



# FORTY- EIGHTH SESSION

## Hansard Report

48<sup>th</sup> Session

Ninth Meeting

Volume 10

**THURSDAY 15 FEBRUARY 2018**

### **OPENING PRAYER**

**MADAM SPEAKER took the Chair at 1.00 p.m**

**MADAM SPEAKER:** Honourable Members please be seated.

*(First part of the recording missing, unable to report.)*

### **QUESTION TIME**

**HON. M. BROWN:** The Honourable Member and his figures just again demonstrate why the Opposition should not be in charge of the Government purses.

The annual allocation for the shipping subsidy is \$500,000 Madam Speaker and not \$1.5million. I hope the Honourable Member will take those facts to heart and stop exaggerating as they normally do.

In response to part of his question Madam Speaker, I have never been approached by the Tiare Taporo and I believe they are not eligible for any subsidy and I believe the subsidy is underway and that the other two shipping companies are eligible to take advantage of that subsidy that is now in place.

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

**HON. H. PUNA:** Thank you Madam Speaker. Unfortunately I was just out of the House to attend to an urgent business when the question was asked about our new Immigration Policy.

I appreciate the question Madam Speaker. I think it is a very important question particularly when immigration has been on the front page of our daily newspaper over the last couple of days.

I am please to advise this Honourable House that the new policy was endorsed and approved by Cabinet last year and it is now with the Ministry of Immigration to look at upgrading our legislation in order to tie it very closely with our new policy.

The truth is there are some very serious deficiencies in our current legislation. But to answer the question and the request from the Honourable Member for Titikaveka, I would be very happy to table the official policy at the next sitting of Parliament.

Thank you Madam Speaker.

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

**MR J. BEER:** Thank you Madam Speaker. Good afternoon to you and good afternoon to every one of our Members of Parliament particularly to our Prime Minister, Deputy Prime Minister, Ministers of Cabinet and to my Honourable colleagues here on the right-hand side of the Chamber.

Madam Speaker, my question is to the Minister of Finance. Can the Minister please advise this House whether or not he has instructed the Amnesty Office in relation to the tax right off to begin the processing of such in relation to the Government's new policy position on this.

**MADAM SPEAKER:** Thank you and I see the Minister of Finance.

**HON. M. BROWN:** Thank you, Madam Speaker. In response to the question I have had discussions with my tax officials and to determine the best way to implement this new policy initiative that the Government has announced.

There will be some legislative amendments required not just to make this effective but also to I guess, legalise the work that the Government will be doing but from an administrative perspective the Ministry is beginning their work on how to implement this amnesty. Thank you, Madam Speaker.

**MADAM SPEAKER:** Thank you, I see the Honourable James Beer.

**MR J. BEER:** Supplementary question, Madam Speaker to the Minister of Finance. Can the Minister of Finance advice this House as to the amnesty period that the Prime Minister has indicated at the end of March. Is there enough time for his office to provide to this House the necessary legislation or is there going to be a further extension to that amnesty period.

**MADAM SPEAKER:** Thank you, I see the Minister of Finance.

**HON. M. BROWN:** Thank you, Madam Speaker I expect the legislation to be tabled before this House next week. If there is a requirement that we need to extend the amnesty as we have done from December to March in order to comply with time lines then that option is open to us but we certainly have not made any decision on that. Thank you, Madam Speaker.

**MADAM SPEAKER:** Thank you, I see the Honourable Member James Beer.

**MR J. BEER:** A further supplementary question to the Minister of Finance, Madam Speaker. Can the Minister please advice this House whether or not he believes that the amnesty passed in 2017 actually has a finish date?

**MADAM SPEAKER:** Thank you, I see the Honourable Minister of Finance.

**HON. M. BROWN:** Thank you, Madam Speaker. I believe that that question requires an answer from an expert in the legal definition that is in the law that we passed last year.

But from a layman's perspective, Madam Speaker from somebody who is not a lawyer I think that there is an open end to the amnesty and the legislation that we will table before us next week will close that open end. Thank you.

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

**MR T. VAVIA:** Thank you, Madam Speaker. My question is to the Minister of Finance. The question is around the decision of the tax amnesty which I believe is ill-conceived and not in the best interest of the people of the Cook Islands particularly the 12 thousand odd people in this country against the thousand few that has received the tax amnesty.

Therefore, I will start right here in this House first, could you tell this House who are the MPs that has received the royal tax amnesty in this House, the people in this House which means the Members of Parliament and if you can name them.

The whole of the Cook Islands are agitated about this and that is why I said it is ill-conceived a thousand over about 12 thousand people in the Cook Islands. That 12 thousand is affected by that.

**HON. M. BROWN:** Is this a question?

**MR T. VAVIA:** Yes, the question is tell us, who these people are in this House. Thank you, Madam Speaker.

**MADAM SPEAKER:** Thank you and I see the Minister of Finance.

**HON. M. BROWN:** It is typical Madam Speaker of the Democratic Party that they want to know, persecute, prosecute, jail and arrest those Cook Islanders who are struggling. They are more concerned.

**MADAM SPEAKER:** Order please, order please if you want to listen to the answer please.

**HON. M. BROWN:** The Democratic Party is more concerned with those people who are doing well and they asked the question yesterday how are these people going to do even better. What is the reward for them, no concern for those Cook Islanders who are struggling, who are leaving this country, who are closing their businesses because of the burdens on them? The Opposition, they do not care about those people?

This is the difference between the Opposition and the Government and we should call them the accusers. This is the difference between them and us the tribe of love and we are here Madam Speaker as a Government that is helping those down trodden, persecuted, prosecuted, making sure that those burdens are taken off them.

God help us if the Democratic Party comes to power and they will change the laws to hunt down these people who are already down trodden, what a disgrace.

Madam Speaker, I am not going to fall into their simple trap that the Opposition have laid out for me to start announcing names of individual tax accounts and tax clients.

They know full well Madam Speaker that the confidentiality and the privacy of every individual is enabled and enshrined in the legislation of the Tax Department and it is an offence Madam Speaker for any employee of the Tax Department or anybody to reveal personal, individual tax details of anybody else.

**MADAM SPEAKER:** Honourable Members, only one person has the Floor, please be quiet.

**HON. M. BROWN:** I can see where they are trying to lead me into a child's trap to divulge information and therefore put myself up for breaching the legislation and possible challenge from the Opposition because that is how they do business. Madam Speaker we have seen in the past they take everything to Court, they prosecute they look at avenues where they can topple you through legal means not through electoral means.

**MR J. BEER:** Point of Order, Madam Speaker.

**MADAM SPEAKER:** What is your, Point of Order, Honourable Member?

**MR J. BEER:** Madam Speaker, the Minister of Finance has already answered the question.

**MADAM SPEAKER:** He has.

**HON. M. BROWN:** If I may finish off my answer, Madam Speaker, that question deserves the contempt that it deserves, thank you.

**MADAM SPEAKER:** Gentlemen, since you have both taken the Floor and Honourable Angene before and you second, I will give you, Honourable Angene the Floor.

**MR G. ANGENE:** Thank you, Madam Speaker I have a question for the Minister of Health. I was happy to hear the Minister of Finance mention the tribe of love but we here on this side is the tribe of peace.

Question to the Minister of Health, last night I observed on TV an article about our septic system. I believe this is a new law being introduced into the country because my questioned will be based on seeking assistance for the people.

The question is what support will the Government offer to our people on this new system to the house owners on the beach side, which I believe will cost close to maybe \$17,000.00 to \$20, 000.00 on top of their existing septic system. They are required to upgrade to this new septic system especially those who are residing on the beach side.

Honourable Minister this is a new regulation and you know that I am a builder and we are required through the planning division of government as well as the environment and the health regulations to provide all our house plans to get it approved and stamped before we build the septic systems on to our lands on the beach area. Are you aware of this and what kind of support is the government willing to provide to these home owners in order to upgrade the septic systems.

**MADAM SPEAKER:** Thank you and see the Minister of Health.

**HON. N. GLASSIE:** Thank you Madam Speaker, before I answer this question I would like to say it is about time we get some questions especially those of us sitting on this side of the House who are falling asleep, waiting for some questions to be posed to us.

At this time I will attempt to provide a good answer. Madam Speaker at this time my response to the question is that I am a little bit unsure as to the core of the question so I am requesting the Honourable Member, since I did not see the television programme last night I would like to ask the Honourable Member to write down the question properly and maybe there are other government entities that are involved in this so I would like to ask the opportunity to research a little bit more and then come back to the House with a substantial answer.

**MADAM SPEAKER:** Thank you the Honourable Tangata Vavia, as the Honourable Iseraela has not spoken I will give him the Floor. You may ask for the Floor again. Honourable Iseraela you have the Floor.

**MR P. ISERAELA:** Thank you Madam Speaker – Kia Orana to all of us in the House today. My question is directed to the Minister of Finance. We see on our television the advertisement on the tax amnesty recently. I would like to ask you Minister and your tax department to please make a separate advertisement for our people in the Maori language so everyone including the Outer Islands can understand what this is all about.

I do not want my constituency to be confused and get left out from the benefit of this amnesty opportunity. Thank you.

**MADAM SPEAKER:** Thank you and I see the Minister of Finance.

**HON. M. BROWN:** Thank you Madam Speaker and thank you to our Member from Araura for his good question.

It is right that we take this message in our local language so our people can clearly comprehend what this tax amnesty is all about. You are correct Honourable Member we are obliged to ensure that our people fully understand this tax amnesty so they do not miss out on what it is offering – and can take advantage of the benefits of the tax amnesty. Thank you Madam Speaker.

**MADAM SPEAKER:** Thank you, and I see the Honourable Tama Tuavera, you have the Floor.

**MR T. TUAVERA:** Thank you Madam Speaker. My question goes to the Minister of Health. I was troubled hearing what he said on the radio this morning.

On the radio it was mentioned that people went up the hospital last weekend and there were not enough doctors to examine these sick people. He did not respond to these concerns that were raised to him on the radio.

Secondly, I was hurt because he said that our people are dying way before they are supposed to die. I did not expect this to come out of his mouth because he is the Minister of Health.

Last year, I mentioned in this House of the case of my cousin who went to New Zealand with a ruptured kidney, for she had waited a long time to be referred to New Zealand for treatment. When she got to New Zealand and the doctor examined her, she was told by the doctor, if she stayed for another 48 hours she would die.

**HON. N. GLASSIE:** Point of Order, Madam Speaker.

**MADAM SPEAKER:** What is your Point of Order?

**HON. N. GLASSIE:** Question time is asking questions, not preaching.

**MADAM SPEAKER:** Perhaps you do not want to tell a long story, just come to the point.

**MR T. TUAVERA:** Okay Madam Speaker, but I still want to point out that the doctors said that within 48 hours you would die.

Here is my question to the Minister of Health. Number One, who is in charge of the Ministry of Health, you or the Secretary because you were starting to pass the buck on the radio this morning.

**MADAM SPEAKER:** Thank you and I see the Minister of Health.

**HON. N. GLASSIE:** Thank you Madam Speaker, this is one of the soggiest questions that I have ever received.

The Member for Ngatangia I must warn him that whenever he says in this Honourable House he should stop misquoting because I got everything recorded. I never mentioned on the radio this morning during the talkback session that our people are dying. I will be more than happy to replay that, I never said that and you never say that.

Then he started talking about having no doctors after hours and then he went on to ask the question, who is in charge of the Ministry. The Member is so confused I do not know where he is coming from. Let me explain to him the answer, in terms of the Ministry of Health operational services and delivery that the Secretary of Health is in charge and we do not have a Secretary of Health yet, it is still to be appointed.

In terms of driving government policies within the Ministry of Health that is the role of the Minister and to be fair that in terms of the daily management of the Ministry of Health that is the job of the Managers or Administrators that are appointed within the Ministry of Health.

So, it is not a simple answer to give in one go. But more specifically to the Minister, the Ministry of Health is managed and guided by strategic and annual plans. Those are the guiding documents that manage the Ministry.

**MADAM SPEAKER:** Thank you and see the Honourable Tangata Vavia.

**MR T. VAVIA:** Thank you Madam Speaker. My question is a supplementary question to the Minister of Health.

First the points asked by the Member Tama Tuavera is relevant. Relevant to the health of the people of this country. The point he raised I think there was not enough doctors to attend to patients at the hospital.

My question to the Minister is if there are not enough doctors where is the money for the Ministry of Health gone to? The Ministry of Health I think is the third highest funded Government Ministry by some \$9million or more, maybe \$13million.

The Member raise the question not because of what the Member has seen but what the people also has seen. No doctor means, no money. The question then is, where is the money?

**MADAM SPEAKER:** Thank you. I see the Minister of Health.

**HON. N. GLASSIE:** Thank you Madam Speaker. The moment I started protesting the moment they start picking on me and I love it. I enjoy every bit of it.

The first question raised to me was, where are the doctors? Then all of a sudden, he said, where is the money so the two does not really go together.

Let me do the best I can to answer these questions. The first question, where is the money? We have \$13million appropriated for the Ministry of Health. The second question, where is the money spent?

Madam Speaker, I only hope sometimes they can read the budget. That shows you they do not read the budget. The budget has been with us for the last ten months and they still do not know where all the money has been allocated. So, read your budget documents and you will see the breakdown of the \$13million.

The second point, if I could explain to this side of the House, is that we are the third appropriation Ministry of \$13million, that is the reason why we plan because we are still demanding for more appropriation because there is an increase in the cost of Pharmacy, costs drugs is always on the increase all the time.

Secondly, there is no way we can control the number of referrals from the outer islands to here and from here to New Zealand. Those are beyond our controls and

they also cost money. There are also many other areas in the Ministry of Health that requires financial support.

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

**MR J. BEER:** A supplementary question to the Honourable Minister Nandi Glassie.

Minister, you talk about the budget so I am assuming you a person that knows a lot about the budget. Does the Ministry of Health have any indication or do you have any indicative numbers as how much New Zealand's Aid contribution to the Cook Islands is made up of the \$13million, that you were speaking about?

**MADAM SPEAKER:** Thank you and I see the Minister of Health.

**HON. N. GLASSIE:** The quick answer to the Honourable Member is that the New Zealand Government by way of their aid does not contribute to the \$13million of the Ministry of Health.

**MADAM SPEAKER:** Honourable Member, do you have a supplementary question to that? We have already had two supplementary questions, according to our Standing Orders, it is "a supplementary question". So, I think we have had enough supplementary questions on that particular question.

**MR J. BEER:** Madam Speaker, may I ask a question to the Minister of Finance?

**MADAM SPEAKER:** You may ask a question.

**MR N. GLASSIE:** He has about five supplementary questions.

**MADAM SPEAKER:** Actually, when you read your Standing Orders it says, "a supplementary question" but you can go ahead and ask your question to the Minister.

**MR J. BEER:** Minister, on the Order Paper for the last two days, there is a Motion before the House in terms of an enquiry that I am requesting that the Public Accounts Committee look into the processes by which the tax amnesty and the tax write off had occurred.

That Motion may well be given the opportunity to be discussed in today's meeting, would you be supportive of such an enquiry and if not, why not.

**MADAM SPEAKER:** Thank you and I see the Minister of Finance.

**HON. M. BROWN:** Thank you Madam Speaker. I have only just been brought to my notice about this notice of Motion that has been raised and on the Order Paper by James Beer.

According to Standing Orders, will require two full days notice before it is moved. I am having a look at the wording of this particular Motion Madam Speaker with the view that we do not politics into a very important matter before our people.



**MADAM SPEAKER:** Honourable Minister, could I just inform you that this was on the Order Paper yesterday but what I am concerned about is that we should not be asking questions on issues that are business of the House.

**HON. M. BROWN:** Exactly.

**MADAM SPEAKER:** And if it is on the Order Paper, it is business of the House.

**HON. M. BROWN:** Yes and that was my point.

**MADAM SPEAKER:** So, we should not. I have just realised what it is that the question was about so we will not have that question answered.

**HON. M. BROWN:** Thank you Madam Speaker.

**MADAM SPEAKER:** Thank you. I see the Honourable William Heather you have the Floor.

**HON. W. HEATHER JNR:** My question Madam Speaker is to the Minister of Finance.

He mentioned about the United Nation seat on radio, we would like to know what he said or what their views are if we were to become a United Nation member and furthermore the benefits and risks if we were to become one.

**MADAM SPEAKER:** Did we not deal with that question yesterday?

**HON. W. HEATHER JNR:** No.

**MADAM SPEAKER:** I see the Honourable Minister Mark Brown.

**HON. M. BROWN:** The Honourable Member, the Leader of the Opposition has asked me about something that I spoke on radio regarding the United Nations and then asked me what is the benefits and what are some of the risks associated with the membership.

I am wondering whether the eight minutes left is sufficient time to do justice to his very in depth question. However, I will try my best.

I have spoken on radio on numerous occasions on the subject of United Nations membership so, I am not sure which radio session the Honourable Leader of the Opposition is referring to.

However, my message is being very consistent over the years in terms of United Nations membership. And the most consistent message that I have preached over the years in terms of why UN membership will benefit us is a simple one. That is, it allows us membership to numerous other UN agencies that currently we cannot be members of unless we are members of the United Nations.

There are numerous UN agencies Madam Speaker that run programmes for Pacific island countries to assist them in the development of their country that we are not part of because we are not part of these agencies unless we are a member of the United Nations. I will give you one example Madam Speaker.

The international telecommunications union is a United Nations body which member countries are aligned to or are members of and this body is involved in the establishment, development, the issues surrounding telecommunications. And the World Bank support and funds a number of projects and programmes around capacity building, in telecommunications around technical assistance and so forth.

And with our country about to table a new Telecommunications Bill before this House, we will see the establishment of a regulator's office assistance provided through the ITU to regulators around the Pacific will be something that we will not be able to tap into.

There are numerous other United Nation agencies Madam Speaker in different sectors, the power sector is another one with the Power Associations, there is development agencies as part of the United Nations which we are not a member of and unable to tap into their programmes that they provide. And of course, as alluded to by our Member from Murienua, the World Bank and the IMF.

And in terms of the World Bank, Madam Speaker five years ago the World Bank initiated the Pacific Catastrophe Risk Insurance Programme of which there were five pilot countries and we were excluded from this programme, Madam Speaker because even though we were the most qualified to be part of it, we were not a member of the World Bank and could not get into it.

Madam Speaker we saw the benefit of this Pacific Insurance Programme to protect us against future disasters. We met with the World Bank and looked for ways we could join this programme and in the end we agreed that we would pay our own premiums to be part of this pilot project as opposed to the other pilot countries who benefitted from the World Bank programme and not having to pay their premiums.

In the Cook Islands News of January 12<sup>th</sup> Honourable James Beer wrote that we wanted to join the World Bank so that we could borrow money from the World Bank. To be more precise the Honourable Member said that, I actually said that, we wanted to join the World Bank so we could borrow more money.

I asked him to show me where ever have I said that statement that we wanted to join the World Bank because we wanted to borrow money. In fact, I called him a liar on radio. To date I still have not received any record of where I have said that statement that he alleges I have said.

He said look at the Hansard of a certain date I had a look and there was no mention of what I said in the Hansards. He said a date of the newspaper that I referred to it and I looked at that article in the newspaper and there was no mention of what I said.

So, I guess one of the risks, Madam Speaker that the Honourable Leader of the Opposition asked for is why would we want United Nation membership and what are

the risks, well one obvious risk is that you get slandered by the Opposition when you make comments. Thank you, Madam Speaker.

**MADAM SPEAKER:** Not much time to ask a question Honourable Member.

**MR J. BEER:** It is not a question I would like to be able to answer the Minister of Finance because he has made an accusation and called me a liar. I would like to provide for this House if I do not mind saying so.

**MADAM SPEAKER:** I would say no, we have had one hour already spent on question time and the time is up we have a lot of business to deal with today we are going to move on, sorry.

**MR J. BEER:** With you indulgence, Madam Speaker.

**MADAM SPEAKER:** No, thank you I think we should move on with the business. It is a busy, busy day and if you look at your work you are now going to do some very, very serious business thank you very much.

That is why when you come to Parliament you come with your supporting papers to support what you say because when questions are asked you have it ready so we cannot spend time going back on things that have already been said. We have business to do today thank you very much for the time on the one hour for questions.

We are now going to consideration of Papers on order of business for the day. I just warn you that you only have an hour to consider these papers and let us see how much of these papers we can do in that one hour.

### **ORDERS OF THE DAY - CONSIDERATION OF PAPERS**

At our last Thursday sitting you had considered debated on the paper 113 which was on the Family Law Special Select Committee Report and there was a motion put on that paper, for the paper be received. Are there going to be any further speakers on that paper? I see the Honourable Selina Napa.

**MRS S. NAPA:** Madam Speaker, I am just after a point of clarification here. If you look at today's Order Paper; the Papers for Consideration, the first one on the list is number.107 not 113.

**MADAM SPEAKER:** Yes, that is correct but considering that Paper 113 was considered, and a motion was put on it at the last Thursday meeting we need to complete that motion, put the question, get the decision on that motion before we can move on. You are correct.

**MRS S. NAPA:** Madam Speaker, can I speak to the Paper 113.

**MADAM SPEAKER:** I cannot remember, did you speak on this at the time I think as a Committee Member you probably would have. If you had spoken on it then what happened was the Committee Members at that time spoke on that when it came but we did not complete it so it was deferred on to Papers for Consideration for today. If

there are not going to be any further speakers what I will do is put the question to complete this Paper that was a motion was put on. The Honourable James Beer.

**MR J. BEER:** Madam Speaker, I would like to speak on Paper 113 please.

**MADAM SPEAKER:** You may go ahead.

**MR J. BEER:** I think it is quite clear and evidence inside the newspapers Madam Speaker that over the last three or four months after the passing of the Family Law and Protection Act there has been quite a number of increases reported in the newspaper in relation to crimes associated with this kind of legislation.

Quite clearly the legislation does not say it will stop the increase in domestic violence. We know that is impossible but I would like to know and this is just a rhetorical question for this House to try and grapple with is that despite the fact that in reports currently the increase in domestic violence is an alarming situation.

The legislation was supposed to deal with those cases and hopefully minimise potential domestic violence situations that consequently happen after the actual incident. There were no definitive figures on repeat offenders that have been seen by potential counsellors or counsellors per se.

I think Madam Speaker that all the Members of Parliament who spent an enormous amount of time working on this particular Bill and many of the members of the public in the country and those outside of the country who wrote into the paper raising concerns about the lack of progress on the Family Law and Protection Act.

So, by most accounts, Madam Speaker it would appear as if some of the provisions inside this legislation that was passed unanimously by this Parliament would need in my humble opinion a second look to see whether or not we have done enough in ensuring the common increases that we are seeing in domestic violence.

It is true, Madam Speaker we cannot get it right all the time but we should have the courage and the character to be able to look at things and see ways in which we can make improvements.

It is early days yet but as I said earlier the domestic violence figures are alarming and sometimes it just means that we need to put more resources, more time and particularly more money to be able to find a solution.

If the Democratic Party was the government of the day we would seriously reconsider any aspect of it that we felt needed to be upgraded, that needed to be re-looked at, we would not put our head in the sand and avoid serious ramifications of what is happening out there in our country.

Madam Speaker I think that would probably have been the kind of thing that my Honourable Member of Titikaveka would have liked to have said.

**MADAM SPEAKER:** Thank you very much and you have 15 minutes each and your time is over for this. I see the Honourable Deputy Prime Minister.

**HON. T. HEATHER:** I will not take that long Madam Speaker. Kia Orana to all of us in this House this afternoon. I was not going to stand to speak but after the Member for Murienua speech I had a thought to share.

I am happy to hear of his support to the Bill at hand and all the good things he mentioned about it. We heard the Leader of the Opposition bring to the House the view of a young lady regarding the wearing of helmets on our roads. How is the government of today value the lives of young people compared to those 16 to 25 years and others?

The Member for Murienua is saying that we should bring this law back to the parliament to review it. That is the view I want to express in this House regarding these two Bills especially when it is related to our families. The Opposition has opposed the suggestion to bring the helmet legislation back to parliament. Since the enactment of this law we have seen the reduction of our young people dying from road accidents.

That is the reason this government is upholding this legislation because it is helping to protect our young people from road accidents. There is evidence to show that this law is working.

**MRS S. NAPA:** Point of Order, Madam Speaker.

**MADAM SPEAKER:** What is your point of order, Honourable Member?

**MRS S. NAPA:** Madam Speaker, I just want our people to know the reason we opposed this legislation on helmet.

**MADAM SPEAKER:** I am going to stop the debate that is going on. We are actually talking about the Family Law Bill that was reported, that now become the Family Protection and Support Act, it is now an Act. The talk about the helmet is not relevant to this report because it is not talking about the helmet. I think we should get back on point.

Honourable Deputy Prime Minister if you would like to speak on the report that came and was considered and become an Act. If you have a contribution to that that will be fine. Let us not talk about the helmet and talk about it another time. Thank you.

**HON. T. HEATHER:** Thank you Madam Speaker. The view here is about the family and it is concerning the lives of our young people dying on the road.

The question asked was, how do government or the Minister Responsible value our young people's lives and this is my most serious concern. I value each and every individual in this country, their lives are serious to me. And I fully support this Bill. Thank you Madam Speaker.

**MADAM SPEAKER:** I see the Honourable Mona Ioane.

**MR M. IOANE:** Thank you Madam Speaker and Kia Orana to all of us. I can see the Members of the Opposition beckoning me to sit down.

**MRS S. NAPA:** Point of Order Madam Speaker.

**MADAM SPEAKER:** What is your point of order, Honourable Member?

**MRS S. NAPA:** Madam Speaker, he has tabled the report and he has already spoken on this particular Paper.

**MADAM SPEAKER:** Just as you were not able to speak. Honourable Member if you have already spoken on it, then you cannot speak on it again. You would have spoken because you presented that report.

I see the Honourable Prime Minister.

**HON. H. PUNA:** Thank you Madam Speaker and Kia Orana to all of us in the Name of our Lord. Madam Speaker I cannot wait until after our break I want to give my views right now.

I am not happy with the comment made by the Member for Murienua that this government is putting its head in the sand. Maybe it is himself that is hiding his head in the sand or mud.

We in this House have already passed a unanimous support of this legislation. He is talking of these problems connected to this legislation and his concern is right and we are troubled also. It is my belief Madam Speaker that it is not the legislation that we have passed that is at fault because the Select Committee collected all the views of our people during the consultations. And we incorporated all these views into this legislation.

We have just passed this Act. My belief is that the fault lies with our people out there because it is up to them to apply this law or not. Our role is to inform them of their rights under this legislation and to encourage them to use their freedom under this legislation. If they do not make use of this law it will be of no use but there is nothing wrong with the legislation.

I bring an example of a case where a wife was assaulted by her husband and I was glad to hear that this case was taken to the court. I was aware that this was the first case which was trialled under this new legislation. I am glad that this case was taken to court we have done enough damage to our women.

The sad thing is this case did not proceed to the court because the woman withdrew the case against her husband. What can we do then? What can we do when that happens? Absolutely nothing because a case cannot go ahead unless the complainant is willing to give evidence in court.

Madam Speaker I will round up now. In cases like this let us not blame ourselves or the law that we have passed. We should be encouraging our people and educating our people to make use of this system of protection that we have passed for their benefit.

It is time for lunch Madam Speaker, thank you.

**MADAM SPEAKER:** Thank you, parliament will suspend till 3.00 p.m.

**Sitting suspended at 2.28 p.m.**

**Parliament resumed at 3.00 p.m.**

**MADAM SPEAKER:** Please be seated Honourable Members.

Parliament is resumed.

Order of the Day is the interrupted debate on the Family Law's Special Select Committee Report in consideration of Papers.

Are there any further speakers on this? I see the Honourable George Angene.

**MR G. ANGENE:** Thank you Madam Speaker. To all our people listening in to our broadcast today, Kia Orana.

We are talking about the Report for the Family Law Bill which we passed last year. As explained by the Prime Minister earlier on about the Bill we passed. I know of some assault cases that went to court but the victim wrote a letter to the court for the matter to be withdrawn. The problem here however is that, we consulted our people about the Bill and we passed the Bill but we still continue to have victims withdrawing assault cases in court to keep the peace in the family.

The Bible says, "Wash you, make you clean; put away the evil of your doings from before mine eyes; cease to do evil". So this is what we must do. We must seek peace and teach them to do the right thing.

Therefore, I do not understand the need to go back and look at the report, we are wasting our time so let us move on. We have new Bills that have come to this House which we have not debated on. When I look at the Members on the Opposition side of the House, they seem to be challenging the Bill again. I believe the Bill is completed and we should move on and do new things.

So, I would like to ask all Honourable Members to debate new Bills. Thank you to Government, the Opposition side and to us in the One Cook Islands. God bless us all.

**MADAM SPEAKER:** Thank you. That was a clear message to move on so, I will put the Question. The Question is that:

**Paper 113 be received**

**Motion agreed to**

We will now go to Paper 107 on Employment Relations minimum rate of pay, Regulations 2017, Serial No. 2017/02. As there are no speakers, we will move on to Paper...

Yes Honourable Member.

**MR J. BEER:** I would like to speak on the Paper please, Madam Speaker.

**MADAM SPEAKER:** On Paper 107?

**MR J. BEER:** That is correct

**MADAM SPEAKER:** Right, in order to be able to do that, the procedure is in 74 where you put a Motion that the Paper received before you can debate on the Paper which is what happened for Paper 113.

**MR J. BEER:** Madam Speaker, I move:

**That Paper No. 107 be received**

**MADAM SPEAKER:** Is there a Seconder for the Motion.

**Secoded by the Honourable William Heather Jnr**

You may continue Honourable Member.

**MR J. BEER:** Thank you to my Honourable colleague for giving me the opportunity to be able to talk about Paper 107.

Madam Speaker, it was a very simple Paper and I think for the benefit of our listeners, it was important for us to be able to mention, why it was brief and what it was about. What it does demonstrate however is that there is underline problem in terms of the minimum wage that have been set and the amount of money that it cost to live in the Cook Islands.

Currently, the award rate or the minimum rate for all workers in the Cook Islands including public servants is \$7.00. I stand corrected it is \$7.25 per hour. Madam Speaker, the Bill actually says \$7.00 rather than \$7.25 as alluded to you by the Minister of Health.

I do not want to talk about the differences in the 25 cents and the \$7.00, what I want to be talking about is on the question. Is that enough money in a minimum wage situation for the ordinary man and woman to be able to live on in the Cook Islands?

After they have worked a 40-hour week you multiply \$7.00 by 40 hours you have a gross income of \$280.00. The Ministry of Finance will probably have the amount of taxation or Pay as You Earn tax that will be deducted from that \$280.00.

So, I estimate that around about \$30.00 will be deducted from that pay packet of \$280.00 leaving the wage earner or salary earner with about a \$250.00 a week wage.

What it demonstrates Madam Speaker is that there is this lack of understanding as to the true cost of living for the ordinary Cook Islander and I would be willing to bet



\$10.00, that the real reason why people depart this country and work in other countries is because of the low cost of wages. And if the Cook Islands is going to rise above.

**HON. N. GLASSIE:** Madam Speaker I have a Point of Order.

**MADAM SPEAKER:** What is your Point of Order?

**HON. N. GLASSIE:** Under Standing Order 197, I want to alert the Member to the relevancy of his debate. If I may explain quickly on the basis that a minimum wage is exactly what he says and a minimum wage no one can go below the minimum wage. There are business people in the public sector that are exactly paying their workers about \$10.00 per hour or more.

**MR. J. BEER:** Point of Order, Madam Speaker. The Member has put a Point of Order, on the Floor. And he has now gone onto the debate, he is wasting Parliaments time, allow me to be able to finish what I want to put to the House.

**MADAM SPEAKER:** Honourable Member you did not give me time to give my ruling on the Point of Order that is the order. So, the Point of Order is that you are talking about something that is irrelevant to your debate.

It is difficult because it is a time that everybody talks about something else. If you are wanting to debate on something, talk about the issue at hand then no Point of Order will be brought against you.

**HON. N. GLASSIE:** Madam Speaker that is exactly correct, he was talking about the cost of living and not the minimum wage.

**MADAM SPEAKER:** I guess you cannot, it has some relevancy because if you earn very little money you cannot afford to buy things within the high cost of living because you do not have enough money. Just think about your debate Honourable Member as you talk, please.

**MR J. BEER:** Madam Speaker as I was saying, there is a lot of relevance in terms of the biggest tragedies this country is facing in terms of the population in relation to the minimum wage that has been set.

Madam Speaker the issue is not necessary just about the minimum wage but to extrapolate that over a period of time to see whether or not that minimum wage is capable of sustaining a family in the Cook Islands. In the private sector I know of no company that pays the minimum wage set by the Government. Companies now spend and probably pay \$10.00, \$11.00, \$12.00, \$13.00, \$14.00 for ordinary work in their businesses.

But the Government suggest that \$7.25 be the minimum rate but why not be bold and why not go about increasing that minimum rate to the same rate of pay that the private sector is currently offering to its people.

**HON. N. GLASSIE:** It is the highest in the Pacific region, go to Fiji it is \$1.50.

**MR J. BEER:** My Honourable friend here to my left from the Government side said but it is the highest in the region. Fiji only pays \$1.50. But therein lies the whole paradox of the situation.

Although the Cook Islands is one of the highest rates in the Pacific, it also has some of the highest cost of living in the Pacific. The reason why, Madam Speaker that we have some of the highest costs in the Pacific and is for a variety of reasons of which I would be able to touch on.

We have a high cost of food because the majority of that food is imported. There is very little in the way of local production. The high cost of transportation is also a consideration in terms of that cost of living component but one of the highest costs of living is the cost of Government. But we are prepared to overlook the high cost of Government and the high level of personnel when in our face is an answer to our problems.

Immigration for example has very high levels of contract workers and we wring our hands at all the foreign labour that is coming into the Cook Islands. We are wringing our hands in frustration but we do not realise that the answer lies in our Public Service. But at \$7.25 I doubt, very much that people should be staying in the Public Service but unfortunately what they do is they pack up their suitcases and depart for greener pastures.

But I wish Madam Speaker that everyone in this Parliament would come to some kind of consensus, some kind of solution in the way in which we can all work together to be able to address this very real, very current problem the Cook Islands is facing.

The answer is two-fold. On one hand it is about increasing their income and on the other hand it is about reducing as far as we can the cost of living.

In those areas there are five predominant areas of cost reduction that this Government and the Opposition should be working as hard as possible in achieving. Those five areas are, one the cost of transportation, two the cost of energy, three the cost of goods, four the cost of Government and finally five the cost of telecommunications. Write it down Prime Minister it will help you.

There Madam Speaker is a simple solution with a complex answer.

**MADAM SPEAKER:** Thank you Honourable Member. As you can see there is 2 minutes 45 seconds left and I beg your pardon, how much time is left for the Papers to be considered? At 3.47 p.m this one hour will be over and there were 17 Papers we have only done two. I see the Honourable Minister Mark Brown.

**HON. M. BROWN:** Thank you, Madam Speaker. I stand as Minister responsible for the passage of the Employment Relations Bill through the House back in 2011. I think it was and this Bill directly affects the minimum wage and how the minimum wage is set. And it was this government that got the Bill through after it had been sitting in stagnation for over ten years with the Democratic Party government doing nothing.

The two areas of contention that they had no idea how to deal with was how to approach the minimum wage and the issue around universal maternity leave for all workers.

During our time in Government Madam Speaker the minimum wage has been increased from five dollars to seven dollars an hour. A 40 percent increase and to show how old this report is already the Committee for determining the minimum wage has already been convened to look at a new increase in the minimum wage.

This committee, Madam Speaker is made up of officials from the Ministry of Internal Affairs and representatives from the workers and representatives from the employers and they make recommendations to Cabinet.

On what is an affordable and what is a fair increase in the minimum wage. Because it comes down to affordability, Madam Speaker and I shudder at the Democratic Opposition when they say just increase the money and spend the money.

No consideration given to the people who are actually going to earn this money and pay it to the workers, just tell them to pay the money, increase the money up.

Our business sector, Madam Speaker is the driver of our economy they are the ones earning the bucks and yet the Democratic Party solution is tell these businesses we are going to increase your wage bill. Yet when it comes to an initiative that the Government wants to do to remove the burden of our people like the tax amnesty, they are against it.

There is no cost to the Government in this and yet they are against it and that is the point that is the difference Madam Speaker. The tax amnesty has almost negligible cost to the Crown whereas what they are proposing has a huge cost not to the Crown but to the private sector.

Therefore, Madam Speaker the process that we have undertaken and is put in the Act is one that is sensible, one that gives everybody who is involved in earning the money and paying workers a chance to get their point of view heard.

We all understand Madam Speaker the difficulties in the cost of living in a country like the Cook Islands and the Member rightly pointed out the challenges that face our country in terms of cost of doing business, in terms of the scale of our economy which makes the doing of business very high.

And I have to take my hat off to our private sector Madam Speaker because a lot of our people in the private sector are very, very clever at overcoming these challenges and being able to run a sustainable and viable business in a very tough environment. And the government recognises this Madam Speaker that there are people who are on low income that are struggling and that do need help.

So, not only that we increase the minimum wage to help low income earners Madam Speaker we also reduced the individual tax rates so that they keep more of that money in their pockets. And it is encouraging to hear that members of the private sector are

paying more than the minimum wage for their workers like the Honourable Member James Beer very proudly announced and we hope to see more of this.

And I have no doubt that when the Committee has finished its work and the recommendation that will come to Cabinet will be one that will seek an increase again in the minimum wage. And of course, no doubt the Opposition will take the opportunity to politicise any good thing we do for the people of this country. That is their job and that is to try and make everything the government does look bad and we are quite used to it now being in government for 7 years.

I can see the Opposition members are squirming in their seats of the statement that I have made because it is true, need I say anymore. And the reason Madam Speaker that I did stand to speak on this particular paper is because the Minister Responsible is not here being away from parliament on compassionate grounds.

I felt that his work that he has done over the last year or so in his role as Minister of Internal Affairs needs to be recognised. The on-going work with the Committee that is looking at the increase in the minimum wage is now on the way and we should see an increase in that minimum to our workers.

And thank you, Madam Speaker.

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

**MR T. VAVIA:** Madam Speaker I thought I will give some of my views on this paper where the shadow Minister, Honourable Member James Beer have clearly stated how this should be implemented and how to achieve a better minimum wage.

Madam Speaker I think I can prove that the cost of goods nowadays have really gone up. This could be due to the freight cost and that would extend to the cost of fuel as well particularly in taking these goods to the Outer Islands. I think it is time that we should look at this minimum wage of \$7 and increase it particularly for the Outer Islands.

The minimum wage increase that government has brought into this House fails to address the situation in the Outer Islands. Every article of goods that leaves the port here in Rarotonga and by the time it arrives in all of the Outer Islands the cost has gone up.

But the minimum wage is the same as that of the workers in Rarotonga. So, there is an imbalance here in as far as the Outer Islands is concerned. The cost for the Outer Islands wage is not the same as you would pay workers on Rarotonga. This is where it is unfair, very, very unfair.

There is more unemployment in the Outer Islands than there is in Rarotonga, except maybe one or two islands. And yet we have to struggle and double the time to earn to pay for the same article that Rarotonga consumers are paying for.

I would really like to be on that Committee of looking at the minimum wage and making sure that they look at the Outer Islands differently from Rarotonga because

the facts are staring us in the face. It cost more to deliver that same article to the Outer Islands.

If the Minister does not allow me to be on that Committee, I will recommend that Outer Islands do not pay tax, the PAYE tax. That should be to offset the cost for all Outer Islands.

I think this side in the back row has been promoting a no tax zone in the Outer Islands, that back row over there. But it sort of fizzled out. I think really, we should take out the PAYE of the wages of the Outer Island people. You put more money into their hands to offset the cost. You may wonder why people in the Outer Islands are leaving our country. Think about it and be fair. Otherwise there will be no one left on the Outer Islands.

Madam Speaker that is my contribution to this minimum wage issue. I am hoping that government will look seriously at abolishing the PAYE for Outer Islands workers. Thank you.

**MADAM SPEAKER:** Thank you and as our time is running out, we have only a couple of minutes. I will put the question.

**HON. T. HEATHER:** Madam Speaker if I may round off please on the employment minimum wage.

**MADAM SPEAKER:** I see the Honourable Deputy Prime Minister.

**HON. T. HEATHER:** I will not dwell too long on my points Madam Speaker. When the Member for Mitiaro took a long time to express his views I came up with my own thoughts.

The Member's view prompt me to question his long years as a Minister of the Crown and what did he do for the people when he was Minister of the Crown for 10 years. Especially on the minimum wage issue that we are debating now.

The Minister of Finance in the government of today has increased the wages today and if they have done their bit in the days they were in office come to today it would be a better story for our people. This government has done more than the previous government has done, even including the Minister of today.

Those are my views to share with our people – the Member for Mitiaro was 10 years in government he did not do anything for our people of the Cook Islands. Thank you.

**MADAM SPEAKER:** Thank you very much. I will now put the question. The Question is:

**That the Motion on Paper 107 be received and adopted?**

**Motion agreed to**

Honourable Member there is only two minutes left and our one hour is almost expired for the consideration of papers. So we will go to the next business on the order paper which is the private member's motion.

I call on the Honourable James Beer to move his Motion.

**HON. M. BROWN:** Point of Order, Madam Speaker.

**MADAM SPEAKER:** What is your Point of Order Honourable Member?

**HON. M. BROWN:** Standing Orders require that any Motions to be moved before the House must have two days' notice.

**MADAM SPEAKER:** Honourable Member that Motion has been on the Order Paper for two days.

**HON. M. BROWN:** It was on yesterday Madam Speaker and I believe today is the second day.

**MADAM SPEAKER:** Yesterday and today. Yes.

**HON. M. BROWN:** So two full days has not been fulfilled Madam Speaker.

**MADAM SPEAKER:** It has been the practise of the past that we have accepted it as yesterday and today.

**HON. M. BROWN:** But today is not finish.

**MADAM SPEAKER:** We will make a decision on that.

**HON. M. BROWN:** Standing Order 106 – length of notice required. Except as provided in the next succeeding paragraph no motion requiring notice shall be debated until at least two full days after notice as prescribed in Order 102 has been given.

It is only when a Minister Madam Speaker makes a motion that that notice period is reduced to twenty-four hours. So, I am quite happy for the motion to be moved at the next sitting of Parliament.

**MR J. BEER:** Madam Speaker if I may.

**MADAM SPEAKER:** Sorry, I have not made a ruling on that. If we refer to Standing Orders 106 – Except as provided in the next succeeding paragraph no motion requiring notice shall be debated until at least two full days after notice as prescribed in Order 102 has been given.

The argument over here is, today is not over so we have not had two full days. In the past though this has been a practise we have taken a motion on yesterday and debate it the next day. That has been the practise of this Parliament.

Honourable Minister because this has been a practise of the past I think we will continue with that practise.

**HON. M. BROWN:** Madam Speaker my discontent at this is the breach of our Standing Orders.

**MADAM SPEAKER:** You may continue.

**MR J. BEER:** Madam Speaker, if it pleases the House, may I offer a solution so that it could alleviate the concerns that the Minister has raised.

Madam Speaker, I move:

**That Standing Orders 106 be suspended to the extent necessary to allow James Beer to be able to propose the Motion on the Order Paper**

**MADAM SPEAKER:** A Motion has been put. I ask for a Seconder.

**Seconded by the Honourable Selina Napa**

The Question is:

**That the Motion be agreed to?**

I am going to ask for a division because I am not sure. The no's was louder than the yes. So, we will now go through a division vote of this question.

The way we will do this, I will put the Question for those who agree you will stand and the Acting Clerk will take your names as your name is being read you will sit down and I will move on to the second person. When the Acting Clerk is ready.

The bell is being rung for two minutes to make sure everybody is in the House.

And where are you off Honourable Member? This is most unusual.

I will put the Question and those who favour please stand.

Divisional vote:

For the Motion:

1. Mrs Tetangi Matapo
2. Mr Tangata Vavia
3. Mrs Selina Napa
4. Mr Tamaiva Tuavera
5. Honourable William Heather Junior
6. Mrs Ngamau Munokoa
7. Mr Wesley Kareroa
8. Mr James Beer

Thank you

I will put the Question and those who oppose please stand.

Against the Motion:

1. Mr George Angene
2. Mr Toka Hagai
3. Mr Mona Ioane
4. Mr Toa Isamaela
5. Mr Rose Brown
6. Mr Tai Tura
7. Mr Tekii Lazaro
8. Honourable Nandi Glassie
9. Honourable Kiriau Turepu
10. Mr Willie John
11. Honourable Mark Brown
12. Honourable Henry Puna
13. Honourable Teariki Heather

Absent:

1. Honourable Albert Nicholas – absent from Parliament sitting.
2. Mr Pumati Iseraela – attended Parliament but was not in the House during the vote.
3. Mr Tony Armstrong – referral to hospital in New Zealand.

Thank you

The result is, for those who agreed 8. Those who oppose 13

The no's have it.

So, the Motion has been defeated. So, we will now go on to, Presentation of Papers.

### **PRESENTATION OF PAPERS**

Presentation of Papers is from the Honourable Kiriau Turepu. Can I ask the Minister to present Paper number 140.

**HON. K. TUREPU:** Madam Speaker, I am honoured to present:

#### **Parliament Paper No. 140 – Business Trade and Investment Board fees, Regulation 2018**

I now lay this on the Table.

**MADAM SPEAKER:** Thank you. We will go on to Orders of the Day now.

### **ORDERS OF THE DAY**

Orders of the Day, is the interrupted debate on the Second reading of the Maritime Zones Bill 2017.



I call on the Honourable James Beer who was last on the Floor yesterday to continue with the debate on the principles and merits of the Bill.

**MR J. BEER:** I have a little bit more to add Madam Speaker other than to say that I am very pleased to see the Supplementary Order Paper in relation to this Bill brought again before the House.

It is heartening to see that there has been some people listening to my comments in relation to the Supplementary Order Paper that was prepared yesterday that had some minor flaws in relation to the year in which the Act was going to be passed. Of course Madam Speaker, that could have easily been rectified in the Committee but it make sense anyway as it has been dealt with in today's Supplementary Paper.

Yesterday, I spoke about the relationship of the Maritime Zone's Bill with the UNCLOS treaty which is the United Nations Conventional Law of the Sea and that treaty Madam Speaker deals with many, many issues, complex issues some of them that do not have much relevance to the Cook Islands.

Therefore Madam Speaker, on that note I take my seat and wish the best for this Bill into the hands of the Queen's Representative.

**MADAM SPEAKER:** Thank you very much and I see the Honourable Tuavera you have the Floor.

**MR T. TUAVERA:** Thank you Madam Speaker.

Before I start Madam Speaker if I could just indulge a few minutes to greet the people in my constituency.

Kia Orana to the people of Ngati Tangiia who are listening to our broadcast today. I am Captain Tama talking to you all today. You heard the questions that I raised with Government during the past few days and I hope things will transpire in the days ahead. Kia Orana again to all the people of Ngati Tangiia.

Secondly, I would like on behalf of our people in Ngati Tangiia to convey our condolences to all the bereaved families during the last few days. One is our Aunty Mama, for the passing away of your husband, Papa Errol Young and also to my good friend known as the Ninja.

I and my good friend Ninja were one of the crew members for the Vaka Teau-o-Tonga which sailed the ocean in 1995.

I have a story to share on this friend of ours. I was the treasurer on the Vaka Teau-o-Tonga when we sailed the Pacific islands back in 1995. And the arrangement was for every port we land I was to pay the crew.

When we arrived in Tahiti a popular singer by the name of Bartelomy visited our crew because they are related on the Atiu side. We had drinks together on the wharf.

And I have paid them already and after a few drinks the crew fell asleep under a berry tree near the wharf.

The Ninja had purchased a new pair of jeans from his wages but when the Ninja woke in the morning after the party the pocket of his jeans was cut and the money was taken. I told him you are a Ninja and by right no one should be able to touch you. The Ninja and I go back a long way and today he has passed on.

Madam Speaker, I come back to the Maritime Zones Bill. I can see that this is a complicated Bill for those who do not understand it. There are a few zones to show the zoning of the ocean starting with 12 nautical miles, 24 and then 200 nautical miles. In short Madam Speaker we all need to be a Marine scientist to understand this Bill. I mean we are looking at International Laws of the Sea, the geographical coordinates and geodetic of the sea.

Madam Speaker, I am a very good map reader and can find my position on land by doing a resection but at sea I am not a sailor boy.

I was about to say Madam Speaker that I was hoping that a map would be provided for this Bill. Although we have just received it I am thankful to the team for providing such map because I believe, a picture tells a better story.

One thing for sure is that there are amendments given before it was presented and I commend the team for bringing that up. It just goes to show that the Secretary of Marines have been working hard with his team in bringing this Bill into the House.

When I look at the map that was first presented to us and the map inside the new papers they gave us. It actually shows the zone belonging to the sovereignty of the Cook Islands which shows all of the 200 nautical miles around the whole of the Cook Islands. I could see that there will also be confusion when we come to the introduction that they gave us in the first paper from the workshop last week. But I am sure that this can be explained to everybody if need be.

I agree with previous speakers before me, Madam Speaker from the Opposition side. I would like to mention Sir Terepai Maoate, he is to be thanked for this effort of registration in The Hague to extend our sovereign waters by increasing our continental shelf in the Northern Group islands. Not just him but also Papa Arapati Henry and all those that carried out the good work during that time.

At the time Sir Terepai Maoate fondly known to many as Papa Pai, set off on this historical journey, I was based in Zurich, Switzerland. At the time I had some experts attached to our team regarding zoning and mapped the nodule mining in the sea. The poor man arrived late at night he had to leave at 6 am in the morning. So, we had six hours with him before he flew off the next morning to The Hague. May God rest his soul, to me he is a true father to this nation and not forgetting Papa Arapati and everybody else that has done a lot for this country.

Last week at our workshop, the presenter Myra Patai explained to us that we cannot hasten this process because it is for the United Nation to decide when will be the time for them or their committee to look at our submission. Requests like this sometimes

takes up to 20 years before it is looked at. That it is a must that we keep it on the United Nation agenda so that we do not slide down the pegging order.

Madam Speaker, let us bask in the protection this Bill is giving us as a Sovereign nation. Let us look further into what we as a House can do to strengthen the Bill. So, that we do not find out later that there was a flaw that we could or should have done today.

I know a lot of Members in this House have agreed to this Bill but do we all understand the technical aspects of this Bill. Just to answer that, I hope we do because we were all at the workshop last week. This Government have for once helped the House understand a Bill that for my mind is the only Bill that I agree to one hundred percent.

If they want, to follow up on the increase of our continental shelf and to extend our sovereign waters in the north with the United Nations to do this through the Commonwealth Secretariat and this is just me saying to put this in with the same Select Committee as the Marine Resources Bill.

Just to finish off, Madam Speaker I think we all know that there is no Marine Zone Act 2017. If that can be corrected Madam Speaker and I say thank you for your time.

**MADAM SPEAKER:** Thank you Honourable Member, I see the Honourable Deputy Prime Minister.

**HON. T. HEATHER:** Madam Speaker I rise to express my support to the Maritimes Zone Bill. Here is the time where we give tribute to one of our own, Doctor Terepai Maoate, and there is a saying, we give credit where credit is due.

Madam Speaker I would like to pay tribute to one of our own sons because it is during his long time of service in the Ministry that these events took place. This gave rise to the opportunity for our former leaders to travel to the United Nations and other very important meetings of world leaders to table all our request.

It is the effort of this young Cook Islands man who is still employed in the Ministry today. This young man is Vaipo Mataora he was based in the survey division of the Ministry of Works at the time and he spent all his specialisation on the surveying of the continental shelf.

As the Minister for Infrastructure Cook Islands I worked alongside him and this is the time I observed the tremendous efforts that he put into these surveying activities. During his surveying project especially in the Pukapuka island area it was discovered through his efforts that 20 nautical miles have been uncharted on the world map.

One of the proposal that he put forward is to declare and have the harbours that we have on the islands and the jetty in Arorangi for these places on the nautical maps so that any ships and boats travelling through our waters which gets into distress can identify these as close ports to call in.

The designation of the 400 square kilometres of seabed which happens to be on the border between the Cook Islands and Tokelau it was through his work that it was confirmed that this area belongs to the Cook Islands. I wish to inform the House this young man has gone to Sydney to assist the work in Australia with the project being done with other Pacific countries and very soon he will be assisting other countries as well in this kind of work.

Madam Speaker I would also encourage us to pay tribute to all those gone before us but at this time particular special acknowledgement to this young son of the Cook Islands for his efforts and also to everyone else who has contributed to this work.

**MADAM SPEAKER:** Thank you Honourable Minister and I see the Honourable Minister Kiriau Turepu.

**HON. K. TUREPU:** Thank you Madam Speaker and greetings to us all today. Kia Orana also to all our people listening to our debate today.

I wish to speak to our Maritimes Zone Bill before the House. I wish to express my appreciation together with previous Members to all those involved with the hard work in putting this important Bill together. If we were to achieve the claims of the extra zones around Penrhyn and Manihiki we will have more ocean area. Thank you to all the people involved in putting this marine claims and the Bill together.

We have earlier debated on the Marine Resources Bill and now this Maritimes Zone Bill. Last night I studied these two Bills and this is the thought that came to me – the officials who composed these two Bills should be commended for the perceptiveness in ensuring that these two Bills pass through Parliament together.

This morning I looked in the dictionary the meaning of the word “zone” or “zoning”. The meaning of the words is border or limits and this would apply to an area either on land or in the sea.

When I looked at all the different Bills related to our marines, I saw that the Marae Moana Act have precedent over all the other Acts. It is good to see that there are relationships between these Acts, the Marine Resource Bill and the Maritimes Zone Bill and the Seabed Mining Act. There is some relationship between all these Acts.

I did not see any disadvantages and problems because all the various areas in zones is clearly itemised in each legislation. But the only depressing thing I see when I look back at our country today is that the zoning demarcation of our sea should have already been done a long time ago.

When I look at this legislation I see no infringement among them but in the development that is taking place on land there are some discrepancies that are taking place. But there is nothing much that we can do this time because the onus for the development of the land lies with the landowners not the government and it is up to them to decide what to do with it. If they want to build on a certain area they can do so on our land. What I am saying is that the zoning should have been introduced a long time ago.

I have a Fijian friend who works in the Fijian land and survey department who I met here in Rarotonga and I asked him. What is the purpose of your visit to the Cook Islands? He told me he came to look at how the lands on Rarotonga should be zoned. I told him, “hey mate you came 10 years too late.” Because today the arable land that is needed for agriculture has been taken for housing and this is going right into the future and there is no stopping it.

It is really sad to see the land usage in our country today. There is no proper planning of it indicating areas for housing and the rich soil areas to remain for agriculture purposes.

That is the reason I pay tribute to those responsible for preparing these two Bills and brought them into Parliament at the same time for their vision in deciding what to do in terms of these zones. I take my hat off in respect of your good works.

I rise to express my views and give my full support to both of these two Bills. Thank you.

**MADAM SPEAKER:** Thank you Honourable Minister and I see the Honourable Member Rose Brown.

**MRS R. TOKI-BROWN:** Kia Orana Madam Speaker and to all your staff members. Kia Orana to our leader on our side and to our deputy leader. Kia Orana to the leader of the Opposition and to all of us in this Honourable House.

To our guests in the public gallery and to all our people listening to our radio, Kia Orana to you all.

Madam Speaker I rise to give my support to the Bill before the House and to express my views. Before I do so Madam Speaker, with your indulgence, please allow me to convey my greetings and words of condolences to family members in my constituency.

Firstly, to my home island Enuamanu, I extend words of condolences to our family member Rakeimata Tura Koronui who is also known to many of us as Uncle Ninja. To all the families and also to the people of Enuamanu, this is our loss because this gentleman served our island for a long time.

We all heard his eulogy, he was a former Island Secretary, Government Representative and before he passed away, he was a council member for the village of Mokoero. He was also a planter. I believe he was a talented person during his life.

I would also like to convey my condolences to Papa Cam and the family for the passing away of your dear wife Mama Tetauru. Mama Tetauru is a very strong supporter of Avatiu Club and she is known to many as Mama Eels. May the Lord comfort us during this time of grief.

I also extend condolences to the family of Papa Errol Young. May the Lord comfort us all during this sad time.

I will now come back to the Maritime Zones Bill before us. As with previous speakers my belief is that our fore bearers who have passed away, they who have spent time on introducing this Bill, and also looked for ways in zoning our ocean, I acknowledge them for what they have done.

I applaud the hard working staff in the Ministry of Marine Resources who is now carrying on this work to the end because we all believe it is them who are knowledgeable of the benefits for us today and for the future generation who will reap the benefits.

I am thankful to you for providing the map as the previous Members has commented it is helpful in showing the zones in the ocean. And for providing some amendments to the Bill before the House.

Madam Speaker those are my comments in supporting the Bill in the House, Kia Orana.

**MADAM SPEAKER:** Thank you very much, Honourable Member. If there is no further speakers? I will call on the Prime Minister to round and conclude. Excuse me Prime Minister. Are you wanting the Floor Honourable Member? I see the Honourable Selina Napa.

**MRS S. NAPA:** Kia Orana to all of us in this House this afternoon. Kia Orana to the Government, Prime Minister and Cabinet Ministers, Members of Parliament. Kia Orana to our children in the gallery Ben and your staff. The Parliament staff, the Leader of Opposition and Deputy and all of us Kia Orana.

At this time like previous Members who have spoken before, I on behalf of the people of Teimurimotia express our condolences to the households in the country who are going through bereavements, God bless us all.

To all the people in my constituency of Teimurimotia and Vaka Takitumu, Kia Orana in the Name of the Lord. We can see during this times we have the commencement of rugby league and netball games, May the sporting spirit be harmoniously present.

Here are my thoughts on the Maritime Zones Bill. I have a query, so I can understand the reason we are approaching the United Nations asking for zoning approval regarding the Northern Group islands extending further out of Manihiki and Mangarongaro.

As we look at this application, I would like the Minister responsible for the Bill, if he can explain to us regarding this zone, once this zone becomes part of the EEZ for the Cook Islands, what if it extends out to another country's ocean up in the north?

I am looking at the Exclusive Economic Zone and the different coloured lines, green for the outer limit of the exclusive zone, red for signed maritime boundary treaties, blue for territorial sea baseline of the Cook Islands. Even though the territorial baseline has been explained, I would like to request if the red and blue lines can also be explained in this map.

In this Bill I take note of Clause 19 regarding the rights of other States in the maritime zone and rights to travel through our boundaries.

I would like to request also some information or a response to the question of whether any foreign vessels travelling through our exclusive economic zones will be paying any fees to be allowed to travel through our zones.

I also notice in Clause 19, the activities relating to the laying of submarine cables onto the continental shelf even though we have agreed to these activities to go forward in our area of jurisdiction. I would like to ask whether there are any economic benefits that we can derive from this companies for the right to be able to lay this cables within our jurisdiction in terms of our ocean bed.

I have also asked a member of our team yesterday for an understanding whether the zoning activities or jurisdictions that takes place between the islands of Rarotonga, Aitutaki, Atiu and other islands, whether there are overlaps in the zoning for each of these islands.

The reason why I am saying this is because this part that we are applying to the United Nations outside of Penrhyn and Manihiki, I understand when the Marine explained to us that there is an overlap of water there with Kiribati and one other country I think American Samoa.

Whether there is a thing like that within our EEZ in the Cook Islands, where our water within each island overlaps each other. Like when Atiu is close to Aitutaki there is a boundary.

I suppose at the end of the day, it does not really matter whether our water overlaps because at the end of the day it is all part of the Cook Islands EEZ. The main thing here is that our outside boundaries be protected so no outsiders come into our ocean to fish without permission.

We are saying that this Bill goes hand in hand with the Ministry of Marine Resources Bill. I suppose while we are debating this there are people out there who are not really understanding what the depth of this Bill is.

Maybe it should go hand in hand with the Ministry of Marine Bill to the Select Committee and seeing that the Marine Resources Bill Select Committee has until 31 May to do the consultation, it is only a short while, this should actually go out with the Marine Resource Bill. I fully support the Maritime Zones Bill 2018.

**MADAM SPEAKER:** Honourable Members as there are no further speakers and we have a little bit of time I will ask the Prime Minister to please conclude on the debate on the principles and merits of the Bill.

**HON. H. PUNA:** Thank you very much, Madam Speaker for this opportunity to provide the conclusion of our debate and also to respond to some questions put forward by the Honourable Members. I will try to speak in our language.

Firstly, I would like to give thanks to the Members of this House for all the contributions they have presented in support of the Bill. I acknowledge the benefits of the workshop that have been done in the last week, so that the Members have shown that they understand the major components of the Bill but I concur with the views of the Members that our people who are listening in on this broadcast, those who are at home they need to understand very well the technical details of the Bill.

I also would like to acknowledge our staff of the Ministry of Marine Resources who are patiently waiting in the public gallery in case we have some pressing questions for them. It is very right and truly in our benefit that the Members have expressed their faith and confidence and acknowledgement of the contributions of our staff members in the preparation of this Bill.

Because of the importance of declaring to the international community our jurisdiction in terms of the various zones of our ocean it is highly necessary that our stipulations are clearly itemized by legislation.

I also wish to pay tribute to our fore bearers who have gone ahead of us in taking the initiative to have our boundaries properly declared.

I have received the actual statement by our late Papa Albert Henry and I would like to arrange for this to be copied and distributed to all the Members next time we meet because this was his vision at the time he attended and represented us at the United Nations meeting held in 1974 in Venezuela. It was recorded in the history of the United Nations that it was this particular statement presented by Papa Arapati that led to the initiatives relating to the declaring of the 200 nautical mile boundaries as economic exclusive Zones.

He did not just go to try and reap the benefits only for the Cook Islands. He went in to place a request for all of us on behalf of all the Pacific nations. I believe that that was the main reason why this request was granted. So, it is only right that each time we talk about any developments in our oceans we need to remember this elder Statesman of ours for his efforts. Because it was through him that this international community agreed that this area of ocean belongs to us.

I also would like to pay tribute to our former Prime Minister the late Dr Terepai Maoate because through him we were able to extend our continental shelf through a request that was submitted by him to the United Nations.

I am particularly proud because the extension of this continental shelf is located in the area surrounding our island of Manihiki. This is not the Pukapuka Plateau but the Manihiki Plateau. When we secure this right it will extend the benefits and the claims of our island of Manihiki to all the benefits of our nation.

At this time I would like to reiterate that our application is still valid and is sitting before the United Nations at this very time. Our Government is pursuing these applications and I am sure future governments and future leaders of our nation will also do the same.



Madam Speaker, I would like to respond to the questions raised by the Honourable Selina Napa. Under the Law of the Sea referring to freedom of navigation it is common knowledge that all nations are able to travel freely through the ocean including the zones belonging to a particular nation.

There are vessels freely travelling between South America, Australia, Tahiti to New Zealand and they are all given the right to pass through our zones. We have no right to demand that they pay access fees.

**MADAM SPEAKER:** Honourable Prime Minister can I just ask you to please seek leave from the House for time to be extended say to five minutes for you to finish your speech please.

**HON. H. PUNA:** Yes that will be proper, Madam Speaker. Would it be proper for me to move that I be given an extra time

**MADAM SPEAKER:** You do not need to move you just seek approval for the House to allow you five minutes.

**HON. H. PUNA:** Can I please seek approval of the House to complete my wrap up remarks before we adjourn?

**MADAM SPEAKER:** As we are meant to be adjourning at 5 o'clock so the Prime Minister seeks leave to be extended to 5.05 for him to finish his speech. Is there any objections? I see the Honourable James Beer.

**MR J. BEER:** Madam Speaker, my understanding is that every question before this House must be put as a Motion and voted on so if the Minister wants to move a Motion to extend sitting time a question must be placed before the House.

**MADAM SPEAKER:** No, that is a Motion you put to a vote, this is to seek the approval of the House and we just need one person to object and that is gone but if there's no objection from the House we can continue to allow the Prime Minister to finish off.

So, is there an objection from the House?

**MR J. BEER:** Madam Speaker, I do object, tomorrow is Friday, there is more time for the Prime Minister to be able to wrap up then.

**MADAM SPEAKER:** In that case then the Leader of the House can put a Motion for the extension of time.

**MR W. JOHN:** Thank you Madam Speaker, I rise to move a Motion for this House to adjourn but in light of the issues that this House have gone through the last two days in regards to condolences and bereavements I wish to move:

**That this House adjourn until Monday at 1.00 p.m.**

**HON. H. PUNA:** Madam Speaker, I second the Motion. Can I speak briefly to the Motion please?

**MADAM SPEAKER:** That was not the Motion I was expecting but however if that is the Motion on the Floor I seek a Secunder.

**Seconded by the Honourable Prime Minister Henry Puna**

The Motion is:

**That the House adjourns till Monday**

**HON. H. PUNA:** Yes, I was hoping that the Motion will be to give me enough time to complete my wrap up but I think the Leader of the House wants to go home.

Madam Speaker in seconding the Motion I wish to advise the House that I have a quiet chat with the Leader of the Opposition yesterday. We have various bereavements and funerals tomorrow and some engagements involving some of our Members of Parliament including myself to the Prefect dedication of Tereora College at 11 o'clock in the morning.

I proposed to the Leader of the Opposition that we perhaps adjourn now until Monday afternoon. And also given we do not have any proxy system in place yet to allow the House to sit without full complement I stand to support the Motion.

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

**MR J. BEER:** Thank you, Madam Speaker I would like to speak to the Motion. Although the Prime Minister has generously allowed us some leverage in this regard in relation to adjourning until Monday.

We had thought that perhaps in a gentleman's agreement that that would be possible but Madam Speaker I was so looking forward to tomorrow so I could hear the Prime Minister continue his speech on the Maritime Zones Bill and these good people Madam Speaker sitting in the gallery who have got a lot of work to do are sitting there patiently will have to come back on Monday to continue this.

I just heard the Minister for Health say, it is none of your business. I am sad to hear that Madam Speaker because as a Minister for Parliament the responsibility is to give Parliament as much time and as much opportunity to debate the Bills that are before the House.

And taking consideration for our friends in the gallery I thought to myself let us give them the opportunity to finish this off tomorrow but if the vote goes against us that is the vote of Parliament, that is the wish of Parliament but I register my concern thank you.

**MADAM SPEAKER:** Honourable Members, as we have expired our time I will put the question. The Question is:

**That the Motion be agreed for adjournment till Monday afternoon  
and as our regular starting time is 1.00 p.m, Parliament is adjourned  
till 1.00 p.m on Monday, 19 February 2019.**

**Motion agreed to**

**CLOSING PRAYER**

**MADAM SPEAKER:** Parliament is adjourned until Monday 19 February 2019 at 1.00 p.m.

**Sitting adjourned at 5.07 p.m.**