

**Votes & Proceedings
of the
Sixteenth Parliament**

No. 30

**First Sitting of the Twenty-Fourth Meeting
Tuesday, 8th August 2006**

10.00 a.m.

1. The House met at 10 a.m. in accordance with the resolution made on Thursday, 29th July 2006.
2. The Hon. Valdon Dowiyogo, M.P., (Speaker of Parliament) took the Chair and read Prayers.
3. **Statement From the Chair**

The Speaker made the following statement to the House –

‘Honourable Members, I wish to take this opportunity, due to my unavailability to be present at the last sitting, to provide a brief report on my recent travel to Perth, Western Australia in early July.

On Sunday 2nd July 2005, I departed Nauru along with the Clerk of Parliament, Mr. Freddie Cain and my spouse, to attend the 37th Presiding Officers and Clerks Conference in Perth, Western Australia.

This annual conference brings together all the Presiding Officers and Clerks from the Pacific, New Zealand and Australia, including all the States and its Territories to meet, discuss and exchange views on recent developments and procedures in their respective legislatures. The meeting was most informative as some of the Speakers from the Pacific region were able to seek guidance and advice on various issues arising in their respective Parliaments.

I also delivered a paper on recent developments in our parliamentary processes in regard to the strengthening of our Committee system particularly the Select Committees and the legislative reforms that are currently taking place.

Delegates at the conference are also impressed at the fact that in this current Parliament the House has enacted 32 legislations, more than any previous Parliament had done in the past with several more legislations in the pipe-line.

On Wednesday, 5th July there was also a meeting of the Pacific Region of the Commonwealth Parliamentary Association. At the meeting, various Branches asked for an update from the Regional Secretary, Mr. David Williams of New Zealand, regarding Nauru’s CPA membership and outstanding membership fees. The Regional Secretary advised that the Nauru Branch had received advice from CPA Headquarters, London of its suspension from the CPA and had recommended a payment solution to reactivate the Branch’s membership.

I wish to advise that the Clerk had been in contact with CPA Headquarters in London and one of the payment solutions was that the Nauru Branch pay its current membership fee and a request to write-off the previous outstanding fees be submitted to the CPA Executive Committee for consideration. In our current communication with CPA Headquarters, they recommended to the CPA Executive Committee our request and we are now awaiting confirmation of their decision.

Honourable Members, at the conference I also had the pleasure and opportunity of meeting the former Chief Minister and current Speaker of the Norfolk Island Parliament, Mr. Geoffrey Gardner. In our informative discussions I mentioned to him the acquisition of our new

and fully owned aircraft, and the impact on our economy of Norfolk's decision to switch to another carrier. The decision, he mentioned was regretted but they couldn't wait any longer for Air Nauru to operate as they needed a bigger aircraft than the one currently used by Air Nauru, Air Alliance. When the contract with the other carrier expires they may look into going back with Air Nauru once again but that is a decision between the two governments to make, although I may add that the remarks made were positive in nature.

The conference was an overall success and although self-funded I would like to thank the government for their generous assistance in allowing my delegation to attend this important meeting knowing the financial constraints we are currently in.

Honourable Members, before I conclude, I would just like to inform you that the Honour Boards in the lobby are now fully updated and I, on your behalf, would like to place on record our sincere thanks and appreciation to Mr. Peter Scarlett, who did the boards for a job well done. Hopefully the current names on the constituency boards will extend on to the 17th Parliament at the end of the next year. Thank you.'

4. **Questions on Notice**

Question No. 13 of 2006 was not yet ready.
 Question No. 14 of 2006 was replied.
 Question No. 15 of 2006 was not yet ready.
 Question No. 16 of 2006 was replied to.
 Question No. 17 of 2006 was not yet ready.
 Question No. 18 of 2006 was replied to.
 Question No. 19 of 2006 was replied to.
 Question No. 20 of 2006 was replied to.

5. **Questions Without Notice** were asked.

6. **Queries Raised by Hon. Minister for Health**

The Speaker replied to the two queries raised by the Hon. Minister for Health.

The Chair suspended the sitting in order to have RONPHOS document/contract copied and made available to Members.

Resumed.

The Chair informed the House that the document/contract cannot be readily made available due to unavailability of photocopying equipment.

Questions without notice then continued.

7. **Ministerial Statement & Tabling of Papers**

(i) The Hon. David Adeang (Minister for Finance) laid on the Table of the House Inter Subhead Transfers in pursuance of Section 4(2) and (3) of the Appropriation Act 2006-2007 :-

'Mr. Speaker and honourable colleagues, today I present to Parliament the document recording inter subhead transfers agreed to since my last statement on 25 July 2006 relating to the 2006-07 Budget.

The Appropriation Act 2006-2007 Section 4(2) and (3) states that Cabinet may direct that a surplus of funding provided under one subhead may be applied to another subhead, within the

same Head of expenditure. The Act requires Cabinet to lay before Parliament a copy of the order of the transfer at the first meeting of the Parliament after approving the transfer.

This document I present to Parliament today meets the requirements under the Act and has received the agreement of Cabinet for the purpose of accounting for anticipated actual expenditure during 2006-07.

All subhead transfers in 2006-07 have been accommodated within under-spends from other subheads from with the same Head.

Summary of Inter-Subhead Transfers

INCREASES

Head	Agency	Subhead No.	Item	Increase (\$)
12	Parliament	325	Consultants Fees	\$1,010
22	Audit	354	Repairs & Maintenance-Building	\$ 170
			Total	\$1,180

DECREASES

Head	Agency	Subhead No.	Item	Increase (\$)
12	Parliament	255	Travel - Business	\$1,010
22	Audit	353	Repairs & Maintenance-Plant	\$ 170
			Total	\$1,180

(ii) The Hon. Baron Waqa (Minister for Utilities) made the following statement to the House:-

‘Mr. Speaker, I am pleased to advise this august House that SKM will be commencing their re-commissioning of our fixed generators, starting with Paxman 7, which should be fired up within a week or two. The generator has been ready for several months, but because of the ongoing problem with our saltwater intake pump, which is needed to keep the Paxman cooled, it delayed the re-commission.

Government had initially arranged through AUSAID to have all fixed generators, including the old Rustons repaired before the year’s end, which would see the rented Cummins Gensets released, however, there has been some delay. Due to this, government has again requested that AUSAID extend the Cummins Genset hire for another two months to ensure the work on the other fixed generators is well underway and with more generators re-commissioned.

The supply of 1,750 metric tonnes of diesel recently supplied by AUSAID was of great relief and which we are most thankful. However, power provision to the entire island will continue to be rationed to ensure our diesel stock is conserved and maintained until the expected shipment of diesel which is in two to three months.

Mr. Speaker, Utilities Billing Section reported a good response from its clients bringing up to date payment of their bills including businesses. However, there are still those who choose to ignore repeated billings and fixed notices and these are being addressed on an individual basis where disconnection is the last option. Disconnection to non-compliant, business as well as domestic, will continue. Therefore, it is advisable that clients adhere to paying off their bills on time so as not to disappoint.

Speaker, our stock of petrol has reached a critically low level. Stock is now only good for two weeks supply on heavy ration. However, the good news is that Utilities is expecting their petrol supply to arrive this coming Sunday, the 13th of August. The ship was delayed from Singapore due to rough seas.

Motorists are advised to conserve their fuel just in case further delays is experienced via berthing problem due to rough seas and unpredictable wind directions. Thank you.'

(iii) The Hon. Frederick Pitcher (Minister for C.I.R.) made the following statement on 'Damage to RONPHOS Load-out Facility':-

'Mr. Speaker, it is my sad duty to report to the House that on the night of 27th July, a fire destroyed a section of the T6 conveyor belt that forms part of the RONPHOS load-out facility.

The damage caused was extensive, with around 200 metres of conveyor belting destroyed, together with all electrical wiring, rollers, mainframes and housing for the burnt-out section. Estimates for the cost of repairs are in the hundreds of thousands of dollars, with work estimated to take at least 3-4 weeks. Unfortunately, the wider cost to RONPHOS far exceeds this as the Corporation had expected to be loading large phosphate vessels from this month onwards. The T6 conveyor is used to transport phosphate to the shore bin and cantilever unit for the loading of ships. Without it, RONPHOS is unable to export.

Police investigations into the fire indicate that it was deliberately lit, and police have already been interviewing witnesses to identify and eventually apprehend the arsonists. It is Government's wish to see the perpetrators of this malicious act of sabotage arrested and punished for their senseless actions. This is a crime against Nauru, and should not be tolerated, ever. A reward of \$5,000 has been offered to the public for information leading to the arrest and conviction of the person or persons responsible for the fire.

Mr. Speaker, it is indeed unfortunate that after many months of hard work and costly refurbishments, RONPHOS is now faced with the prospect of delaying the much-anticipated resumption of phosphate exports. Two large shipments had already been confirmed for this month and next, with forward orders projected for the next 6 months. This whole schedule has been put back considerably, and as a direct result of this, much-needed income will not be realized until the fire-damage is repaired. Unfortunately, this means that RONPHOS may have to reduce or stop altogether the salaries to its workers over the next month as the limited funds available to the Corporation are used to pay for the urgent repairs instead.

I am saddened that RONPHOS workers will suffer the most from this incident, as they have put their heart and soul into rebuilding the phosphate industry into something that can once again support the country.

Mr. Speaker, despite this arson attack, I am pleased to say that RONPHOS management and its workers have been working almost round the clock to fix the damage and resume production, and I am humbled by their commitment to the Corporation and to the country. Our workers have already sourced a temporary replacement belt that is substantially smaller but can be spliced into the remaining T6 belt to move phosphate, albeit much slower. The structure is being prepped, including repairing all the damaged rollers and installing power cables and junctions, switchboards and various panels. This temporary set-up is expected to be completed in about 2-3 weeks and will enable RONPHOS to load a ship in September. Our Brisbane office is busy sourcing the new belts, housing material, wiring and other required parts, and we hope to receive them on the September cargo ship. Only then will RONPHOS return to full load out capacity.

I am pleased to say, Mr. Speaker, that our RONPHOS workers have pulled together during their troubling times, and have shown a true spirit of patriotism and pride in their work.

I also wish to take this opportunity to commend the Police and fire brigade for their valiant efforts to stop the fire and prevent further damage to RONPHOS infrastructure. RONPHOS will overcome this hurdle, Mr. Speaker and it will move on. Tubwa.'

(iv) The Hon. David Adeang (Minister for Finance) made the following statement to the House:-

“Mr. Speaker and honourable colleagues, today I am tabling a regulation that is to be gazetted to accompany the Customs Tariff (Amendment) Act 2006. The regulation provides for a standard set of exemptions from excise duties and the new five percent customs duty, largely for the personal effects of passengers arriving in Nauru and for the household goods and other effects of people arriving to work in Nauru or returning from residence abroad.

The regulation provides for an exemption for customs and excise duties for –

- *a passenger’s personal goods and effects not intended for sale, exchange or trade;*
- *up to 2 litres of alcohol;*
- *small amounts of cigarettes and tobacco;*
- *household goods and possessions of people arriving in Nauru to work or returning to Nauru following residence overseas; and*
- *goods brought into Nauru by a government or public or private aid or charitable organizations that are not for re-sale.*

These exclusions will allow travellers into Nauru to bring their personal goods and other possessions without being subject to customs duty. They are consistent with custom practices around the world. The regulation will allow the customs legislation to be administered without imposing any unnecessary burden on travellers to and from Nauru. Any travellers bringing in commercial quantities of goods for re-sale or other commercial purposes will continue to be required to pay customs duty.

Mr. Speaker, I commend this regulation to the Parliament.’

Mr. Batsiua (Boe) moved that the paper be noted.

(v) The Hon. David Adeang (Minister for Foreign Affairs) made the following statement to the House:-

‘Mr. Speaker and Honourable Members, for your kind information, your Government has agreed to establish an Embassy representing Nauru in Taiwan.

Making the best of the opportunity presented by the forthcoming visit to Taipei by His Excellency President Ludwig Scotty and delegation, which is scheduled for the end of the month, and of course by the forthcoming State Visit to Nauru by President Chen Shui-Bian of the Republic of China (Taiwan), which is scheduled for 6 September, your government intends to expedite the appointment of Nauru’s Ambassador to Taiwan.

May I therefore take this opportunity to invite all Nauruans interested in serving their country as Ambassador to Taiwan to send in their applications, together with their C.V. to the Office of the Chief Secretary. Applications will close by Tuesday 15th August, interviews by an interview and selection panel chaired by Hon. Dominic Tabuna, M.P., shall commence on the 17th and a shortlist recommended to myself as Foreign Minister on 21st August, and a Cabinet Submission and decision hopefully by the 22nd. Thank you for your attention.’

8. Motion – Leave Sought for

The Hon. Dr. Kieren Keke (Minister for Transport) sought leave of the House to present the Counter Terrorism and Transnational Organized Crime (Amendment) Bill 2006.

Leave was granted.

9. Motion – Counter Terrorism and Transnational Organized Crime (Amendment) Bill 2006

The Hon. Dr. Kieren Keke (Minister for Transport) moved that the Bill be presented and read a first time.

The Hon. David Adeang (Minister for Finance) seconded.

The Bill was presented and read a first time.

10. Motion – Second Reading

The Hon. Dr. Kieren Keke (Minister for Transport) moved that the Bill be read a second time.

The Hon. David Adeang (Minister for Finance) seconded.

Question put and passed.

Second reading speech ensued.

Under S.O. 159 further debate on the Bill was adjourned to a future date.

11. Motion – Leave Sought for

The Hon. Dr. Kieren Keke (Minister for Transport) sought leave of the House to present the Anti Money Laundering Bill 2006.

Leave was granted.

12. Motion – Anti Money Laundering Bill 2006

The Hon. Dr. Kieren Keke (Minister for Transport) moved that the Bill be presented and read a first time.

The Hon. David Adeang (Minister for Finance) seconded.

The Bill was presented and read a first time.

13. Motion – Second Reading

The Hon. Dr. Kieren Keke (Minister for Transport) moved that the Bill be read a second time.

The Hon. David Adeang (Minister for Finance) seconded.

Question put and passed.

Second reading speech ensued.

Under S.O. 159 further debate on the Bill was adjourned to a future date.

14. Motion – Leave Sought for

The Hon. Dr. Kieren Keke (Minister for Transport) sought leave of the House to present the Illicit Drugs Control (Amendment) Bill 2006.

Leave was granted.

15. Motion – Illicit Drugs Control (Amendment) Bill 2006

The Hon. Dr. Kieren Keke (Minister for Transport) moved that the Bill be presented and read a first time.

The Hon. David Adeang (Minister for Finance) seconded.

The Bill was presented and read a first time.

16. Motion – Second Reading

The Hon. Dr. Kieren Keke (Minister for Transport) moved that the Bill be read a second time.

The Hon. David Adeang (Minister for Finance) seconded.

Question put and passed.

Second reading speech ensued.

Under S.O. 159 further debate on the Bill was adjourned to a future date.

17. Motion – Leave Sought for

The Hon. Godfrey Thoma (Minister for Justice) sought leave of the House to present the Defamation Bill 2006.
Leave was granted.

18. Motion – Defamation Bill 2006

The Hon. Godfrey Thoma (Minister for Justice) moved that the Bill be presented and read a first time.

The Hon. David Adeang (Minister for Finance) seconded.

The Bill was presented and read a first time.

19. Motion – Second Reading

The Hon. Godfrey Thoma (Minister for Justice) moved that the Bill be read a second time.

The Hon. David Adeang (Minister for Finance) seconded.

Question put and passed.

Second reading speech ensued.

Under S.O. 159 further debate on the Bill was adjourned to a future date.

20. Motion – Leave Sought for

The Hon. Frederick Pitcher (Minister for C.I.R.) sought leave of the House to present the Accommodation Registration Bill 2006.

Leave was granted.

21. Motion – Accommodation Registration Bill 2006

The Hon. Frederick Pitcher (Minister for C.I.R.) moved that the Bill be presented and read a first time.

The Hon. David Adeang (Minister for Finance) seconded.

The Bill was presented and read a first time.

22. Motion – Second Reading

The Hon. Frederick Pitcher (Minister for C.I.R.) moved that the Bill be read a second time.

The Hon. David Adeang (Minister for Finance) seconded.

Question put and passed.

Second reading speech ensued.

Under S.O. 159 further debate on the Bill was adjourned to a future date.

23. Motion – Suspension of Standing Order 159

The Hon. Frederick Pitcher (Minister for C.I.R.) moved that S.O. 159 be suspended to enable the second reading debate to proceed forthwith.

The Hon. Baron Waqa (Minister for Education) seconded.

Question put and passed.

24. **Division of the House Called for**

Mr. Batsiua (Boe) and Mr. Stephen (Ewa/Anetan) called for division.

The House divided.

Ayes		Noes	
Mr. Scotty	Mr. Pitcher	Mr. Harris	Mr. Batsiua
Mr. Adeang		Mr. Akua	Mr. Kun
Mr. Thoma		Mr. Adam	Mr. Ribauw
Dr. Keke		Mr. Stephen	Mr. Tabuna
Mr. Waqa		Mr. Buramen	
Total – 6		Total 9	

Question put and negatived.

25. **Motion – Leave Sought for**

The Hon. David Adeang (Minister for Finance) sought leave of the House to present the Motor Vehicle (Third Party Insurance) Amendment Bill 2006.

Leave was granted.

26. **Motion – Motor Vehicle (Third Party Insurance) Amendment Bill 2006**

The Hon. David Adeang (Minister for Finance) moved that the Bill be presented and read a first time.

The Hon. Dr. Kieren Keke (Minister for Health) seconded.

The Bill was presented and read a first time.

27. **Motion – Second Reading**

The Hon. David Adeang (Minister for Finance) moved that the Bill be read a second time.

The Hon. Dr. Kieren Keke (Minister for Health) seconded.

Question put and passed.

Second reading speech ensued.

Under S.O. 159 further debate on the Bill was adjourned to a future date.

28. **Motion – Suspension of S.O. 159**

The Hon. David Adeang (Minister for Finance) moved that S.O. 159 be suspended to enable the second reading debate to proceed forthwith.

The Hon. Dr. Kieren Keke (Minister for Health) seconded.

Question put and passed.

Debate ensued.

29. **Motion**

The Hon. David Adeang (Minister for Finance) moved that further debate on the Bill be adjourned and made an Order of the Day at the next sitting.

The Hon. Dr. Kieren Keke (Minister for Health) seconded.
Question put and passed.

30. **Motion – Leave Sought for**

The Hon. Dr. Kieren Keke (Minister for Transport) sought leave of the House to present the Nauru Air Corporation (Amendment) Bill 2006.
Leave was granted.

31. **Motion – Nauru Air Corporation (Amendment) Bill 2006**

The Hon. Dr. Kieren Keke (Minister for Transport) moved that the Bill be presented and read a first time.
The Hon. David Adeang (Minister for Finance) seconded.
The Bill was presented and read a first time.

32. **Motion – Second Reading**

The Hon. Dr. Kieren Keke (Minister for Transport) moved that the Bill be read a second time.
The Hon. David Adeang (Minister for Finance) seconded.
Question put and passed.
Second reading speech ensued.
Under S.O. 159 further debate on the Bill was adjourned to a future date.

33. **Motion – Leave Sought for**

The Hon. Godfrey Thoma (Minister for Justice) sought leave of the House to present the Criminal Code (Amendment) Bill 2006.
Leave was granted.

34. **Motion – Criminal Code (Amendment) Bill 2006**

The Hon. Godfrey Thoma (Minister for Justice) moved that the Bill be presented and read a first time.
The Hon. Dr. Kieren Keke (Minister for Health) seconded.
The Bill was presented and read a first time.

35. **Motion – Second Reading**

The Hon. Godfrey Thoma (Minister for Justice) moved that the Bill be read a second time.
The Hon. Dr. Kieren Keke (Minister for Health) seconded.
Question put and passed.
Second reading speech ensued.
Under S.O. 159 further debate on the Bill was adjourned to a future date.

36. **Motion – Leave Sought for**

The Hon. Godfrey Thoma (Minister for Justice) sought leave of the House to present the Criminal Procedures (Compensation and Other Orders) Bill 2006.

Leave was granted.

37. Motion – Criminal Procedures (Compensation and Other Orders) Bill 2006

The Hon. Godfrey Thoma (Minister for Justice) moved that the Bill be presented and read a first time.

The Hon. David Adeang (Minister for Finance) seconded.

The Bill was presented and read a first time.

38. Motion – Second Reading

The Hon. Godfrey Thoma (Minister for Justice) moved that the Bill be read a second time.

The Hon. David Adeang (Minister for Finance) seconded.

Question put and passed.

Second reading speech ensued.

Under S.O. 159 further debate on the Bill was adjourned to a future date.

39. Motion – Leave Sought for

The Hon. Frederick Pitcher (Minister for C.I.R.) sought leave of the House that motion No. 5 on the Notice Paper, the Lands (Amendment) Bill 2005 be amended to read Lands (Amendment) Bill 2006.

Leave granted.

40. Motion – Lands (Amendment) Bill 2006

The Hon. Frederick Pitcher (Minister for C.I.R.) moved to present the Bill to the House.

The Hon. Baron Waqa (Minister for Education) seconded.

The Bill was presented and read a first time.

41. Motion – Second Reading

The Hon. Frederick Pitcher (Minister for C.I.R.) moved that the Bill be now read a second time.

The Hon. Baron Waqa (Minister for Education) seconded.

Question put and passed.

Under S.O. 159 further debate on the Bill be adjourned to a future date.

42. Motion Fixing the Date for the Next Sitting

His Excellency President Ludwig Scotty moved that Parliament at its rising do adjourn until tomorrow afternoon, Wednesday 9th August 2006 at 2.00 p.m.

The Hon. David Adeang (Minister for Finance) seconded.

Question put and passed.

43. Adjournment

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

The Hon. David Adeang (Minister for Finance) seconded.

Question put and passed.

And then the House at twelve minutes past ten o'clock p.m. adjourned until tomorrow afternoon at 2.00 p.m.

Members Present

All Members were present at some time during the sitting, except Mr. Dabwido.

John Garabwan
Deputy Clerk of Parliament