

**Votes & Proceedings
Of the
Eighteenth Parliament**

No. 16

**Second Sitting of the Eleventh Meeting
Monday, 20th April 2009**

10.00 a.m.

1. The House met at 10 a.m. in pursuant to the resolution of the House made on 16th April 2009.
2. Hon. Riddell Akua, M.P., Speaker of Parliament, took the Chair and read Prayers.
3. **Questions Without Notice** - were asked.
4. **Ministerial Statements & Tabling of Papers**

(i) Hon. Mathew Batsiua (Minister for Health & Sports) made a statement to the House which reads as follows:-

Mr. Speaker and Honourable Members on March 14 – 16 , 2009 I travelled to and stayed in Stawell, Victoria to meet with some of the football clubs to discuss and negotiate with them the continuation of recruitment of football players from Nauru. Honourable members would recall that this particular initiative has been ongoing for the past 3 years and had served us exceptionally well last year, where it enable a large group of players from Nauru to obtain valuable exposure and experience at a higher level of competition, which significantly aided their preparations for the AFL International Cup later in that same year.

The Stawell football initiative is one of several incentive tools being developed and used in our new and revamped football competition. Players encouraged to play well and aspire for opportunities to gain recruitment with the clubs from Stawell. Therefore my meeting with the clubs in Stawell was important to ensure that these opportunities continue to be available for this season.

I met with Presidents and Secretaries of the Great Western, Stawell Warriors and the Stawell Swifts football clubs and I also communicated with the President of the Navarre Football club.

The objective of our discussions was to establish a common understanding on the arrangements and work through any problems identified. I am pleased to inform members that following our very fruitful discussions, it was confirmed that 10 players from Nauru will be recruited this season and assigned to the four football clubs involved. The clubs will sponsor and pay their sporting visa applications, meet payments of their domestic transfers in Australia, pay the taxes on their international tickets, arrange accommodation for them, assist players to ensure that their financially sustained and provide, support and pastoral care for the duration of their stay in Stawell.

The ten players selected for this year are currently undergoing their sporting visa applications and as soon as this process is completed and visas granted they will be heading off to Stawell.

All the Stawell clubs are eager to maintain and build upon the relationship they had established with Nauru and also offered to assist our domestic competition through donation of footballs, other equipments as well as running clinics and conducting training in Nauru at the end of their season. These matters will be pursued and followed up by the Ministry of Sports and the Committee overseeing football in Nauru.

After my visit to Stawell, I headed to Brisbane and met with the Consul General staff to discuss matters relating to the government funded medical patients. We addressed some important issues relating to the need for regular and timely reporting from hospitals on our funded patients, their treatment plans, issues and associated costs and also on general queries relating to placement of future patients. I also went to visit the two patients who were in Brisbane at the time to witness their progress and offer some support and encouragement.

I met the training doctor for one of our patients, who is being treated for cancer, and obtained important advice and update on her current treatment, the difficulties and symptoms of her treatment and ongoing challenges that is facing and will continue to experience. This assisted me and the department to make informed decisions regarding ongoing care and extra support for the patient.

Also during my time in Brisbane, I met with Graham Connolly, manager of Cargo Transport Systems (CTS) to negotiate a sponsorship deal with them for the football competition in Nauru. These discussions went very well resulting in a sponsorship deal valued over \$5,000 for the new football competition here in Nauru.

Additional to this sponsorship deal, I also met with the interim CEO of Our Airline seeking their agreement to continue the same contra arrangement, for the footballers contracted with the football clubs in Stawell. The CEO agreed to continue the contra agreement, which was a great outcome and another positive step towards ensuring the continued success of the Stawell football initiative.

Also in Brisbane I met with a turf company, the Jimboomba Turf group to discuss the possible development of a grass sports oval in Nauru. I believe, Honourable members will all agree that such a facility is desperately required here at home as many of our popular outdoor sports, especially the various football codes, cannot advance and grow without a proper playing surface. Our talks were only exploratory and they have agreed to do the required soil testing to ascertain suitability of our grounds. These tests will enable them to determine which type of grass is more suitable for our climate, soil type and environment and whether extra preparatory work will be required on our grounds prior to the laying of the turf. I have asked them to put together a proposal as soon as they can for Government's consideration. We are also exploring the suitability and effectiveness of artificial grass and have made enquiries with a company from Melbourne. The development of a grass playing surface for outdoor sports remains an immediate priority for the Ministry of Sports and we will continue to explore all options in order to achieve this aim.

On my last day in Brisbane I met Andrew Cadzow, the AFL Oceania Development Manager to go through the arrangements for the new competition in Nauru including the launching of the new football competition and season, which Mr. Cadzow will be coming to Nauru and help launch. The following day March 19, I returned home accompanied by Mr.

Cadzow and two days later on March 21 the new competition named AFL Nauru was launched and the whole day was a great success, thank you Mr. Speaker.'

(ii) Hon. Mathew Batsiua (Minister for Justice) made a statement to the House on the following:-

Mr. Speaker and Honourable members, on April 10, I travelled to Bali Indonesia to attend the Regional Ministerial Conference on People Smuggling, Trafficking in Persons and related Transnational Crimes, commonly known as the Bali Process.

The Bali Process had stalled for a number of years since the last meeting in 2003. It is a joint initiative of the Governments of Australia and Indonesia and brings together a number of countries mainly from the Asia Pacific region, but also includes nations which are known to be source countries for the refugees who have found their way into our region over the recent years, such as Iraq, Afghanistan, Sri Lanka and Myanmar.

The Bali Process is widely regarded as the only regional grouping that addresses the challenges of people smuggling and trafficking in persons in a comprehensive and cooperative manner with source, transit and destination countries.

The Bali Process was reactivated by the two leading countries in response to an increase in the number of people smuggling and trafficking activities in our region. It was also acknowledged by the meeting that there are many and varied root causes and factors affecting the movement of people including economic, social and political reasons. Moreover the impacts of the global financial crisis on the movement of people is unknown at this stage but it is also envisaged that it too will contribute to the movement of people across borders.

At the meeting, Nauru spoke in favour of the Bali Process and supported the suggestion to reactivate the Bali Process ad hoc group – which is a body comprising of a smaller taskforce that can consider issues in a more responsive manner. People smuggling issues are volatile and can occur quickly without notice hence the process needs to be adaptable so it can respond in a timely fashion in order to remain effective thus relevant.

Nauru also supported the call to have enhanced dialogue and cooperation between source, transit and destination nations for better networking by their respective agencies, so their efforts to combat these transnational crimes can be coordinated even better. Countries cannot work in isolation to effectively combat criminal activities especially if these crimes have cross border networks and links.

Nauru also gave an undertaking to consider enacting laws specifically related to people smuggling and trafficking. Nauru also expressed that we will consider signing up to International Conventions relating to these matters.

Honourable Members, I have attached a copy of the statement issued by the Co-Chairman of the Conference, which effectively is the communiqué for the meeting.

Before I end Mr. Speaker, I just wish to make mention of 2 more smaller matters.

At the margins of the meeting I discussed the sporting visa applications for the footballers headed for Stawell this season, with my counterpart the Minister for Immigration of Australia, Senator Chris Evans and he was very supportive. We are now in contact directly with his office on these applications.

Also during my transit in Brisbane, I took time to meet up with Alan Sparks, CEO of East Coast Apprenticeships to discuss many things including apprenticeship opportunities for our

young trades-persons. Honourable Members would recall that East Coast managed our welders training program and facilitated the RPL phase in Nauru in 2005 or 6. Our discussions were useful and I will be informing the Minister for Education the outcomes for his further consideration, ma tubwa kor.'

The Chair, with the consensus of the House, suspended the sitting and to resume when the bell rings.

Resumed.

5. Motions

(i) Mr. Dowiyogo (Ubenide) moved that motion No. 1 on the Notice Paper be deferred to the next sitting day.

Mr. Tsitsi (Aiwo) seconded.

Question put and passed.

(ii) His Excellency President Marcus Stephen moved that motion Nos. 2, 3, 4, 5, 6, 7, 8 and 9 on the notice paper be deferred to the next sitting day.

Hon. Dr. Kieren Keke (Minister for Finance) seconded.

Question put and passed.

6. Orders of the Day No. 1 – Ministerial Statement on the ‘Small Island States Ministers of Transport Meeting held in Suva’.

On the question that the paper be noted.

Motion

Mr. Dowiyogo (Ubenide) moved that Order of the Day No. 1 be adjourned and made an Order of the Day at the next sitting.

Mr. Tsitsi (Aiwo) seconded.

Question put and passed.

7. Order of the Day No. 2 – Constitution of Nauru (Parliamentary Amendments) Bill 2008 and Constitution of Nauru (Referendum Amendments) Bill 2008.

On the question that the House, by its resolution of 10th March 2009, resolve itself into the Committee of the Whole for further consideration of the Constitution of Nauru (Parliamentary Amendments) Bill 2008 and the Constitution of Nauru (Referendum Amendments) Bill 2008,.

Motion

Mr. Waqa (Boe), as Deputy Chairman of the Constitutional Review Committee moved that Order of the Day No. 2 be adjourned and made an Order of the Day at the next sitting.

Hon. Dr. Kieren Keke (Minister for Finance) seconded.

Question put and passed.

8. Order of the Day No. 3 – Ministerial Statement on the Activities in the Department of Foreign Affairs & trade.

On the question that the paper be noted.

Motion

Mr. Waqa (Boe) moved that Order of the Day No. 3 be adjourned and made an Order of the Day at the next sitting.

Mr. Dowiyogo (Ubenide) seconded.

Question put and passed.

9. Order of the Day No. 4 – Shipping Bill 2008.

On the question that the House resolves itself into the Committee of the Whole for further consideration of the Bill.

Motion

Hon. Sprent Dabwido (Minister for Transport) moved that Order of the Day No. 4 be adjourned and made an Order of the Day at the next sitting.

His Excellency President Marcus Stephen seconded.

Question put and passed.

10. Order of the Day No. 5 – Tobacco Control Bill 2009

Resumption of debate on the question that the Bill be now read a second time.

Debate ensued.

Question and passed.

The Bill was read a second time.

The House then resolved itself into the Committee of the Whole for further consideration of the Bill.

In the Committee
(Mr. Chairman, Hon. Dominic Tabuna, M.P., presiding)

Clause 31 - was agreed to.

Clause 30 - Regulations

Mr. Waqa (Boe) moved that Clause 30 be amended by inserting the word ‘and’ at the end of ‘F’, so that it reads as under:

*“(f) declaring certain smoking products to be prohibited and prescribing penalties in relation to the sale and/ or import of such prohibited smoking products; **and***

(g) declaring a place or class or category of places to be ‘enclosed public places’ for the purposes of this Act.’

Question put and passed.

Clause 30 - was agreed to, as amended.

Clause 29 - was agreed to.

Clause 28 - was agreed to.

Clause 27 - was agreed to.

Clause 26 - was agreed to.

Clause 25 - was agreed to.

Clause 24 - was agreed to.

Clause 23 - Powers of Entry, Search and Seizure

Mr. Tsitsi (Aiwo) moved an amendment to add the word ‘she’ in sub-clause 4.

Question put and passed.

On queries raised by certain Members of the Committee, the Committee agreed to consider the Bill clause 2 onwards as per Standing Orders.

Clause 2 - was agreed to.

Clause 3 - was agreed to.

Clause 4 - was agreed to.

Clause 5 - was agreed to.

Clause 6 - was agreed to.

Clause 7 - was agreed to.

Clause 8 - was agreed to.

Clause 9 - was agreed to.

Clause 10 - was agreed to.

Clause 11 - was agreed to.

Clause 12 - was agreed to.

Clause 13 - was agreed to.

Clause 14 - was agreed to.

Clause 15 - Debate ensued.

The Committee was suspended and to resume when the bell rings.

Resumed.

Clause 15 - was agreed to.

Clause 16 - Debate ensued.

The Committee agreed to defer consideration of Clause 16 whilst an amendment motion is being drafted and to proceed with Clause 17.

Clause 17 - was agreed to.

11. Motion

Mr. Waqa (Boe) moved that S.O. 165 be suspended to enable him to move certain amendments to clauses 2 and 13 which had already been agreed to.

Mr. Amwano (Ubenide) seconded.

Question put and passed.

12. Motion of Amendment

Mr. Waqa (Boe) moved the following motion:-

That this Committee resolve to rescind its earlier resolutions in relation to the adoption of clauses 2 and 13, and

That the Committee resolve to amend Clause 2 of the Bill by deleting from the definition of 'enclosed public place' the words 'hospital' and 'schools', and inserting in clause 2 in the appropriate positions two new definitions –

- a definition of 'hospital' as follows:-

'hospital' means any place inside or within the grounds of any hospital;

- a definition of 'school' as follows:-

'school' means any place inside or within the grounds of any school; and

That the Committee resolve to amend clause 13 of the Bill by inserting in subclause (1) immediately after 'any', the words 'school, hospital,' and substituting in subclause (2) for the word 'an' the words 'a school, hospital', and deleting from that subclause the word 'enclosed' on the last occasion on which it appears in that subclause; and

That the Committee resolve amend clause 16 of the Bill by deleting from subclause (1) the words 'hospital or school' and inserting at the beginning of subclause (1) the words 'subject to subsection (3) of section 17' and by deleting from subclause (2) of clause 16 the word 'hospital, school'.

Debate ensued.

Question put and passed.

Clause 2 and 13 - were agreed to, as amended.

Clause 18 - was agreed to.

Clause 19 - was agreed to.

Clause 20 - was agreed to.
Clause 21 - was agreed to.
Clause 22 - was agreed.
Short Title of the Bill - was agreed to.
Preamble - was agreed to.
The Bill, as a whole, as amended was agreed to.

13. **Motion**

Hon. Mathew Batsiua (Minister for Health) moved that the Committee reports the Bill to the House.

In the House
(Hon. Riddell Akua, M.P., Speaker of Parliament, presiding.)

The Chairman of the Committee then reported the Bill as amended.

14. **Motion**

Hon. Mathew Batsiua (Minister for Health) moved that the report of the Committee be adopted.
Hon. Dr. Kieren Keke (Minister for Finance) seconded.
Question put and passed.

15. **Motion – Seeking Leave**

Hon. Mathew Batsiua (Minister for Health) sought leave to move for the third reading of the Bill.
Hon. Dr. Kieren Keke (Minister for Finance) seconded.
Leave was granted.

16. **Motion – Third Reading**

Hon. Mathew Batsiua (Minister for Health) moved that the Bill be read a third time.
Hon. Dr. Kieren Keke (Minister for Finance) seconded.
Question put and passed.
The Bill was read a third time.

17. **Motion Fixing the Date for the next Sitting**

His Excellency President Marcus Stephen moved that Parliament at its rising do adjourn until a time and date to be fixed by the Chair.
Hon. Dr. Kieren Keke (Minister for Finance) seconded.

Question put and passed.

18+. **Adjournment**

His Excellency the President moved that the House do now adjourn.

Hon. Dr. Kieren Keke (Minister for Finance) seconded.

Question put and passed.

And then the House at thirty minutes past eight o'clock p.m. adjourned until a time and date to be fixed by the Chair.

Members Present

All Members were present at some time during the sitting except –

Mr. Pitcher

Mr. Bernicke

Mr. Thoma

* Mr. Adeang

John Garabwan
Deputy Clerk of Parliament

* **Suspension**