and pass it on to Parliament to make. And Parliament will be asked to take on this role as a once in 50 year's decision. The amendments that I will table before us tomorrow will enable us to take action to be taken as a one off only.

To prevent the buildup of tax burden into the future the business as usual approach from Government will change. More resources are being put into RMD to strengthen community outreach to build an informed tax paying community. Online systems will be improved to establish notifications of tax payments and follow up. More staff will be available for face to face consultations. We expect to see more resources in the next budget to support small business set up and management.

The question has been asked about the fairness of the tax amnesty and how does this reward the compliant tax payer. We should be thankful that the majority of our people are timely in their tax obligations.

We should also be mindful that everyone has benefitted from the good Government Policies that have stimulated the growth and prosperity for individuals and business across our country. Every person has benefited from the Government tax reforms of 2013 that has put more money in our people's pockets by reducing the personal tax rates.

Sound financial management of the Government accounts has enabled the Government to carry out this amnesty. However, we must also remember as we are the Government of the good and those that are doing well we are also the Government of those that are struggling and have a burden to carry. We are the Government of the many Cook Islanders that are compliant but we are also the Government of the 1063 Cook Islanders that are in trouble.

We do not want to turn our people away, we do not want them to close their business, and we do not want them to leave the country and we do not want to see them go to Court and be prosecuted for tax debt. We do want to help them where we can, we do want to take some burden off them and we do want to allow them a fresh start.

This amnesty, Madam Speaker does not give people money, it does not cost the Government anything in terms of normal revenues. The Government will still collect its forecasted \$115million in tax revenues this year. This amnesty does not put money into the peoples pocket, this amnesty does not give people money. What this amnesty does is that it forgives, it removes a burden off our Cook Islands people and it deserves your support in Parliament.

This amnesty is far too important for politics. This is about people's livelihoods and their dignity. It therefore concerns me, Madam Speaker when I hear Members of the Opposition demanding the names of people who will benefit from this amnesty.

I fear that these Opposition Members will use private privileged and confidential information to humiliate and embarrass political opponents or worse they will use the information corruptly for their own personal gain.

It is for this reason Madam Speaker, that the tax laws around confidentiality are entrenched in our legislation. No, Member of Parliament should be allowed the confidential details of any Cook Islands individual or company. Even myself as Minister, I am not privy to the accounts of any individual. It is for these reasons, Madam Speaker that I raise these concerns.

I am quite happy to see the Public Accounts Committee inquire into the process and justifications for the policy decision to waive tax from 2010 going back. But I caution against members looking to politicize the Public Accounts Committee and using the Public Accounts Committee to obtain private individual accounts information.

The spirit of this amendment that will come before the House tomorrow, Madam Speaker is in the spirit of forgiveness. Thank you, Madam Speaker I now lay this statement before the House.

MADAM SPEAKER: Thank you Honourable Minister Mark Brown. We will now go to personal explanations by the Prime Minister.

HON. H. PUNA: Thank you, Madam Speaker, Kia Orana. Kia Orana to all Members and also to our people listening to the radio.

Madam Speaker, I rise to make a statement to explain a matter of a personal nature pursuant to Standing Order 90.

Last Thursday towards the end of our sitting the Leader of the House moved for Parliament to adjourn until Monday at 1 pm, I rose to second the motion.

When the motion was being discussed in the House and since then much has been made on why we saw fit to adjourn Parliament until today. Madam Speaker, in seconding the motion I was merely relying on a gentleman's agreement reached over luncheon the day before with the Honourable Leader of the Opposition. Present at this brief discussions over luncheon were the Honourable Members James Beer, Ngamau Munokoa and Tangata Vavia.

Given the many social and work commitments on the Friday morning we discussed the options of either sitting late on Friday from 1pm to 5pm or of adjourning Parliament till Monday afternoon.

Madam Speaker, it was the Honourable Member James Beer who spoke first in support of the adjournment proposal rather than the proposal to sit late on Friday. After a brief discussion we all agreed with that suggestion.

Imagine my surprise therefore, when the Honourable Member James Beer spoke in objection to the adjournment motion last Thursday. But what surprised me the most is how much capital he has sought to make politically out of that motion.

Of course, it is his prerogative to do as he pleases in this Honourable House but I would have thought that informal agreements and goodwill among Members of Parliament is important and essential to supplement the formal Standing Orders and processes of this Honourable House.

I thought it important for the public out there to know this and to make up their own minds and for the Honourable Member to come clean. But good will among Members of Parliament and informal agreements are so essential to supplementing the formal Standing Orders and processes of this Honourable House.

That is all I have to say Madam Speaker, thank you very much.

MADAM SPEAKER: Thank you, we will now go to question time. And the question time is for thirty minutes and I see the Honourable Member George Angene.

QUESTION TIME

MR G. ANGENE: Thank you Madam Speaker and greetings to all our people listening in to our broadcast this morning and to all the Honourable Members in the House today.

My question is directed to the Minister of Finance. The reason I ask you a lot of questions, it is because of the position you carry. It is an important one because it is related to money and the money which can benefit our people.

I always ask this kind of question in this House. I would like to ask the Minister of Finance if he can assure us that the one tenth allocation to God has been considered by the Government.

I believe the Ui Ariki and the Government has received their portion what about the religious sector. I am hoping that there is consideration to give to the churches. I know there was funding given for the Takamoia hall. Is there any other church funding, maybe the Minister can confirm this.

MADAM SPEAKER: Thank you and I see the Honourable Minister Mark Brown.

HON. M. BROWN: Kia Orana and thank you to the Honourable Member. This issue of tithing Madam Speaker is a personal issue. The responsibility to give your

tithes rest with each individual as is the responsibility to pay tax, rest with the individual.

It is written in the Bible, “give to Caesar what belongs to Caesar and give to God what belongs to God”. Thank you Madam Speaker.

MADAM SPEAKER: Thank you, I see the Honourable George Angene.

MR G. ANGENE: I stand to thank the Minister of Finance for his response to my question.

MADAM SPEAKER: I see the Honourable Tangata Vavia and you have the Floor.

MR T. VAVIA: Thank you Madam Speaker, my question is to the Prime Minister. Mr Prime Minister there is an allegation spreading in the country and like wild fire as well, that you will be calling for a snap election in May.

Can you confirm to this House that there will be an early election in May or not?

MADAM SPEAKER: Thank you and I see the Honourable Prime Minister.

HON. H. PUNA: Madam Speaker I feel sorry for this kind of question. I am thinking maybe the Honourable Member is wanting to retire early because I hear he will not be contesting in the next election and he will not win.

But seriously Madam Speaker I fail to see the reason why there is so much speculation about an issue that only the Prime Minister can decide. I see the article by the leader of the Opposition in the Cook Islands News on Saturday and very uncomplimentary about nothing but I also heard my friend George Pitt on radio this morning talking about the same thing.

I am not going to be part of those speculations Madam Speaker except to say to the Democratic Party, you guys need time to get ready for the elections. And I think you are not ready but wait and see and we know what the law is, that we have to have the election by the 9th October. So we have all this time to think about when we should have our election, Madam Speaker.

In the meantime I would ask my friends on the other side of the House, do not bother about the things you cannot control and you cannot decide and do not even speculate about it. Sort out things that you can do, like sorting out my friend from Murienua.

MADAM SPEAKER: Thank you Honourable Prime Minister and I see the Honourable Tangata Vavia.

MR T. VAVIA: Madam Speaker the Prime Minister did not answer my question he seems to be sliding around it.

MADAM SPEAKER: I see the Honourable Tama Tuavera.

MR T. TUAVERA: Thank you Madam Speaker and Kia Orana to all of us in the Name of the Lord this afternoon. I am not sure as to who should I pose my question to Madam Speaker whether to the Minister of Finance or the Minister of Infrastructure.

Last week some people in my constituency came to ask me because they have heard me ask the Ministers a question regarding our roads in Ngatangia. I feel sorry for my people and their query. One man told me the headlight bulb of his motorbike fell out of its case and as a result, he fell into the ditch because of no light on his street during the night.

This is the question that I am asking on behalf of the people in my constituency. Where are we going to take our bills to recover our loss from the accident on our roads because the street lights including our roads are not upgraded?

MADAM SPEAKER: Thank you and I see the Honourable Deputy Prime Minister.

HON. T. HEATHER: Thank you Madam Speaker and thank you to the Member of Parliament for Ngatangia for his easy question.

Madam Speaker we have a road law that tells us how we should use the road when we drive under 40kmph and the wearing of helmets. If the person did not see the hole in the road he either was drunk or speeding on the road.

Madam Speaker as I have mentioned previously the weather has not been good lately and we were waiting for the weather to break when our workers can start the upgrade work on the road, so please bear with us on this one.

MADAM SPEAKER: Thank you and I see the Honourable Tama Tuavera.

MR T. TUAVERA: Thank you Madam Speaker. I have a question regarding Te Mato Vai.

MADAM SPEAKER: Honourable Member let us open the Floor to other Members to ask questions. You have had a turn, are there any further question from anybody else.

MR T. TUAVERA: I have been designated to ask these questions Madam Speaker.

MADAM SPEAKER: I told you the other day, if one person is speaking for all of you or other people you should inform the Speaker because the Speaker does not know that. Otherwise one person asks the question and others get the opportunity to speak. Thank you, I see the Honourable James Beer.

MR J. BEER: Madam Speaker my question is to the Minister of Infrastructure Cook Islands.

In last Wednesday's meeting Madam Speaker, the Minister of Infrastructure Cook Islands invited the two Members of Puaikura to attend the meeting that he had called

for at Aumaru Palace. My question Minister, unfortunately I was not able to attend because we had Standing Orders responsibilities.

Minister, can you confirm that you stated at that meeting that because half of the money had already been expended for road works for Takuvaine, you could only do the roads in Puaikura up to Blackrock or Betela. Can you confirm that please?

HON. T. HEATHER: The interpreter is a bit confusing, nevertheless I will try and answer the question raised by the Honourable Member for Murienua. I did not say that only half of the money is left and neither did I mention about the money that is left today and the road work from Blackrock.

This is the answer Madam Speaker. With regards to the money that is left for road works, I informed the meeting that \$1.5million is left from what Parliament has appropriated for road works.

The road work will commence from Harley Street to the boundary at Betela bridge. This is the figure the engineers suggested to complete the road works between Harley Street and the bridge at Betela.

That is my answer to your question Honourable Member. We will consider in our new Budget for 2018/19 the completion of our road works in Arorangi.

MADAM SPEAKER: Thank you and I see the Honourable Tama Tuavera.

MR T. TUAVERA: My question Madam Speaker is regarding the Te Mato Vai project. Last year our Select Committee for Te Mato Vai went through some consultations and we know how much money was spent for that particular project which is still ongoing today.

When we had the down pour during the last couple of days, the water supply in Matavera and Ngatangia were really dirty. We were told our water intakes were upgraded and good filtering system was put in place. Last Saturday our people were on the hunt for clean drinking water. They went as far as Super Brown in Nikao to look for drinking water.

My question then Madam Speaker is, with all the money that we spent, why did we end up with dirty water. You may laugh but it is not funny to the people of Ngatangia that the water is coming from our stream, we are providing 90% of water to this island and yet last Saturday our water was the dirtiest.

MADAM SPEAKER: Thank you and I see the Minister of Infrastructure Cook Islands.

HON. T. HEATHER: This question sounds like dirty water Madam Speaker. To answer the Honourable Member's question because he is not aware, the water intakes is yet to be improved and that will take place this year.

This is the reason Government wanted to improve our water intakes so that we will receive clean quality water. We all know that every year when it rains and there is

flooding in our streams, there is always dirty water. I am happy that the Honourable Member today is supporting the water project because they were the ones who objected the water programme when they submitted a petition to Parliament.

The second stage of the work now is to get the water through the water pipes installed by the Chinese workers and after that the work will start on improving the water pipes. That is our current update for today.

This morning the staff for water work at the Ministry of Infrastructure came to see me. They had some concerns because they discovered cracked water pipes in the areas of upper Tupapa and some areas in Ngatangia.

They confirmed that these were old water pipes and because water was coming out of the new water pipes that were installed by the Chinese workers, the water pressure around the area of Titikaveka, Ngatangia, Matavera and Tupapa were too strong for the old water pipes to cope with.

This is the current update for the Te Mato Vai project and in the next two years the second stage of improving our water work will take place. Only then we will understand the benefit that this project will bring to our people but today we know that we have good water pressure in our water pipes.

MADAM SPEAKER: Do you want the Floor Honourable Selina Napa? I will give the Floor to the Honourable Selina Napa as she is indicating to stand as she has the Floor.

MRS S. NAPA: Madam Speaker my question is to the Minister of Infrastructure Cook Islands. I am not quite sure about the WATSAN programme that started in Muri Ngatangia and whether it is now in Titikaveka.

My question concerns the sanitation programme for our people that have been in place during the past years which were funded by EU and NZODA.

Today, some of our people are having issues with the septic tanks that have been installed. Some wants their septic tanks changed due to the continuous problems they have with the pumps requiring them to frequently change the pump.

My question to the Minister is, whether the project has been reviewed to see whether it is running well and whether there are plans put in place should people have issues about the septic tanks.

MADAM SPEAKER: Thank you and I see the Minister for Infrastructure Cook Islands.

HON. T. HEATHER: Thank you Madam Speaker and thank you also for the question raised by the Honourable Selina Napa.

This is a good question regarding sanitation in our homes. I mentioned in our sitting last week about the assistance given by New Zealand and also the European Union for this programme.

In 2016 New Zealand withdrew from their 2015/16 budget their assistance to us and also the European Union regarding the WATSAN programme. During that year, New Zealand gave \$10million to use over three years and the European Union also contributed less than \$10million for the WATSAN. New Zealand always assists us with the programme for sanitation in our country.

The programme started in 2011 in the village of Muri, Ngatangia. Two hundred and forty four households were given assistance to improve sanitation in the homes. The second part of the programme was to move to Tikioki, Titikaveka.

However, when the programme moved to Tikioki, Titikaveka some changes were put in place by New Zealand and the European Union on the sanitation programme.

The question I asked to the representatives of this programme when we had a meeting in Arorangi was, why was there a change to the initial programme. If there are issues with that, then we should correct those issues.

When the sanitation programme started with the Ministry of ICI in 2011, the Ministry of Health and the Ministry of Environment were involved and some of their officials were on the Committee to administer the sanitation programme.

However, when the programme moved to Tikioki, the plans and designs of the sanitation programme changed. Therefore, Honourable Member for Teimurimotia, this is a good question so that our people will know what is happening and who changed the programme and why it was changed.

Government wants the sanitation programme to progress like what happened in Ngatangia. The programme was on trial for one year before it actually started in 2011.

MADAM SPEAKER: Thank you and I see the Honourable Selina Napa.

MRS S. NAPA: Madam Speaker I have a supplementary question to the Honourable Deputy Prime Minister Teariki Heather and it is regarding the quality of water around our area and with the intention to ensure they work.

In the past few years there was good quality water in our area and human waste control was in place in the area but now it is not what it should be and today there is poor quality.

The issue here is that there is not enough back up and support from the staff of ICI to come and carry out check work and fix the problems in this area. My question is, what will the ICI do in looking to solve these problems because it is expensive as the septic tanks would cost around \$15,000.00 each to build.

MADAM SPEAKER: Time has expired Honourable Member.

HON. T. HEATHER: I think I have a sore neck, Thank you Madam Speaker, I will answer tomorrow.

MADAM SPEAKER: Yes, I was saying tomorrow. Thank you very much that ends our Question Time and we will go to Orders of the Day.

ORDERS OF THE DAY

And Honourable Members the Orders of the Day is the interrupted debate on the Second reading of the Maritime Zones Bill 2017.

When we adjourned last Thursday the Prime Minister had the Floor to comments to the queries and concludes on the debate of the second reading of the Bill, you may have the Floor again.

HON. H. PUNA: Thank you, Madam Speaker. Before I proceed with my closing remarks let me just acknowledge our people listening in and the Honourable Members of this House.

Let me also acknowledge you, Madam Speaker and the staff of this Parliament and let me also acknowledge our officials from the Ministry of Marine Resources Ben Ponia and Myra Patia who have been here faithfully while we continue to debate both the Marine Resources Bill initially and now the Maritime Zones Bill.

Madam Speaker, when I concluded my remarks last Thursday, I was answering some questions posed by the Honourable Member for Titikaveka.

She was asking about whether we were charging vessels who were transiting through our waters and the short answer I gave was no.

We cannot do that because there is an International Convention relating to the freedom of navigation. But I could understand the logic of the question because we now receive payments from airlines flying through our air space.

But for the benefit of Members of Parliament and our people that initiative was actually promoted by our little country back in 1997 when we hosted the Forum here in Rarotonga.

I was the Secretary of Transport at the time and I inadvertently became aware of the fact that other countries, other civil aviation authorities were in fact charging flights that were transiting through our air space, our air space.

We raised the matter at the Forum and our regional partners were very quick to support our initiative and we now receive well over three hundred thousand dollars per annum from flights that transit through our air space.

But unfortunately, Honourable Members we do not have that privilege of charging vessels that ply through our waters yet.

There are some very important principles in the Bill, Madam Speaker that I want to reiterate. I think each Honourable Member has been given a copy of Papa Arapati's speech at the United Nations conference in Caracas, Venezuela.

It is actually worth our while going through that speech to see the vision of our founding father in those early days and the very strong plea that he made on our behalf as well as on behalf of all our Pacific neighbours that are surrounded by the vast Pacific Ocean. That is now a reality and part of International Law.

I also want to acknowledge Sir Dr Terepai Maoate for his vision, for his wisdom and enthusiasm in pushing for the extension of our continental shelf up north. The Manihiki Plateau is a natural formation that should rightly form the basis of the extension of our continental shelf and we are still committed to pursuing that initiative vigorously through the United Nations processes.

If that is successful, Madam Speaker we stand to gain an extra 400,000 plus thousand square kilometres. Some countries in the Pacific do not even have an EEZ of that size.

Madam Speaker, this Bill actually incorporates the existing Law of the Sea as per the United Nations Convention on the Law of the Sea. As I explained in my opening remarks there are five zones under this Bill.

First there is the inland waters and these are the waters inside our reefs. Of course some islands have bigger inland waters than others. Then from the reef around each island we measure out twelve miles, that is the territorial sea and 12 miles out from the outer limit of the territorial sea is the contiguous zone.

The fourth zone is the vast exclusive economic zone (EEZ) that we have of nearly two million square kilometres and Papa Arapati's vision was that this vast ocean will be our future and it is up to us to ensure that we look after this whole EEZ and I believe that, that is precisely what this Honourable House is doing today.

We have gone further than any other country in the world in declaring our EEZ a Marae Moana and that is something that we should all be proud of because it makes a very strong statement about our commitment, our serious commitment to the conservation of our ocean. And managing all its resources sustainably and the Marae Moana Act that we passed in this Honourable House unanimously last July is testament of our commitment to that principle.

And then next to the boundaries of the Exclusive Economic Zone is the Continental Shelf. One important point that I need to repeat for the sake of our people that while this Bill is adopting and incorporating the zones that exist today under international laws, it does not take away from or affect the 50 miles exclusion zone that we have agreed to.

That is our own unilateral declaration we as a country have made and I know that our Ministry of Marine Resources is currently working through its implications in terms of the fisheries licenses. That declaration Madam Speaker is unaffected by this Bill.

One final point if I may, Madam Speaker and Honourable Members this Bill is a very simple Bill. A reflection of current international law which we have taken and adopted in order to avoid any confusion.

And as such Madam Speaker I am sure that Honourable Members understood that. So, it follows what I want to say now is that there really is no need to refer this Bill to a Select Committee. There is nothing contentious in it.

So, it is my proposal that we proceed with taking this Bill through its stages in this House. But I would also ask that those who have been chosen to be on the Select Committee for the Marine Resources Bill do take the opportunity to explain this to our people during their consultations.

I am pleased that members on the Select Committee can actually kill more than one bird at once during their consultations. Because most, if not all of them are also on the Crimes Bill Select Committee.

So, Madam Speaker those are my concluding remarks for the Second Reading of this Bill and I commend it to this Honourable House, Thank you.

MADAM SPEAKER: Thank you Honourable Prime Minister. I will put the Question. The Question is:

That the Maritime Zones Bill 2017 be now read a Second time?

Motion agreed to

DEPUTY CLERK AT THE TABLE: A Bill Intituled: An Act to declare the territorial sea, contiguous zone, exclusive economic zone, and continental shelf of the Cook Islands as the maritime zones of the Cook Islands, and to provide for related matters.

MADAM SPEAKER: Thank you Honourable Members the Bill is set down for consideration in the Committee of the Whole House. Parliament is resolved into the Committee of the House.

COMMITTEE OF THE WHOLE HOUSE

MADAM CHAIRMAN: Honourable Members I now seek leave of the Committee to go through the Maritime Zones Bill by Parts commencing from Clause 1 and 2.

Clause 1: Short Title.

I call on the Leader of the House to move a Motion:

MR W. JOHN: Madam Chair I move:

That Clause 1 on the Short Title be amended to omit 2017 and insert 2018

MADAM CHAIRMAN: I put the Question and the Question is:

That the amendment to Clause 1 be agreed to?

Motion agreed to

The Question is:

That Clause 1 as amended stands part of the Bill?

Motion agreed to

Clause 2: Commencement.

The Question is:

That Clause 2 stands part of the Bill?

Motion agreed to

Part 1: Preliminary Matters.

The Question is:

That Part 1 stands part of the Bill?

Motion agreed to

I call on the Minister Responsible for the Bill to move a motion, please.

HON. H. PUNA: Madam Speaker just a clarification, is this to do with the supplementary order paper?

MADAM CHAIRMAN: It is to do with the supplementary order paper.

HON. H. PUNA: I make reference to it Madam Speaker because all the amendments that are proposed particularly from part 2 onwards are set out very clearly on that supplementary order paper.

MADAM CHAIRMAN: Does everybody have a Supplementary Order Paper? Yes, it was given out. Honourable Prime Minister I am thinking because of the time, perhaps we leave this, to keep it all tidy when we come back because we are due to go for a break now.

I think it would be better if we do that.

HON. H. PUNA: What a lovely idea.

MADAM CHAIRMAN: As you have not yet put the Motion to the Floor. So the Question is:

That the progress of the Bill be reported to Parliament?

Motion agreed to

Parliament is resumed.

The Question is:

That the progress of the Bill be reported to Parliament?

HON. H. PUNA: Madam Speaker I am pleased to report:

That the progress of the Maritime Zones Bill is about to take off

MADAM CHAIRMAN: I put the Question:

That the Report be adopted?

Motion agreed to

:
Parliament will suspend until 3.00 p.m.

Sitting suspended at 2.27 p.m.

Parliament resumed at 3.00 p.m.

MADAM CHAIRMAN: Please be seated Honourable Members. Parliament is resumed.

Before we adjourned, we were in the Committee of the Whole looking at the Clauses of the Bill and we will now resolve Parliament and go into the Committee of the Whole to go through the clauses of the Maritime Zone Bill.

COMMITTEE OF THE WHOLE HOUSE

When we adjourned, the Prime Minister had the Floor and I would like to call the Prime Minister to move the Motion.

HON. H. PUNA: Thank you Madam Speaker. Madam Speaker, it will be much easier to refer to the Supplementary Order Paper in respect of the amendments that I am about to move.

I move:

That Part 2 of the Bill be amended in the manners set out on the Supplementary Order Paper

MADAM CHAIRMAN: Honourable Prime Minister, can I please ask you to move the Motion as is written in the Order Paper because that covers all Parts of the Bill.

HON. H. PUNA: Thank you Madam Speaker and thank you for the clarification.

Madam Speaker I move:

That Part 2 of the Bill be amended in the following manner:

In the cross-heading above 6, delete...

MADAM CHAIRMAN: I beg your pardon. Can you please take your Procedure Note Prime Minister?

HON. H. PUNA: Madam Speaker, I think we are getting back on the right track now.

MADAM CHAIRMAN: Thank you.

HON. H. PUNA: Please disregard the previous Motion.

I now move:

That the amendment as set out in the Supplementary Order Paper dated 15 February 2018, in my name be considered by the Committee

MADAM SPEAKER: Thank you Prime Minister. We will now go to Part 2.

Part 2 is the Maritime Zones.

The Question is:

That the amendments set out in the Supplementary Order Paper dated 15 February 2018 in the name of the Honourable Henry Puna to Part 2 be agreed to?

Motion agreed to

The Question is:

That Part 2 as amended stands part of the Bill?

Motion agreed to

Part 3: General and Miscellaneous Provisions.

The Question is:

That the amendments set out in the Supplementary Order Paper dated 15 February 2018 in the name of the Honourable Puna Henry to Part 3 be agreed to?

Motion agreed to

The Question is:

That Part 3 as amended stands part of the Bill?

Motion agreed to

Schedule:

The Question is:

That the amendment set out in the Supplementary Order Paper dated 15 February 2018 in the name of Honourable Henry Puna to insert a Schedule to the Bill be agreed to?

Motion agreed to

The Question is:

That the Schedule as agreed stands part of the Bill?

Motion agreed to

A Bill Intituled: An Act to declare the territorial sea, contiguous zone, exclusive economic zone, and continental shelf of the Cook Islands as the maritime zones of the Cook Islands and to provide for related matters.

The Question is:

That the Long Title stands part of the Bill?

Motion agreed to

The Question is:

That the Bill be reported to Parliament with amendments?

Motion agreed to

Parliament is resumed.

I now call upon the Prime Minister responsible for the Bill to report the progress of the Bill to Parliament.

HON. H. PUA: Madam Speaker, I wish to report:

That the Maritime Zones Bill has passed through the Committee stage with amendments

MADAM SPEAKER: The Question is:

That the Report be adopted?

Motion agreed to

ORDERS OF THE DAY

Orders of the Day is on the Third reading of the Maritime Zones Bill. I call on the Honourable Prime Minister to move for the Third reading of the Maritime Zones Bill.

HON. H. PUNA: Madam Speaker, I move:

That the Maritime Zones Bill be now read a Third time

MADAM SPEAKER: Thank you and I call on a Secunder.

Seconded by the Honourable Minister Nandi Glassie

I will put the Question:

That the Bill be now read a Third time?

Motion agreed to

DEPUTY CLERK AT THE TABLE: A Bill Intituled: An Act to declare the territorial sea, contiguous zone, exclusive economic zone, and continental shelf of the Cook Islands as the maritime zones of the Cook Islands and to provide for related matters.

THIRD READING OF THE BILL

MADAM SPEAKER: Thank you very much Honourable Members that completes the First, Second and Third reading of the Maritime Zones Bill.

Honourable Members we will now go on to Orders of the Day and that will be on Papers for Consideration.

ORDERS OF THE DAY - CONSIDERATION OF PAPERS

On Thursday when we did the Consideration of Papers, we have reached Paper 108. I see the Honourable Mona Ioane.

MR M. IOANE: Madam Speaker, I seek leave for the following Papers:

Paper No. 108 – Public Accounts Committee Evidence Session Report on the Immigration Service Permit Fees 2008

Paper No. 109 – Public Accounts Committee Evidence Session Report on the Ministry of Justice Services Fees 2017

Paper No. 110 – Public Accounts Committee Evidence Session Report Internal Affairs Caregivers Policy and Allowance Rate

To be considered together as one question.

MADAM SPEAKER: Thank you, there is leave that has been requested from the House, is there any objection to the three Papers being looked at together.

And as there are no objections the Honourable Member to put your Motion on that.

MR M. IOANE: Madam Speaker, I move:

That Paper 108, Paper 109 and Paper 110 be referred to Cabinet

MADAM SPEAKER: Is there a Seconder for the Motion?

Seconded by Honourable Toka Hagai

MR J. BEER: Can I ask a question, just a point of clarification. I want clarification, Madam Speaker when the Motion is carried to refer this to Cabinet, can Parliament debate or talk about these Papers for consideration?

MADAM SPEAKER: Yes, you can debate on the Papers before it is referred to Cabinet. And the Motion was seconded by the Honourable Toka Hagai and the Question is:

That the Motion be agreed to for these Papers to go to Cabinet?

Motion agreed to

Honourable Member James Beer, did you want to debate on the Papers? You have the Floor.

MR J. BEER: Thank you, Madam Speaker. Madam Speaker, I am pleased to hear that there is some action in relation to these three Papers of the Public Accounts Committee that has carried enquiries over and on them.

Although I have been in Parliament only a short while I have never actually seen a process by which Papers that are considered are then referred to Cabinet. This is something obviously quite new.

It would have been a good idea I feel that if whoever moved that motion for the papers to be referred to Cabinet was to give us an understanding as to the reasons why that was being proposed.

Would it be a proposal that will release budget for these particular issues and concerns? That is where my curiosity lies in relation to the actual referral to Cabinet, Madam Speaker.

It is true the Public Accounts Committee as its Deputy Chair did look at three different enquiries over the last few months and as we are debating all of those in this particular sitting I would like to just refer to them as we go through.

One of the concerns that was raised, Madam Speaker and for the benefit of our Members of Parliament was a concern raised by the Public Accounts Committee to

the Secretary of Justice. The Secretary of Justice admitted into that Public Accounts Committee that he had to virtually break the law in order for him to be able to ensure that the running of the Justice Department occurred.

This matter came before the Public Accounts Committee was not a matter that the Public Accounts Committee decided to bring upon themselves but it was a matter raised by members of the public about the increases of fees for land matters at the Ministry of Justice.

We recommended to the Secretary of Justice for him to re-examine the actual fee scale that he had set for land matters. What was concerning to members of the public particularly those involved with the land matters of the Justice Department was the very large increase at one go to those fees allocated under the schedule and it became very obvious to the Public Accounts Committee that there had to be something done about this in relation to those increased costs.

It was given by the Public Accounts Committee that you had to charge for the kind of services that the Justice Department provided to the public but we took issue, Madam Speaker on the basis that the increase was not incremental or over a period of time but it was one large sum all at once.

And there were other aspects within those recommendations that I encourage other Members of Parliament to look at and there is a lot of debate obviously going to come forward from other Members of Parliament in relation to the other enquiries that are held by the Public Accounts Committee.

One of the last and final things I want to say about this particular report was the final recommendation by the Public Accounts Committee to the Secretary of Justice.

As a result of our enquiries other things started to crop which as they normally do and we recommended that the Secretary of Justice make an application for POBOC of the amount of about \$200,000 to be able to allow the Court system to be able to sit more often to deal with cases before them.

It was stated that the cost of Judges travelling, accommodation costs and other sundry costs were borne by the Ministry of Justice and the Public Accounts Committee said that it was given that we need to have those very knowledgeable people to be able to deal with very complex cases.

As we know these are very complex cases and requires very good people and therefore, we have to pay for very good people.

So, it was our contention that there should at least be a separate budget from POBOC to be able to take care of the New Zealand Judges costs.

Madam Speaker that is my brief summary on the Public Accounts Committee inquiry into the increase of Ministry of Justice land matters fees. Thank you.

MADAM SPEAKER: Thank you Honourable Member, I see the Honourable Selina Napa.

MRS S. NAPA: Thank you Madam Speaker for the opportunity to speak on Paper No. 108 on Immigration Fees Schedule 2008.

Madam Speaker, when we started imposing fees on foreigners coming into our country to work in our country at that time the fees were not high. But when we changed the legislation in 2008 there was a big rise in the fees from \$40 to \$200 or \$400 dollars.

This Paper that we are debating is looking at the schedule of fees for foreign workers. I am happy to read the report from PAC and their recommendations are that maybe the fees should be reduced.

I am supportive with what the Public Accounts Committee has decided especially with the fees to be reduced. Back in those days it was good on how the fees were set at that rate because our population in those days was high.

One of the many reasons why the fee was high is because of the opportunities to be available to the locals and the fees was to the foreign workers. I say in the past there were a lot of our own people in the country who can fill the positions back then.

However today a lot of our people are leaving and there has been a reliance on overseas workers to take over certain jobs in our nation.

As mentioned there are people that are still leaving and also the other report that I have seen is that our elderly in our nation are living longer. Our people are working 24/7 to make things meet at home.

Positions are being advertised and a lot of them our local people do not want to take on the jobs because of the remunerations. Therefore, there has been a reliance on overseas workers to come and do the work in our country. Say for example doing caregivers work, doing hospitality work in our hotels.

In this submission by the Public Accounts Committee to lower the cost of fees for the immigrant workers to make affordable for our local families here in the Cook Islands to pay them.

Back in the days when this fee came into effect in 1997 there has been periodic payments made of the fees and whether that is still being continued and made available today to the families. It is a good recommendation for these fees to be paid periodically by the families and it is much more affordable for them.

And there is also an opportunity available which is recommended by the Public Accounts Committee to be reviewed on the entry residence and departure Act 1972.

As to the recommendations from the PAC Committee on these three papers we give our full support and there is a reason we believe why they are being referred to Cabinet.

We are of the same mind as that of Government to support and look after our people in the best way we can maybe in the increase of fees with the services we provide. Those are my thoughts on this Paper 108, thank you.

MADAM SPEAKER: Thank you Honourable Member and I see the Honourable Mona Ioane.

MR M. IOANE: Thank you Madam Speaker and Kia Orana to all of us this afternoon. Greetings to all our people listening today.

Madam Speaker I was not planning to speak on this Paper but after the two previous speakers I decided to share my views also. Like one view expressed earlier I add my support to these three papers that will be referred to Cabinet.

These Papers were on the Order Paper since the month of June 2017. I now see that no one has read this paper. If someone has read it we will not be discussing it today. The two views earlier are just repeating what is already mentioned in these papers. This shows me that no one has read these Papers.

The important thing here to me is for these recommendations to be received by Cabinet and for Cabinet to come back to us. Then we can discuss on the recommendations of Cabinet whether they agree or disagree. That is the time for us to discuss why Cabinet agree or disagree with Parliament's recommendations.

We are discussing these papers before they have been referred to Cabinet which have brought about different views on the papers. This is the better proposal, we will wait until Cabinet has considered the Papers and after, we will discuss on what they recommend to Parliament.

This is my second term in Parliament and this is the first time I know of any Parliamentary Paper to be referred to Cabinet. These Papers should have been dealt with last Thursday and referred to Cabinet.

Unfortunately, we ran out of time because the Opposition was asking too many silly questions and the Public Accounts Committee lost the opportunity to refer these papers to Cabinet.

Today I am happy that the Speaker gave the Public Accounts Committee the opportunity to refer these Papers to Cabinet so it will be removed from our order papers. There are three Papers here and these are the Justice, Immigration and Internal Affairs papers.

They are all important for the welfare of our people. These were all brought before the Public Accounts Committee for consideration on how Government can help our people. Many of the views however were to stop the progress to Cabinet.

After hearing these views Cabinet might decide not to receive these. I would ask that we all support these Papers to be referred to Cabinet maybe at our next sitting there will be some recommendations from Cabinet for Parliament to debate.

Those are my thoughts Madam Speaker and thank you.

MADAM SPEAKER: I see the Honourable Tangata Vavia.

MR T. VAVIA: Thank you Madam Speaker, on these three papers that we are discussing I wish to speak on Paper 109 on the Ministry of Justice.

I support the view of the Honourable Mona Ioane for parliament to refer these Papers to Cabinet for them to consider the recommendations of the Public Accounts Committee. Those are the same view of the Opposition Members on this Select Committee.

I stand to speak on Paper 109 on the operation cost of the Ministry of Justice which is \$400,000 and the trading revenue of \$500,000. The \$400,000 is paid for by the Governments operation budget and the \$500,000 are fees.

I think this is one area that I will appreciate if Government actually have a closer look at it. And this is on page 9 of the recommendations, second last paragraph on page 9,

It is very unfair in my view that our people should pay that trading revenue of \$500,000.00. The Ministry of Justice is charged to keep these records. All these costs should be funded by Government.

The people who are tax payers have paid tax and then above the tax they paid, they are paying the Ministry, which is getting more out of the people by the tune of \$500,000.00.

I have raised this in the past with Minister of Justice at the time on the cost to succeed your parents in court. I cannot really believe that the Ministry of Justice is justified in making those verified costs.

I would really appreciate somebody from the private sector to check those costs against what the Justice department is saying that that is how much to produce one document at the cost they are charging our people today. I still hear our people talking about the excessive charges particularly when it is concerning land issues.

Since this is a topic that has been going over and over in the years past, I want to give my congratulation to the committee for taking this responsibility in putting some light on the question of land fees.

On that note Madam Speaker I would like to give my support to get this Paper to Cabinet for them to consider the cost of doing business with Justice.

MADAM SPEAKER: Thank you, as there are no further speakers, we will move on from these Papers which will be referred to Cabinet and we will go down the list.

We are now at Paper 114 - Ministerial Statement by the Prime Minister the Honourable Henry Puna.

As there are no speakers to the Ministerial Statement by the Honourable Henry Puna, we will move on to:

Paper 112 - Te Mato Vai Project Special Select Committee Report November 2016.

And if there are no speakers, we will move on to:

Paper 116 - the Ministerial Statement by the Prime Minister on the Marae Moana,

And as there are no speakers, we will move on to:

Paper 117 - Customs Tariff Amendment Order 2017, serial number 2017/03.

As there are no speakers we will move to:

Paper 118 - Financial Transaction Reporting Regulations 2017, serial number 2017/04.

As there are no speakers we go on to:

Paper 119 - Welfare (Child Benefit) Audit 2017, serial number 2017/05.

As there are no speakers we will go to:

Paper 120 - Income Tax (Automatic Exchange of Financial Account Information) Regulations 2017, serial number 2017/06.

As there are no speakers we will move to:

Paper 121 - Customs Tariff Amendment number (2) Order 2017, serial number 2017/07.

As there are no speakers we will move to:

Paper 122 - Report by PERC on Travel Expenditure for Mr Anthony Brown.

And I see the Honourable James Beer. And you will put the motion that the Paper be received.

MR. J. BEER: Madam Speaker I move:

That Paper 122 be received

MADAM SPEAKER: Is there a Seconder for the Motion?

Seconded by the Honourable Selina Napa

And you may continue Honourable Member.

MR. J. BEER: Madam Speaker, just for the benefit of the Members of Parliament who have not read that Paper, I would like to just elaborate a little bit about it and talk about the issues contained within it.

My understanding is the Public Expenditure Review Committee received a complaint in relation to Mr Anthony Brown taking a Business Class travel when he was accompanying the Queens Representative.

Probably more important question I ask myself is as a result of the Public Expenditure Review Committee's report into this particular incident and if the Crown did indeed pay for that extra charge for the Business Class travel.

What happens then in terms of recommendation does the member of the public who was travelling on Crown expenses repay the portion difference between the economy airfare which is how within the Remuneration Tribunal Act and the cost of the Business Class travel.

That is my basic simple question to myself, Madam Speaker in relation to this. How do we ensure that such matters does not occur or how do we ensure that public receive that money back if indeed money was expended for that particular difference? Thank you.

MADAM SPEAKER: Are there any further speakers? I see the Honourable Tama Tuavera.

MR T. TUAVERA: Thank you Madam Speaker. I am looking at this Paper and you know sometimes when we travel which reminds me of the travel we did last year to London. We were in as they call it the cattle class, there were three of us myself, Honourable Mona Ioane and Honourable James Beer.

The longest leg of our flight was seventeen hours. To cut the story short I tried to upgrade but it seems that they made it impossible for us to upgrade our seats and pay for it.

Especially on the return flight because we found out how hard these seats are on the plane. I feel for Mr Anthony Brown in this case I am not sure where this flight was heading for and for how long.

I think sometimes there is a call beyond the duty that you are performing for your people and for your Government. I think there is a time where we could say that hey let it go because we will all fall into this category someday.

I am sure the people of the Cook Islands will not mind one person taking this particular seat to travel with the Queens Representative of the Cook Islands. After all it is a duty to the Queen and that is all I have to say on that matter. Madam Speaker thank you.

MADAM SPEAKER: As there are no further speakers I will put the Question on the Motion:

That Paper 122 be received**Motion agreed to**

We will now go to: Paper 123 on Rarotonga Pilotage Regulations 2017, Serial No. 2017/08.

Do you want to take the Floor for Paper 123? Can you please put the Motion that the Paper be received?

MR T. TUAVERA: I just want to bring to us the matter of piloting the big ships.

MADAM SPEAKER: Honourable Member, if you wish to speak to the Paper just please put a Motion that you move that the Paper be received.

MR T. TUAVERA: I move:

That Paper 123 be received

MADAM SPEAKER: Is there a Secunder for the Motion?

Seconded by the Honourable James Beer

MR T. TUAVERA: Thank you, Madam Speaker, my apologies. I just want to quickly go through this Paper because it concerns safety to vessels that come into our waters and try and enter our port. If we are so concerned about the ships coming to Rarotonga what are we doing with ships going into Penrhyn and also to other ports around the Cook Islands.

If I may use Aitutaki to explain this situation. In Aitutaki when the tide is running out or coming in it is very hard to pilot through the passage. I witnessed this when we were on the Vaka Te-Au-O-Tonga. As we were coming in to Arutanga the tide was coming out and it was so hard for us to navigate towards the wharf there, that we had to call for a fishing boat to tow us in. As it was, Madam Speaker we had to drop anchor to keep the canoe from going on to either side of the passage.

So, which brings me back to the Paper Madam Speaker then we should be looking at pilot boats and pilots to do this in all the other islands as well. As time goes by, Madam Speaker our Outer Islands will get busier.

As we already know the big ships like *Liloa* and that they all call in to Aitutaki as well. I know they do not go into port but to me it is still necessary for someone to be there that knows what they are doing because there are certain spots, not only in Aitutaki but in the island of Atiu even in Mangaia that when you drop your anchor it will never get to the bottom.

Therefore, these ships are coming in closer to the reef than necessary. Therefore, I think that is why some of these ships are ending up on our reefs in the Outer Islands.

In regards to that, Madam Speaker I think with this Paper we should be looking at the Outer Islands not only Rarotonga.

So, I leave this Paper to the Minister of the money and Transport to please look at how we can help our people in the Outer Islands when it comes to shipping. Thank you, Madam Speaker.

MADAM SPEAKER: Thank you, Honourable Member and I put the Question:

That the Motion to receive Paper 123 be agreed to?

Motion agreed to

Paper 125 - the Interim Report of the Crimes Bill 2017 Select Committee for period 18 July 2017 to 24 November 2017.

I see the Honourable Tama Tuavera.

MR T. TUAVERA: Madam Speaker, I move:

That Paper 125 be received

MADAM SPEAKER: Is there a Seconder?

Seconded by the Honourable James Beer

Please carry on.

MR T. TUAVERA: Thank you, Madam Speaker. I just want to cover this Paper because we are talking about the Crimes Bill here. Of late, Madam Speaker we have had reports of different crimes being committed on our island.

Then the question must be asked what are we doing about it, what is Government doing about it? As you can see the crimes are getting worse every time it has been committed in the last two months.

As you can see, we have all heard and seen on TV the stabbings that has been going on outside a nightclub. This is not a very good picture for our tourists and people outside of the Cook Islands to be looking in on how we deal with this matter.

I feel that there is a lack of leadership when it comes to this kind of crime. With the intelligence that I have been getting I do not know if we are going to put our finger on the argument that there is not enough Police Officers or we put our finger on who the leader is or who the boss is. And in every organisation Madam Speaker, the buck stops with the boss.

In this case, I am not picking on the Minister of Police but his assistance would be welcomed.

You hear rumblings within the Police Force that they are not happy but again I will come back to that word “leadership”. The crime on our island is getting worse – I do not know whether because they have been watching DVDs or videos or movies.

So far, Madam Speaker we have had three stabbing incidents. So, far we have been lucky there is no deaths involved. So, I hope this Crimes Bill can wake us up and decide what is good for our country and what is good for our youth because this is where we are failing, it is with our youth.

I do not know if we should raise the age of drinking back to 21 or leave it at 18. We certainly do not want to bring in curfews again. Madam Speaker, with the age of 18 being allowed to go into bars there are now kids that are 16 bigger than an 18 or 20 year old that are drinking in the bars. It is easy to know this because when you walk in to the bar you get a “hello uncle” and when you turn around to have a look who it is all you can do is say - hello.

So, Madam Speaker just on this Paper, I hope that we do wake up on the matter of leadership that is needed in our Police Force. I do not know if we are going to get more police officers or are, we going to raise the age of drinking back to 21. Because when we look at bars, they are trying to attract customers which is what they do, they promote their properties and attract more people to come to their bars.

Hopefully what I have just presented, Madam Speaker do not fall on deaf ears because it is getting to a stage where I hope a death from one of these incidents is not the reason why we are doing something about it. Thank you, Madam Speaker.

MADAM SPEAKER: I see the Honourable Member Mona Ioane.

MR M. IOANE: Thank you Madam Speaker. My view on this Paper, was presented to the House at the time I submitted this report on behalf of the Crimes Bill Select Committee. Now, I am reading this report and there are three main reason in the report that was presented to parliament.

Madam Speaker this report has already been received by parliament. We must understand that initially parliament gave the Committee three months to come back with a report and this is the Committees report after the three months period which we presented and ask parliament for an extension of time in our deliberation.

In our Sitting of last year may be in the month of May or October Parliament agreed for an extension of the Crimes Bill Committee, sine die. That is all the content of this Paper and I am happy that this Paper is about to be withdrawn from the order paper. We will wait until the Committee completes its finding and reports to parliament then we will deliberate on that final report.

I fully urged parliament to receive this Paper so that it can come off the Order Paper. That is all my thoughts Madam Speaker.

MADAM SPEAKER: Thank you and I see the Honourable Prime Minister.

HON. H. PUNA: Thank you Madam Speaker. Kia Orana again to all of us in the Name of the Lord. Madam Speaker I agree with the views of the Honourable Member Mona Ioane.

But in agreeing with him I think some comments also needed to be made in respect of the comments made by the Honourable Member for Ngatangia in the latest incidence of stabbing.

I want to send a message very clearly that nobody is putting their heads in the sand and pretending that nothing is happening. It is a matter of serious concern to all of us that these incidents are happening in our community but it is important when we receive the completed report from the Select Committee that we consider the toughest penalties possible for those offenders of this nature.

The Government has been addressing this matter since the first stabbing occurred in Rarotonga in January last year. I convened a meeting of the local publicans of the night club, the police and CIIC when that incident took place.

What transpired was the need for more adequate lighting in areas concerned around the night clubs and Te Aponga Uira who were also at the meeting set up flood lights for the area. It became clear that these were trouble spots outside of these night clubs.

Close to 12 months later we had another stabbing outside a night club in the same vicinity. It is so easy for us as a community to point the finger of blame at others and yet some times we forget that everybody in this community, our young ones especially they have parents and they come from homes.

The question has to be asked, where are the parents of these troublesome kids? More importantly what are they doing about their young ones who are getting into trouble?

The police can only do so much, the patrons can only do so much and the owners of these night clubs can only do so much. The police have met with publicans again and discussed the gestion of troublesome patrons from their night clubs.

But what has become very clear and what we should focus on is, how do we as a community respond to and deal with these concerning incidents. Not one agency of Government or our community can deal with this problem alone.

All our interest as a country are at stake but the need to work collaboratively was discussed recently and agreed upon by the publicans, the owners of the night clubs and the police for the safe dispersal of troublesome patrons and individuals.

Also discussed was the benefit that more lighting would give and the need for more lights where youths are congregating in town and around the night clubs. We will be pursuing this option with the appropriate agencies of Government.

My office will meet with the police regularly as they work together with the publicans and our community to deal with this alarming situation. But my plea Madam Speaker and Honourable Members is let us not point fingers. Let us instead find ways that we can work together as a community because this problem belongs to all of us.

Thank you Madam Speaker.

MADAM SPEAKER: Thank you Honourable Prime Minister and I see the Honourable James Beer.

MR J. BEER: Thank you Madam Speaker. I agree with the Chairman for the Crimes Bill Select Committee in terms of the relevancy of this particular Paper to this House.

And for the most part I think we can all concur with what the Prime Minister just said in relation to no one should be pointing any fingers in anyone in particular when it comes to the incidences that happened in town.

And I would have thought Madam Speaker that would have included the parents or guardians of those people that have committed those incidences. Let us not point fingers at them either because I think the real systemic problem that exist at the moment in relations to those crime is both a policing matter as well as it is a financial matter.

Too often we read of parents working two jobs in order to be able to satisfy the bills of that household. I know some parents who have to work 7 days a week, both of them. To meet the cost of living in the Cook Islands.

As a result their children at home on their own unsupervised. So, the challenge is not their fault, the challenge is how do we dress this whole issue around this area. Which includes policing which includes the cost of living. The other aspect about the particular reason why this Bill is taking so long for the Select Committee to do its work has come down to finances.

The same problem that those couple has to work 7 days a week is facing. For the benefit of all our Members of Parliament, Madam Speaker is very clear that the Crimes Bill Select Committee did not receive a full allocation to be able to complete its work.

In the time frame that they are required to do so. We admittedly have to get some money from the UNDP without their kind donation we would be way behind the work we are currently working.

So, I am hoping that once we have done with the affairs of parliament that we get on with the job at hand and be able to prepare that report after visiting the Outer Islands as we are required to do, including and most importantly the once so far away from us up in the Northern Group.

That Madam Speaker is all I have to say on the subject.

MADAM SPEAKER: Thank you and I put the Question:

That the Motion be agreed to for Paper 125 to be received?

Motion agreed to

Paper 126 – Land Agents Registration Act Code of Ethics Regulations 2017, Serial No. 2017/09

As there are no speakers we will go on to Paper 127.

Paper No. 127 – Family Protection and Support Regulations 2017, Serial No. 2017/10

As there are no speakers we will go on to Paper 128.

Paper No. 128 – The Compliance Audit Report – Procurement, Infrastructure Cook Islands

As there are no speakers we will go on to Paper 129.

Paper No. 129 – The Performance Audit Report – Environment Impact, Assessment in the Cook Islands

As there are no speakers we will go to Paper 130

Paper No. 130 – The Special Review Report – Ministry of Justice. Review of Prison Services

As there are no speakers we will go to Paper 131

Paper No. 131 – The 4th Quarter Report of the Audit Office for the period 1 April 2016 to 30 June 2016

As there are no speakers we will go to Paper 133.

Financial Transaction (Reporting (Maritime Cook Islands) Regulations 2017, Serial No. 2017/12

I will go back to Paper 132 and that is on Currency Declaration (Forms) Regulations 2017, Serial No 2017/11

As there are no speakers, I will go to Paper 134.

Paper No. 134 – Countering Terrorism and the Proliferation of Weapons of Mass Destruction (Targeted Financial Sanctions) Regulations 2017, Serial No. 2017/13

As there are no speakers, we will go on to Paper 135.

Paper No. 135 – Heads of Department Selection Panel (Remuneration of Members) Order 2017, Serial No. 2017/14

Prime Minister do you wish to speak on Paper 135?

HON. H. PUNA: Yes please Madam Speaker. I move:

That Paper 135 be received

MADAM SPEAKER: Is there a Seconder for the Motion?

Secinded by the Honourable Minister Nandi Glassie

You may speak Honourable Prime Minister.

HON. H. PUNA: Thank you Madam Speaker. As Members will be aware three new HOMs appointments were recently concluded last week. Members will be aware that those three appointments have been confirmed, Dr. Aumea Herman is the new Secretary for Health, Miss Anne Herman the new Secretary for Internal Affairs and Ms Danielle Cochrane the new Secretary for the Ministry of Education.

Madam Speaker, I want to pay special acknowledgement to the panel involved in the selection process. Without naming names, these were Cook Islanders who volunteered to select the appropriate people for the HOMs positions.

I am aware that the Public Service Commissioner was surprised at some of these selections, not at the three appointees that were chosen, but with the nomination of members onto the panel. But after the process had been completed, the Commissioner was full of praise for the efforts of these committed Cook Islanders.

It also became clear at the outset of the selection process that the remuneration to compensate these panel members for serving on the panel were inadequate. And so the submission was received from the Public Service Commissioner to increase the level of remuneration of these panel members to a more reasonable and acceptable level. And because these increases were not budgeted in the current budget, we had to find extra funds to meet this need.

Madam Speaker, I have read public comments to the effect that these appointments were political appointments. Nothing could be further from the truth.

The appointments of Heads of Ministries are not political appointment that is why they are made principally by the independent panel to oversee the appointment process. Cabinet is only informed when the process comes after the analysis and scrutiny of the appointees or the applicants had been made by the panel.

And Schedule 3 of the Public Service Act makes it very clear that Cabinet is obliged to appoint one from a list of three submitted to it by the panel. That is the law and we follow that. Politics is never involved and should not be involved in that process.

So, I want to congratulate all these three appointees to these responsible positions in our country. I think all the womenfolk of this country should take heart from the fact that all three appointees are women. Maybe the women are taking over this country Madam Speaker.

But those three ladies got there purely on their merit and I think we should all congratulate them for that. But it sends out a very clear signal to the world and to our

people that no matter who you are and where you are, there is always an opportunity to aspire to the highest level of office in our beautiful country.

That is all I have to say Madam Speaker. Thank you.

MADAM SPEAKER: Thank you also Madam Speaker and I also support your good words for our three women who are now Heads of Ministry's in our Government.

I see the Honourable Selina Napa.

MRS S. NAPA: Thank you Madam Speaker. I would also like to give my support to the three ladies who have been chosen to the positions of HOM. Whatever it is, when you put women on such positions, work will always be done.

I will now talk about Paper No. 135 especially the last part of the Paper concerning the remuneration for the members on the panel who decides who holds the position of Heads of Department. I heard the Prime Minister's comments but he did not tell the House who the panel members are.

For me when I look at it, if a member on this panel is working for the Public Service or a Head of Ministry, I do not think they should be receiving this large sum of payment but rightly so if they come from the private sector or not a Head of Ministry then rightly so they should be paid this large sum of money.

I read here this is a large sum of money. It says each member of the Heads of Departments Selection Panel must be paid at a rate of \$50 for each full hour and for each part of 30 minutes or longer that the member attends a panel meeting or interview.

It also states here where the panel shortlist applicants for an interview, a flat rate of \$200 must be paid to each member if the number of applicants is equal to or less than ten and a further rate of \$20 for each applicant over and above the first ten applicant must be paid to each member.

This is a lot of money that will be paid to these people on the panel. When we go and ask for help or seek for help from these department they always say there is no money.

For example the Parliamentary Select Committees do not get paid at all when they work and they just work for love. We all understand the proverb that says your payment is in heaven.

That is my little problem there for the panellist being paid this large amount of money but if they are not in the Public Service then rightly so they should be paid this amount.

But I will have a problem if they are HOMs or have a high status in Government as they get paid more than the Members of Parliament do. And all this money they will be getting from sitting on the panel will reach the Prime Minister's salary.

Those are my thoughts but I am very happy when the Prime Minister said that the three positions for the Heads of Department are filled by women and we the three women MPs on the Opposition are happy as this is a good indication of the status of women in our country.

MADAM SPEAKER: Thank you and I see the Prime Minister you have the Floor.

HON. H. PUNA: Thank you, Madam Speaker. I rise to make a point of clarification in response to some of the concerns expressed by the Honourable Member for Titikaveka. I thought she started off very well but I was surprised how she wandered away and said so much about nothing.

Madam Speaker, it is a matter of policy that public servants are not to sit on panels. If they did there would be a terrible conflict, potential conflict with the appointees to be interviewed and so members from the private sector comprise members of the panel.

However, the Chair of the panel is the Public Service Commissioner himself. He is not entitled to be paid an allowance nor is he paid an allowance.

In fact, I would like to draw Members attention to the provisions of the Marae Moana Act where the provisions governing the payment of sitting allowances to members of the Marae Moana Board makes it very clear that anybody in the employ of the Crown in whatever capacity is prohibited from being paid a sitting allowance. That policy thread is found right throughout Government agencies.

But I can tell the Honourable Members that for this particular panel there was one official from an appropriate Ministry that sat in on the panel in an advisory capacity but as far as I am aware was not paid a sitting allowance.

So, I would urge Honourable Members when we talk about issues like this to be very sensitive that it might put off those in the private sector from volunteering to sit on panels that are so important for us.

The truth is some of these people who agree to volunteer to be on the panel are paid far in excess of what we are remunerating them as a panel member. I hope, Madam Speaker that my comments will serve to put to rest any concerns in this House about the public servants who may be required to sit on those panels. Thank you.

MADAM SPEAKER: Thank you, Honourable Member as there are no further speakers, I will – you will only have one minute or so and I have to put the question and then close off.

MR J. BEER: Madam Speaker, I think the Opposition completely agrees that a position such as this which takes on a very, very, serious responsibility receives some kind of remuneration.

The only concern I have is particularly what the Prime Minister just said, maybe it was a slip of the tongue but perhaps it was not because he made two comments to that in his address.

The people on this selection panel volunteered to be part of that committee. The Prime Minister said that twice. Therefore, is not that enough for us to be able to question whether or not there are motives behind volunteering for that position.

If the position is as important as it is above the political shenanigans or scrutiny then should not this be a role by which of selection process for the selection panel is advertised.

MADAM SPEAKER: Honourable Member, I am going to interrupt you because our time is up and we will come back to this debate at a later date being on a Thursday.

Thank you very much for the deliberations for the day we have now come to the end and I will ask somebody to please say a prayer to close our Session.

CLOSING PRAYER

MADAM SPEAKER: Parliament stands adjourned until 1.00 p.m on Tuesday, 20 February 2019.

Sitting adjourned at 4.59 p.m.