

NATIONAL PARLIAMENT OF SOLOMON ISLANDS

DAILY HANSARD

SECOND MEETING – EIGHTH SESSION

FRIDAY 6TH OCTOBER 2006

The Hon Speaker, Sir Peter Kenilorea took the Chair at 9.30 am.
Prayers.

ATTENDANCE

At prayers, all were present with the exception of the Ministers for Lands & Survey, and the Members for West New Georgia/Vona Vona, and Small Malaita

STATEMENT OF GOVERNMENT BUSINESS (deferred)

QUESTION WITHOUT NOTICE

Mr FONO to the Minister for Commerce: Under what sort of laws in the country would the Government issue passport to the designate newly appointed Attorney General, who is a foreigner, a non citizen, whom I understand is now in PNG?

May be the Prime Minister through the advice of his legal advisor or the Minister of Justice could inform the House and the nation whether the passport has been issued, and if so under what section of the Passport Act is the Government going to issue passport to a foreigner who is not qualified under relevant sections of the Passport Act?

Hon AGOVAKA: Mr Speaker, the question of issuance of passport to the person concerned has not reached my office, and I am not aware of any issuance of passport to the person concerned.

Hon SOGAVARE: Sir, the problem with us is that we read fabricated reports in the Solomon

Star and make conclusions. This matter is not yet decided by the government. The person concerned is in PNG at this point in time, and there is not yet any decision from the government to issue him a passport. I do not know where this fabrication comes from.

Mr Kemakeza: If this is a hidden intention of the Government, I thank the Prime Minister and the Minister for Commerce for your answers. I want any legal clarification by the Attorney General and the Minister of Justice to this House on this matter.

Hon Manetoali: I would like to assure you, Mr Speaker that I will provide a written advice on the question put forward by the MP for Savo/Russells. I am not prepared now as I am not advised about this issue.

Mr Tozaka: If the person concerned has been suspended from his offer of appointment by respective authorities, does this not justify all dealings to be suspended from him accordingly?

Hon Oti: There is too much speculation in this Parliament. A lot of references that were made have no standing. It is very difficult to try to discuss the Government's position when these fabrications in the newspapers have no basis. And so it is very difficult for the Government to try to make sense out of some of the explanations that are sought. But it is up to your indulgence, Mr Speaker, to allow the discussions of speculation on the floor of Parliament. But I cannot respond to rumors because Standing Orders do not permit us to delve into issues that cannot be substantiated.

Mr Speaker: May be a point of clarification as a matter of procedure at this point in time. The Parliament is not answerable to the media. The

media has its roles but the Parliament is not answerable to it, but of course, issues raised in the media can be questioned because they are raised publicly and so the question along that line can be made, but of course the Parliament is not answerable to the media.

Mr Fono: That is all the more reason for the government to come out publicly and tell this nation on its position in relation to the designate Attorney General.

Hon Oti: I have made a clarification on the position of the Attorney General on Monday this week.

Mr Fono: That is not in relation to the issuance of passport. We have reliable information that there was directive from the Prime Minister's Office to Immigration to issue travel documents, ID card or what. That is similar to a passport – travel documents. Under what laws of this nation will that passport be given to the AG? That is the question.

Mr Speaker: Since the Leader of Opposition raised the point that he has reliable information, could he substantiate that or could he make that information available to the Parliament.

Hon Sogavare: That is exactly the point I want to make. If he said he has reliable information, produce it on the floor of Parliament.

Mr Haomae: Point of order. I think the question by my colleague, the MP for North Vella has not been answered. This matter is of public interest and it affects the national interest of this country. The news item that emanated from the Public Service Commission, a constitutional office is that the Attorney General's has been suspended. I would like to ask your indulgence, Mr Speaker, for the Government to answer the question by the MP for North Vella.

Mr Tozaka: This is a valid question directed to the Minister responsible on the issuance of passport. It is a general question I would like to ask him that if this person concerned – the Attorney General (he has not yet been

appointed) it is just an offer to him, he has not yet signed an agreement, if he has been suspended by the respective authorities of our government then does that not justify all dealings with this person is suspended by the government accordingly?

Hon Sogavare: We would allow these facts to come before the government first before we make a decision. We appreciate what the MP for North Vella is saying. In fact we heard it from the international media. But I am yet to receive information to the fact that the Public Service Commission has taken a decision. But we have our own views on that and we will express it to the Public Service Commission when we receive the appropriate information.

Hon Agovaka: I would like to clarify certain points here that causes a bit of cloud here. In so far as the contract of the person in question is concerned, this is a matter for the Judicial and Legal Services Commission. In so far as issuance of passport is concerned that is a matter for my Department.

In so far as I am concerned as the Minister responsible for immigration and labor laws of this country I have not received any application whatsoever in regards to issuing of passport to the person concerned. Thank you.

Mr Fono: Mr Speaker, I would like to thank the Minister and the Hon Prime Minister for answering the question without notice.

MOTIONS

Hon FONON: Mr Speaker, I beg leave that Standing Orders 31(1) be suspended under Standing Order 81 to defer the motion I was going to move today, the Motion of No Confidence in the Prime Minister to Friday the 13th October 2006. That means it is deferred until Friday the 13th October 2006.

Mr Speaker: The motion is that the motion on the order paper today be deferred until Friday the 13th October.

Hon SANGA: Point of Order, Mr Speaker. This particular motion was on notice for quite

sometime, and according to parliamentary procedures it has been set aside for today and it appears in the order paper for today. The constitutional requirement in so far as the notice is concerned has been satisfied. I think it is important for us to know the basis for the deferment of the motion. The motion really is very important and we need to know why it is deferred. If it is deferred because the Opposition side does not have the number then I think that is not in the interest of this country.

I submit, Mr Speaker, that you do not accept the request by the Leader of the Opposition.

Mr Speaker: The withdrawal of motions, of course, can be done at any time before the substantive question is put under Standing Order 31. But the Minister has raised an important question in the sense that a withdrawal has to be subject to a further notice. If it is just a withdrawal from today's order paper one would understand but it is not a withdrawal from notice. If it is just a deferment of discussions of the issue today then it would be different from withdrawal. If this is to be a substantive withdrawal of the motion then the motion can be raised again but under a new notice. I think we are simply talking about deferment of discussion of the motion today to be allowed on Friday next week.

Hon SOGAVARE: Mr Speaker, while I appreciate that the motion belongs to the Leader of the Opposition, this boils down to tactics, of course, and it is clear that the Leader of the Opposition would like to withdraw this motion from today's paper because obviously they don't have the number. That is also in the interest of the government as well that we have the number now and we would like this motion to be moved if it is to be considered in that light, Mr Speaker.

Mr Fono: Mr Speaker, it is under the relevant standing orders that I am asking to defer this motion until Friday.

Hon Sogavare: Why?

Mr Fono: It is just like a normal motion, Mr Speaker.

Hon OTI: Point of order Mr Speaker. Reading Standing Order 31, it talks about withdrawal and not deferment.

Mr Speaker: That is right.

Hon Oti: He is asking for deferment and therefore under what Standing Order is that deferment relevant.

Mr Speaker: That is what I was saying. If it is substantive withdrawal then under that particular Standing Order, a new notice of representation has to be made. He is simply asking whether or not it could be withdrawn from today's order paper to moved next Friday, rather than withdrawing it from the notice.

Mr HAOMAE: Point of order, Mr Speaker. The motion belongs to the Leader of the Opposition, and if he wants to defer it, and it is in line with the standing orders then that is fine. In terms of number; if the government has the number next Friday then it is okay too. What is all this fuss about Mr Speaker?

Hon Oti: Mr Speaker, the Honourable MP for Small Malaita is not reading Standing Order 31. That Order does not make reference to deferment but withdrawal. Are we withdrawing it from notice or withdrawing it from the Order Paper of today.

Mr Speaker: It is withdrawal from the order paper today. So the motion rather than appearing on today's order paper will appear on next Friday's order paper. That simply is the request. It is not a withdrawal from notice.

Hon Darcy: (*inaudible*)talks about total withdrawal of the motion from the order paper today. Which Standing Order is the Leader of the Opposition referring to?

Mr Speaker: For purposes of the order paper today, he has suggested that rather than appearing on today's order paper it will appear

on Friday. He is not withdrawing the motion as per noticed to Parliament and therefore the provision of Standing Order 31 applies. If he is actually withdrawing from notice the motion then he has to bring in again a new notice. He merely is suggesting that it be withdrawn from the business today for next Friday, and on that basis I rule that that be so that since the Honourable Leader of the Opposition is yet to prepare himself to move the motion, I rule that it be withdrawn from the order paper today for next Friday.

Hon Sanga: I think it will be important to consult with the Government on the timing of the motion for Friday. I mean it could be anything. If the government so decides to cut short the business for next week what would be the situation then?

Mr Speaker: The situation is that Order 15 would apply that permission would be sought from the Prime Minister to put on order paper any other business that may not necessarily be government business.

Hon Sogavare: Mr Speaker, it is up to the Leader of the Opposition to take that risk if he wants to defer this motion to next Friday.

Mr Speaker: He had decided and so we will allow him to take that risk.

(laughter)

Mr Fono: Mr Speaker, what sort of risk is the Prime Minister referring to? Security risk or what?

Hon Sogavare: Mr Speaker, I thought this person is very intelligent. He has a Masters in Business Administration and I thought he ought to understand this thing. What I'm talking about is that there is no guarantee that Parliament will go on until 13th October. It is really up to me to decide whether Parliament goes on until Friday 13th October.

(laughter)

Mr KEMAKEZA: May I come in as a mediator over this argument. You have made the ruling and so I am asking the Prime Minister to move a motion of adjournment.

Hon Sogavare: Mr Speaker, thank you very much. I beg to move that this House do now adjourn.

The House adjourned at 10.35 a.m.