



# FORTY- EIGHTH SESSION

## Hansard Report

48<sup>th</sup> Session

Ninth Meeting

Volume 10

**WEDNESDAY 14 FEBRUARY 2018**

### **OPENING PRAYER**

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

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

I would like to thank our Chaplin this afternoon for his words of advice as to how we should conduct the business of the House today.

Kia Orana to all our Honourable Members in this Honourable House on this beautiful afternoon. To all our people in the Cook Islands who are listening in to our broadcast this afternoon, Kia Orana to you all in the name of our Lord.

Kia Orana to our guests in our gallery, welcome to Parliament this afternoon.

This morning I received a phone call from the island of Enuamanu and I was asked to make an announcement to the people of our nation. At 4 am this morning, one of our own, Tura Koronui passed away. We all know that Tura was a former Resident Agent on the island of Enuamanu and he was also one of the crew members on our Cook Islands Vaka which sailed around the Pacific. Tura also served our country in many ways. Tura will be buried at 2:00pm this afternoon on his home island of Atiu.

Therefore, on behalf of all Honourable Members of the House, I would like to convey our condolences to the bereaved family in Enuamanu, on Rarotonga and all over. I am sure that our two Honourable Members from the island of Enuamanu will also convey their condolences to the bereaved family when they speak later on.

Thank you.

Honourable Members, we will now go on to the Orders of Business which is on the Presentation of the Paper and I call on the Prime Minister to present Paper 139.

### **ORDERS OF THE DAY**

**HON. H. PUNA:** Thank you very much Madam Speaker.

I am very honoured and pleased to present:

**Parliament Paper No. 139 which was the Ministerial Statement  
I presented yesterday regarding the terrible effects of Cyclone Gita  
on our Pacific neighbours and the call to our people to rally around**

**the radiothon that is planned for next Thursday**

I thank the Honourable Member for Murienua for his complimentary comment yesterday afternoon but I would leave this open so that if Members feel the need to speak to it, then they are most welcome to do that Madam Speaker.

I now lay this on the Table.

**MADAM SPEAKER:** Thank you very much Honourable Prime Minister. We will now go on to Question Time and it is for half an hour today.

**QUESTION TIME**

I see the Honourable James Beer.

**MR J. BEER:** Thank you Madam Speaker and good afternoon to all our Members of Parliament. To you Madam Speaker and to the staff of Parliament, Kia Orana and good afternoon.

Madam Speaker, my question is to the Minister for Infrastructure Cook Islands (ICI). In yesterday's Question Time, he mentioned that there was a private company that have provided the bitumen truck to the Ministry in which he is in charge of.

Can the Minister please advise this House whether or not that private bitumen truck owned by a private company went through any procurement process in relation to the works that they are doing for ICI and whether or not that fell within the armpit of the procurement policy of MFEM?

**MADAM SPEAKER:** Thank you and I see the Minister for ICI.

**HON. T. HEATHER:** Kia Orana Madam Speaker and to all of us in this Honourable House. Thank you also for the question raised earlier on.

Madam Speaker I would like to provide a brief response at the moment that the arrangement for the utilisation of this bitumen truck lies with the Head of Ministry for Infrastructure Cook Islands, Ngametua Pokino.

However, if the House requires me to further explain about this issue, I would like to ask you Madam Speaker to allow me time to explain this because if I give a brief answer, I do not think the Honourable Member who raised the question including the Honourable Members in this House will understand. But I am able to confirm at this time that all the arrangement in regards to the engagement of this bitumen truck lies with the Head of Ministry for ICI.

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

**MR J. BEER:** Madam Speaker, a supplementary question to the Minister of ICI.

Can the Minister please inform this House who is the private supplier of this bitumen truck?

**HON. T. HEATHER:** T & M Heather is the supplier Madam Speaker.

**MADAM SPEAKER:** Thank you and I see the Honourable Ngamau Munokoa you have the Floor.

**MRS N. MUNOKOA:** Kia Orana to all our Honourable Members in this House.

I was not going to stand up and ask a question but now I have some views to share. Madam Speaker, yesterday the Minister of Finance said the Government has a lot of money.

My question to the Minister of ICI, is this; if he can tell us how many trucks and loaders the Government has. The truck that you mentioned yesterday that was sent to Aitutaki, is that the old truck from back in the 2000's or a new truck, that is my question so that I will understand the current work today.

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

**HON. T. HEATHER:** Thank you for the good question from the Member for Nikao and Panama.

As mentioned yesterday, it is the old truck that has been sent to Aitutaki and also the truck that delivers the gravel. The bobcat has also been taken to Aitutaki and six workers went to Aitutaki in March last year until the end of the year. I said yesterday there is still work to be completed in Aitutaki and that is why the machines are still in Aitutaki.

**MADAM SPEAKER:** Thank you and I see the Honourable Ngamau Munokoa.

**MRS N. MUNOKOA:** I have a supplementary question.

Last Monday, there was a lot of flooding in my village and a lot of debris in Pokoinu was spread all over the place. I know that the ICI workers cleared the creek at the school but the rubbish on the roads I had to send my workers to clear the rubbish from the road.

So, I would like to ask the Minister to get some Government equipment so that we can use them. When we have these problems where are we going to turn to for help? I would like to ask the Minister to look into this because the people cannot afford to pay T & M all the time because they do not have the money.

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

**HON. T. HEATHER:** Thank you, Madam Speaker. With regards to the Honourable Member's comments today, that is why this Ministry is called ICI. If Members have any problems they know that they can go to the Department and ask for the help that is needed.

I ask for Members not to bring this matter to the House so that our people listening to parliament can hear this and get the impression that no work has been done by

Government. I ask that if there is a problem come and talk to us because I did not know that there was a problem in Nikao until today. All Members know this is only a small Ministry and there are not enough workers. Thank you.

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

**MR G. ANGENE:** Thank you Madam Speaker and to all of us and also the people listening in, Kia Orana.

I have a question for the Minister of Finance. My question to the Minister of Finance the Honourable Mark Brown, last year we made an allocation for the Opposition of over two hundred thousand dollars. Today I can see that we have not received any of this money. Can you please explain if there is an allocation for OCI in this amount because only the Opposition side is receiving this money? I want some of this money in my office to pay our workers. I have a supplementary question after this.

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

**HON. M. BROWN:** This is a good question. Regarding that question I think we have to look at this money that was allocated for the Opposition perhaps a portion can be deducted from that appropriation and handed to you for the work you are doing for the House.

I think, Madam Speaker that I will request the Ministry of Finance to have a look at this issue here because we want to be fair in this House that both sides are receiving their allocation and if it seems that some Members of the Opposition are not receiving the fair allocation that has been appropriated to the Opposition then we should have a look at how we can accommodate it. I am sure that the OCI will be able to make use of this money better than the Opposition.

**MADAM SPEAKER:** The Honourable George Angene you have the Floor again.

**MR G. ANGENE:** I have a supplementary question. I would like to pose a question to the Minister of Finance, could you please tell us why the CEO is getting paid more than we the Members of Parliament.

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

**HON. M. BROWN:** This is another good question. That question should be directed to the Leader of the Opposition because they set the salary for their CEO who is looking after their office. Thank you, Madam Speaker.

**MADAM SPEAKER:** Honourable Member I will give the Floor to the Honourable Selina Napa as she had stood up several times. You have the Floor.

**MRS S. NAPA:** Madam Speaker, if it is ok for him to speak first and when he finishes I will follow suit.

**MADAM SPEAKER:** Is there no one else on that side who wants to have the Floor? In fairness it is good to spread the time amongst other Members.

**MR J. BEER:** Madam Speaker, if I may respond to that, it is also in our opinion that people who know more about certain aspects of a question of those posed under it and I know that fairness is important but the Standing Orders does not require from my understanding that there should be specific people that should be speaking on all the different subjects of any matter before Parliament.

**MADAM SPEAKER:** And your Leader of the Opposition could also make that comment as the Leader has the question that was asked.

**MR J. BEER:** As I am the Deputy Leader of the Opposition, Madam Speaker I would like to respond and I shall be brief. I would like to respond to the Honourable Member for Tupapa Maraerenga. My response is for as long as he continues to vote with the CIP Government in this House he should be asking that question about the division in terms of money for him and his colleague.

Secondly, as far as the CEO's salary is, I think it is a lot less than what Ministers of the Crown earn. Thank you very much.

**MADAM SPEAKER:** I see the Honourable Selina Napa.

**MRS S. NAPA:** Kia Orana Madam Speaker and Kia Orana to all of us in this House.

My question is for the Minister of Finance, the Honourable Mark Brown. This is in regards to the tax amnesty. I am looking at the good taxpayers that are paying their tax on time in our country. For he told us the other day that 1,400 people have their tax cleared or exempted. So, can he tell us how many good people are paying their tax and what benefits will the Government give these good people that are paying their tax on time.

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

**HON. M. BROWN:** Thank you Madam Speaker. In response to the question it was a little bit unclear how many tax payers are compliant and what benefits are they receiving?

**MRS S. NAPA:** How are you going to reward them?

**HON. M. BROWN:** Thank you, Madam Speaker. For the last seven years, Madam Speaker good Government policy, strong fiscal management has resulted in the growth of the economy which companies have benefitted from which have seen the benefit of in the growth of the economy and I am sure many members of the private sector in the Opposition will agree that their businesses have grown on the back of good tourism promotion policies.

Those same good policies Madam Speaker have seen individuals all increase money in their pay packets, the workers through either reduction in their income tax or increase in pay.

And we must be thankful and grateful to these compliant tax payers in our country Madam Speaker who keep our country moving forward. They have reaped the

rewards Madam Speaker of good Government policies, good strong Government management. However, Madam Speaker we are not only the Government of people who are doing well, we are also the Government of people who are struggling. Just as we have helped those who have benefitted from good Government policies and are growing their businesses and earning more money.

We must also help those who are struggling and find ways to alleviate the burden on our tax payers. As to the exact numbers of people that are compliant Madam Speaker I have to obtain that information from the tax department but at an estimate Madam Speaker I would think that there were close to may be 5,000 workers, employees in this country. And the numbers that would be impacted by the tax amnesty is a 1,063 individuals which would probably be anywhere from 20 to 25 percent of our workers population who is struggling with their tax debts.

And that is unacceptable to the Government Madam Speaker which is why we are taking the bold steps to remove this burden on our Cook Islands people.

**MADAM SPEAKER:** Is that enough, Honourable Minister? Thank you very much.

**HON. M. BROWN:** I think so Madam Speaker that is plenty.

**MADAM SPEAKER:** Honourable Member could I ask you is there nobody else in your side who is going to ask question?

I see the Member Tangata Vavia has a question to ask.

**MR T. VAVIA:** I have a supplementary to the question asked by the Honourable Selina Napa to the Minister of Finance.

Can you also Honourable Minister when you come back with the numbers of those who are paying taxes, would you also come and tell this House how many of those people that you have exempted them from their taxes that owes \$50,000 or more.

I am not too worried about those who owes a dollar up to \$50,000. Can you come back and tell this House, how many of those people that owes tax from \$50,000 up to \$100,000. Thank you.

**MADAM SPEAKER:** This is why it is very good to put questions on notice, so you can get such statistics as you quest. Because it is not the kind of thing who walk around in your head to give immediately. Are you wanting to take the Floor again Honourable Member?

**MR J. BEER:** I certainly do Madam Speaker.

**MADAM SPEAKER:** No, I am speaking to the Honourable Tangata Vavia because he is gesturing to stand up again. Thank you and you have the Floor.

**MR T. VAVIA:** It is just the timing Madam Speaker, we need more time to ask questions. We got hundreds of questions to ask.

**MADAM SPEAKER:** You are letting one person to ask more questions than the rest of you.

**MR T. VAVIA:** My question is to the Prime Minister. Honourable Prime Minister at the function at Ngatipa last week, you mentioned an upgrade, and I believe our relationship with New Zealand. Our people should not be afraid of that upgrade and I accept that. However in as far as I am concern I am not afraid of that upgrade, I am concern as to what is that upgrade.

I think you have mentioned that this will be discussed when the Prime Minister of New Zealand comes to visit us. I would like to hear what area that you are thinking of upgrading in that relationship. Is it necessary to do an upgrade as far as you are concerned? Thank you.

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

**HON. H. PUNA:** Thank you Madam Speaker and thank you Honourable Member for the question, although it is a bit difficult to fully understand what you are trying to get at. I assume Madam Speaker the Honourable Member is referring to last Tuesday evening during the Waitangi Day celebrations at the High Commission residence.

I was asked to speak by the New Zealand High Commissioner on behalf of Government and the people of the Cook Islands and I had the pleasure of doing that. I spoke about the long history between the Cook Islands people and the New Zealand Maori people and by extension now the whole of New Zealand.

I wanted to leave nobody in doubt that this Government and this country values its relationship with New Zealand very, very highly. And our respect for our relationship goes back a long, long way and I believe that it does not matter who is in Government in this country that relationship will always be valued.

Madam Speaker like any relationship it needs to be reviewed, needs to be revitalised and reenergised from time to time. And that is what this Government has always done since we became Government in 2010. Yes, we might have had some disagreement about issues but yet it has never affected our special relationship.

While this relationship was formerly adopted in 1965, it has been all 50 years since then and our relationship has evolved in ways that have been an instrumental in elevating our relationship to new levels. And we must always resolve to remind New Zealand of how we feel about this special relationship. And I believe Madam Speaker and Honourable Members we have done that.

Not just through formal channels but also through establishing friendships through key players in the New Zealand Government. What has impressed me the most Madam Speaker is the fact that it does not matter who is in Government in Wellington that feeling of respect and mutuality is always reciprocated.

Honourable Members should know that we were the first country to have a bilateral with the new Government in Wellington that is how special our relationship is.

Madam Speaker the time itself is flashing but there is still a lot more to be said about this special issue.

**MADAM SPEAKER:** And it was a general question so you did not have a particular issue and it is pretty general. I think you have explained that well enough and we will leave it at that.

**HON. H. PUNA:** Can I just close Madam Speaker by advising Honourable Members and our people listening that the Prime Minister of New Zealand, Jacinda Ardern will be visiting us from the 6<sup>th</sup> to the 8<sup>th</sup> of March. And it is an opportunity for us to build upon this special relationship that currently exist between our countries.

I hope I get the opportunity to speak some more on this tomorrow or in the days ahead. Thank you.

**MADAM SPEAKER:** Thank you for the announcement of the New Zealand Prime Minister's visit, we are really looking forward to that for a special ladies programme as well with her.

Thank you very much. Our Question Time is over. We will now go to Orders of the Day.

### **ORDERS OF THE DAY**

The Orders of the Day is the interrupted debate on the Second reading of the Marine Resource's Bill 2017. Before we adjourned yesterday, the Honourable Toka Hagai has the Floor and I will call on you to continue with your debate on the principles and merits of the Bill for thirteen minutes.

**MR T. HAGAI:** Thank you Madam Speaker for giving me the opportunity again to express my views on the Bill that we are deliberating before the House today.

However, before I do so Madam Speaker, I would like to convey my greetings to our people because this is a new day.

To my people in the Cook Islands listening to this broadcast, those in the Southern group and the Northern group, Kia Orana to you all in the Name of our Lord. Kia Orana also to our people overseas who are listening in to our radio.

To all Honourable Members in this House, to the Speaker, the staff of Parliament, the Prime Minister, Deputy Prime Minister, Cabinet Ministers and to all Honourable Members in the Opposition and to those in the One Cook Islands Party, Kia Orana to you all in the Name of our Lord.

I will now come back to the Bill that we are deliberating in this House today which talks about protecting our ocean. If we look in this Bill, there are thirteen important parts that would help us to protect and conserve our ocean. Although our ocean is not healthy, the thirteen parts in this Bill will help us to protect and conserve our ocean for our future generation.

Therefore, I would like to inform my people that all the questions you have raised in our meetings are covered in the thirteen parts of this Bill.

I will now talk about the limitation of the boundaries of our ocean. This question was raised to me during one of our workshops in Rakahanga especially the boundaries in which fishing boats enter. The question raised was, if these fishing boats illegally enter our fishing zone, what do we do?

The Bill before us gives the authority to fine any foreign boats that illegally enter our ocean. In past years, we have seen these boats illegally enter our ocean but today the officials responsible to this Bill has put in place a good surveillance for us to be able to monitor these activities. I would like to confirm to our people that the fine to penalise these boats are severe and in excess of \$100,000.

Another question that was raised with me was, what will happen to the \$100,000 and who will administer it?

Our opportunity to ask that question is when the Select Committee that will be established by Parliament visit our islands and I am sure you will all support me that this money should be given back to the Island Council members on our islands to utilise so we can further develop our islands. I believe this is the right thing to do. If a foreign boat is apprehended within the boundaries of Rakahanga, the appropriate thing to do is to give the money back to the people of Rakahanga so it can be used on the projects on the island.

Furthermore, this Bill before us today will also give us the direction and control for the future. We are looking ahead for the future of our children and I believe there are plans in place to make use of these boundaries. I also believe that this is the plan for Government today.

If we look around the world today, many people are suffering from starvation. These boundaries set in place will bring in new initiatives for us by farming fish in our ocean to feed the outside world. I also believe that this will influence our people to return home or address the issue about depopulation in the Northern group. This is what Government is doing today and I strongly believe this is not a political move but something to be done to help our people in the Outer Islands.

To our people in the Outer Islands, our Select Committee that will be established by Parliament to address this Bill will visit you in the future to collect your views to help us on this Bill.

Therefore, I stand Madam Speaker to give my full support to this Bill and also the support of the people in the Northern group and also those on the island of Rakahanga, Rarotonga, New Zealand and Australia.

May God bless us all and thank you.

**MADAM SPEAKER:** Thank you Honourable Member. I see the Honourable Tetangi Matapo you have the Floor.

**MRS T. MATAPO:** Kia Orana to you Madam Speaker and also to all of us Honourable Members in this Honourable House.

Firstly, I would like to extend to you all a happy Valentine's day and also to all our people in the Cook Islands who are listening to our radio.

Madam Speaker with your indulgence if I could please convey my greetings to the people in my constituency. "Tangi ke" to all the people of Numangatini residing on the island of Auau Enea today.

To the three pillars on our island, to all title holders down to our children, Kia Orana in the Name of our Lord.

Kia Orana also to the people in my constituency of Tamarua. To the Minister of our church and all the leaders in our village, Kia Orana to you all.

I hear many good views have been expressed before us today but I would like to make some contributions to the Bill before us. I would like to thank all the officials who drafted the Bill before us today.

I know for sure that with this Bill there were some discrepancies that have happened in the past and we had no Acts to refer in fixing these problems. There is a saying, this is a giant step for us.

I just want to share my thoughts on seafood processing and export. I will not talk about the boats that have been licensed because that is all in the Bill but I want to talk about our people, may be they will be affected by this Bill in the future especially people who wish to take fish for themselves to New Zealand and Australia or any other seafood that they wish to take overseas.

I can see from this Bill the protection that our own people have and the issues of licensing with shipping vessels overseas. This is my thought that this Bill does not affect our people but for them to be protected under this Bill because I believe that the food they will take overseas is for their own consumption and not for sale.

I can see new equipment on Rarotonga and on our island we have a Marine office and I believe that my island will receive some of these equipment that will be required by the workers of the Marine Resource.

At this time we do not have fishing vessels on Mangaia and we only have small boats. Maybe today through this Bill the good things that comes out of it will be distributed for the whole nation and for us in Mangaia. Those are my thoughts on the Bill, Madam Speaker, and thank you very much.

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

**HON. T. HEATHER:** Kia Orana, Madam Speaker and all your staff and to all Honourable Members and to all of our people listening in, greetings to you all. Madam Speaker, if I can be given some time to pass on my regards to my constituency.

Kia Orana to the Vaka Puaikura, Tinomana Ariki, Ui Mataiapo, Ui Rangatira, the Religious Bodies in our Vaka and also the public servants and our teachers and school children, sports bodies in the village. I wish also to greet the private sector and all the business people, the fishermen and everyone in all households in the village, Kia Orana in the Name of the Lord this afternoon.

I have a notice for the Vaka Puaikura. Last week a notice was delivered to the Speaker of Tinomana for him to call a meeting for the title holders in the village, this evening at 6.30 pm at Aumaru Palace.

The purpose of the meeting this evening is to show the Aronga Mana of the work that will be carried out in our village to improve the power cables from Black Rock to Rutaki and also the work that will be carried out on our roads.

In September last year a meeting was held between Bluesky, the Te Mato Vai and also ICI on the budget for the roads in Puaikura. In that meeting the Aponga Uira wanted to improve the underground cable because it has been in the ground too long.

We had some problems last year but in the last two weeks all these departments have said all the big cables have arrived and Te Aponga Uira is ready to start the work planned. That is the purpose of the meeting to meet with Tinomana Ariki and the leaders of Puaikura to tell them of the big task that Government will be carrying out at this time and I believe this is the first time that such a large work will be held in our village.

The team from ICI will be coming to the meeting this evening to tell of the work that will be held so that we in Puaikura will be aware of this and the time when this work will commence. That is the news for the people of Puaikura and may God help us in our endeavours for this meeting. Our two Members for Ruaau and Murienua if they wish to attend this meeting we will meet at 6.30 this evening.

Madam Speaker, coming back to the Bill before the House and I give my strong support for this and I wish to give some thoughts on this Bill.

I would like to thank the Secretary of the Marine Resources Ben Ponia and all the staff in this Ministry. This would not have happened if it was not for the great work and dedication that has been put in for this Bill by the Secretary of the Ministry of Marine Resources.

Two years back, Madam Speaker there were accusations that went in our newspaper, TV and some other programmes relating to this Bill. I have announced on the radio Madam Speaker that our children are attending schools today to be educated so why are we making accusations. Do we want foreigners to come in and manage this Ministry or do we want our own children to head the Ministry like our Secretary Ben Ponia.

I believe during his schooling days and not only Ben but some of our other children, they were educated and trained in certain fields, for example a planter like the Honourable Minister Kiriau Turepu is telling us how to fish and yet he has no fishing experience.

There are a lot of examples, Madam Speaker, we know about this as we have experienced it in our country, we had doctors who were in charge of road works and yet they do not even know how to hold a shovel.

I believe Ben Ponia is not the only one that has completed his studies successfully there are other of our children that have success storied with regards to their studies. However there are people coming from overseas to tell us what to do with regards to our resources and some of our local people are saying no we would rather do it this way.

There are those qualified people from overseas that claim to be experts in many fields for example those that come here for sealing our roads telling us what to do and yet they never had any hands-on experience like using a shovel to clear dirt or gravel or dig holes. I am one who is very proud of our local young people who were successful in their studies overseas and coming back to serve our country and there are many who remained here at home. The Bible tells us that all of us are given talents and we should use this to serve our own people.

Looking back to the past before the seven years that this Government have led us, we have never managed to achieve over \$70,000 in the management of our ocean. Today under the leadership of this young man as Secretary of Marine, the Minister of Finance is reporting us that over \$18million was collected from our marine resources.

I am very proud of the work that this young man has put into our Marine Resources travelling overseas to negotiate the management of our ocean and establishing these locally despite criticism. Praise the Lord for you Ben, your staff and your ministry achievements.

Another local success story is our Ocean Fresh company, it owns three fishing vessels which goes out in our waters to fish. Their catch is sold locally to feed our people and at the same time they export it overseas. This Bill will help to establish the management of our ocean so that our local fishing business will continue trading here in our county.

We will not forget our local fishermen. We hear the Minister of Finance report to us of the fees that Government is collecting from foreign fishing licensing and these are used to assist our local fishermen today. This is one thing I would like to ask Ben for the ministry to consider including this in your programmes.

On one of my trips to Aitutaki I was told that there is a certain time of the year when the Aitutaki women go out to catch tuna fish. In the Pukapuka culture it is the woman who plant their taro patch. I am proud to know that women can fish in our ocean for their families – only women go out to fish, no men accompany them.

I am hearing the Prime Minister announcing that this Bill will go to a Select Committee for further review, personally I feel that the Members of Parliament workshop discussing the Bill is sufficient for us to clearly understand the Bill and we should pass it now with no further review. I went to the workshop on the second day around about one in the afternoon and there was nobody at the venue and when I rang

Parliament I was told that it is all over. Again I suggest that the workshop discussion is enough and we should pass the Bill quickly.

I am happy to hear the Opposition supporting the passage of the Bill and the Members on the Government side and from I gather most of the Members support this Bill. I believe Madam Speaker that this Bill should not go on for further review as most of the House supports this Bill. There are only thirteen parts to the Bill and its subsequent clauses so it is not a long Bill which is made to protect our ocean resources.

Today some of our Outer Islands are requesting for the funds collected from our ocean fees to be distributed among the islands so this will assist in their local Government projects. Madam Speaker for over 50 years since self-Government we are still buying tin fish from our local stores. What I am saying here is that with the abundance of fish in our ocean which can feed our people we are still opting to buy the canned tin fish.

**MADAM SPEAKER:** Thank you very much Honourable Deputy Prime Minister. It is because the tin fish are expensive that is the reason we are attracted to it.

We will suspend our sitting and go for lunch and we will return at 3.00 p.m.

**Sitting suspended at 2.27 p.m.**

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

**MADAM SPEAKER:** Parliament is resumed.

When we suspended, we had the Honourable Deputy Prime Minister on the Floor and I see the Honourable Prime Minister.

**HON. H. PUNA:** Thank you Madam Speaker. I noted that the DPM was still very much in the middle of his presentation and I rise to move:

**That he be given normal extension speaking time**

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

**Seconded by the Honourable Mona Ioane**

The Question is:

**That the Motion be agreed to?**

**Motion agree to**

I want to say something to that please before you take the Floor. We need to be sure that when we get our first twenty minutes that we debate on the business in the House which is the Bill. So when we ask for an extension of time that it would be fair. Thank you.

You may have the Floor Deputy Prime Minister.

**HON. T. HEATHER:** Thank you Madam Speaker and thank you to the Honourable Members for giving me extra speaking time.

I was only following on to what the Minister of Health did in the House yesterday and because you did not caution him, I did what he did.

Thank you Madam Speaker for your ruling and your reminder to us in this House.

Yesterday during my short visit to the Secretary of Marine Resources, I raised three points with him and he was able to explain to me about the points I raised with him. It was very clear when he explained about excavating sand from our lagoon like what has been happening in Aitutaki when they dig sand from their lagoon to use on their roads and they have done this for many years.

The Bill before us prohibits these kinds of activities but the Secretary also advised me that we also have our Environment Act in place which goes hand in hand according to the intentions of protecting and preserving the natural resources in our lagoon and ocean.

The Honourable Prime Minister also mentioned in his opening remarks to this Bill that should problems or issues arise with this Bill, the Marae Moana Act will deal with those issues. So, my doubtful concerns were addressed because there are legislations in place like the Environment Act which deals with issues like conservation and also the Marae Moana Act which will address other issues that I was concerned about and I am happy with the explanation given by the Secretary of Marine Resources.

Today, I would like to thank our fishermen especially those who go out to catch tuna fish. Their fishing activities like barracuda and so forth is supported by the Ministry of Marine Resources by including it in their programme. Therefore I would like to thank the Ministry of Marine Resources for including these fishing activities on their radio programme. I also believe that fishing from our ocean also help the lives of our people in the Northern and the Southern group.

Therefore Madam Speaker I strongly support this Bill and I believe that the Prime Minister will consider referring this Bill to a Select Committee but I believe we are clear on a lot of things during the last few days.

These are my views on the Bill Madam Speaker. Thank you.

**MADAM SPEAKER:** Thank you Honourable Deputy Prime Minister and as there are no further speakers, I will ask the Minister responsible to conclude the debate of the principles and merits of the Bill.

**HON. H. PUNA:** Thank you Madam Speaker. Kia Orana to all our people this afternoon.

Madam Speaker may I express my condolences to the people of Enuamanu for the bereavement that has taken place today. I remember this gentleman when he was travelling around with the young people of the Pacific nations on the Vaka Marumaru Atua. His courage, strength and braveness in travelling around on the open ocean as well as putting up with the burning sun.

I joined them in San Francisco to welcome the arrival of all the Vaka from different nations. I was so proud in meeting our young men and our young women in flying our Cook Islands flag and joining this event so that all the world can see their achievement. Now our good friend has been laid to rest, we extend our condolences to his family, to his tribe and also to his friends at this time of sorrow.

Madam Speaker I now rise to provide some concluding remarks on the interventions provided in this House by the Members. But firstly, I would like to give my acknowledgment of the workshop that was conducted last week. I truly believe Madam Speaker that through the interventions of the Members and their contributions, this has brought to light all the concerns of the Members in relation to the Bill.

Therefore, thanks to you Madam Speaker for your effort in coordinating this important event and to all your staff for supporting you in organising this important workshop.

I also would like to acknowledge our son the Head of Ministry for the Marine Resources Mr Ben Ponia who is now present with us in the public gallery and I believe he is not looking upon the contributions of the Members and scorning upon it. I know he is not.

I am now supporting all the sentiment expressed by the Members in acknowledging our staff of the Ministry of Marine Resources for the important role that they have played in putting together this important Bill for us.

Like I said when I first presented this Bill to the House, this is a Bill that has taken six years to prepare. The staff of the Ministry as well as Government did not wish to rush the development of this Bill. We recall that we have gone through some turbulent times where protest and disagreements were expressed but this is the right of our people to express their views.

I personally participated in a lot of consultations on the expressing of the views of our people and under the leadership of our son we were able to sit together with our people to exchange ideas. Therefore, Mr Ponia and your staff may I express to you my gratitude for your great efforts in the development of this Bill so that it will serve as an instrument for the efficient management of our Marine Resources.

The Minister of Finance yesterday was explaining all the value and benefits that we have derived from our marine resources and he has outlined the basic foundation of our efforts in deriving benefits from the marine resources and that is through the maximising of our benefits through the marine resources at the same time preventing the damage that will be caused on these resources.

Madam Speaker, these are the two basic foundations in our efforts to capitalize on the benefits of our marine resources.

When we became Government in 2010 we just received over one million dollars as benefits from our marine resources and yet at that time people came to request the licences and there were no proper guidelines on the limitations to be placed on how much they can take out. I would say that we have been ripped off and a lot more has been taken out of our marine resources. They just pay a meagre amount valuing a few thousand dollars but in return they took out millions worth of our resources, not now.

At this time under the management of our son and also the competent management of the Government we now derive 14 million dollars out of the sales of our marine resources and yet we are able to place limits on what resources these foreign fishing vessels can remove from our ocean.

My special gratitude to Honourable Members of this House for providing your support to this most important Bill. I can see that we have all supported the Bill but there are still a few concerns that we have. This is good because I can see that we are giving due diligence to all the considerations that will have the impact of this Bill on our nation.

My special thanks also to the Honourable Member from Arenikau whom also reminded us that we should not only rely on our legislative efforts but we should also remember that our faith and the scriptures can also provide guidance for managing our marine resources.

Madam Speaker, when I presented this Bill into the House I also expressed my wishes for this Bill to be given to a Select Committee. I acknowledge all the views that have been said that we have done quite adequate deliberations on the Bill and we should move forward but I do believe that we still have room for more improvements to be conducted so we can all put our collective views in order to make the Bill much better than what it is now. I believe, Madam Speaker that if we conducted our business this was in terms of this Bill we will all be supporting it as it passes through the House.

In addition, Madam Speaker I am aware that there are views out there which are being held by our people. Since we have agreed that this is an important Bill it is only proper that we give the opportunity for our people to provide input into it.

I can hear the views of some Members which say that there will be some complications. We have currently the Marae Moana legislation and we have accepted all those in this House but some people are saying that there are certain provisions in this legislation or in this Bill that will have some linkage or negative linkage to our Marae Moana legislation and that is why a Select Committee is required so they can examine these connections.

Let us remember Honourable Members that if there are any complications in terms of implementation problems those provided in the Marae Moana legislation will prevail. We will note that in this Bill these will be acknowledging those provisions in the Marae Moana legislation. But I still believe, Madam Speaker that in the

implementation of these two pieces of legislation there is still a great need for a Select Committee to really examine all the provisions of this legislation.

I did hear some expressions of views on the conflicts between the Raui and the marine reserves in this Bill or this law will conflict with the Marae Moana Act because authority is vested on the Marae Moana Council for the guidance on the preservation of our marine resources.

In my opinion, Madam Speaker there is no infringement that can be allowed between the legislation of the Marae Moana as well as the stipulations of our Raui regulations.

In this Bill there is no mention of the word *raui*. This is intentional because we are aware that *raui* is for our customs and traditional practices and these are provided under our custom practices of our forefathers and we should still pay homage to all these requirements.

But sadly there are some people within our nation who do not acknowledge and observe the *raui* laws. The Members for Araura Enuā know this very well because it is their island that is one of the main culprits of these violations. We can observe them openly going into the *raui* areas and the Scripture says that even if Moses and the Prophets came back to life they will not listen to them. Unlike us the people of Manihiki we are so observing of these regulations. You can hear me my people of Manihiki it is true what I am telling these people. That is why our *raui* is very successful.

All our people and visitors when they come to our island they will note that we harvest all our resources to provide for them.

I believe the people of Manihiki are observing the Raui system because they can see the benefits being shed amongst the population. And when it is time for the harvesting of these resources they are shared evenly amongst the households. And when the island have visiting parties from other islands all the local people go out to harvest these resources.

But I believe the reason why that these Raui are not properly observed because they do not have any teeth and it is only relying on just the goodness and the good heart of the people to observe these rules. The intention under this new legislation is that all the sections of our marine areas that needs to be protected must be handed over to the responsibility of the Ministry of the Marine Resources.

Maybe we are saying that there should be scientific studies done first to establish these marine reserves. Perfect example and it is working well is the bone fishing of Aitutaki. But there is not enough control or adequate measures of control for the bone fishing industry in Aitutaki. And I have been briefed by the Secretary that they have identified the spawning areas for the bone fish and they would like to target these areas and have them protected.

And Aitutaki is reaping the benefits out of this bone fishing industry. Even though the locals are catching these fish with nets there is a need to protect the spawning areas so that the fish can multiple and provide for the locals and tourist that are

coming to Aitutaki to catch bone fish. This is one of the good examples of having reserve areas that is presented in this Bill.

My good friend the Member from the island of Mitiaro has expressed his wishes for the licensing processes to be improved. Maybe because of what had happened in the past and he is quite right. But what I can see Madam Speaker at what is happening these days there is no need for it. The issuing of licenses today is starting through a process initiated by the Ministry of Marine Resources. In fact the application has to be made to the Secretary of Marine Resources first, so really the Minister has no direct involvement in the processing, the receiving and the granting of fishing licenses except in signing the license.

I think if we are honest enough with ourselves what happened that prompted the comments from the Honourable Member for Mitiaro really had nothing to do with the licensing process. It took place after the license has been granted but the final point I want to make on this issue Madam Speaker is this. The current practice is that before the Minister sign the licenses, any license application, it must be first approved by Cabinet. And perhaps if there is an amendment to this particular provision I would suggest that it is just the addition of the word “to be approved by Cabinet”.

But as of now there is no risk of the Minister of Marine Resources making off with millions of dollars as was expressed by the Honourable Member for Mitiaro yesterday. I have absolute trust in the integrity of the process.

I want to make a few comments of some of the matters raised by the Honourable Member for Murienua. And particularly in respect of his comments on the EU fisheries access agreement. I know we went through a lot of turbulence when we were looking at this particular agreement but I can see that the misunderstandings persist till today.

I want to quote some figures. Last year only two European vessels chose to fish in our waters and for only thirteen days of fishing and they harvested 600 tons of fish. This was well short of the 7,000 tonne authorised under the access agreement. Nevertheless the financial payment received by this country was \$1.5million for 13 days of fishing my friend. This make us one of the highest returns for access anywhere in the world and for the benefit of my friend the agreement is subject to review annually. And it can be terminated by the giving of three months' notice, so there is nothing permanent about it.

May I just mention this Madam Speaker that the EU funds through their policy support out of this access agreement actually contributed to the upgrade of the MMR monitoring centre, to the payment of fuel subsidies to the fishermen of this country and some tangible help to the fishermen in the Outer Islands including the Northern Group and the recruitment of marine scientist.

Madam Speaker it is important that we able to entrust our Cook Islanders with the responsibility of this Bill but we must also heed the warning issued by one of our members to be vigilant to foreign agendas and to the armchair critics of there are many. Cross agency collaboration and cooperation between MMR, National Environment Service and the Ministry of Transport and the Seabed Minerals

Authority is a daily occurrence which can only improve through integrated efforts under our Marae Moana. I cannot commend this House for the giant step we took last year of passing the Marae Moana legislation.

In order to make it more effective we must also enable the appropriate management bodies and legislations such as this Bill to serve its functions. I agree with the Honourable Member for Oneroa in his address that we legislatures must ensure that we uphold the principles of accountability and responsibility. I believe this Madam Speaker to be the right course of action.

Madam Speaker in closing I fully support the proposal that this Bill be referred to a Select Committee for further examination and investigations. And to that end if I may Madam Speaker.

I move that a special Select Committee...

**MADAM SPEAKER:** Honourable Prime Minister, thank you very much, just take a seat for now. Thank you for rounding up the debate on the Marine Resources Bill.

I will now put the Question. The Question is:

**That the Marine Resources Bill 2017, be now read the Second time?**

**Motion agreed to**

**ACTING CLERK AT THE TABLE:** A Bill Intituled: An Act to provide through the conservation, management and development of Marine Resources, fish processing and export and related matters.

**MADAM SPEAKER:** I now call on the Prime Minister to move a Motion please.

**HON. H. PUNA:** Thank you Madam Speaker. Madam Speaker I move:

**That a Special Select Committee called the Marine Resources Bill Committee be established for the Marine Resources Bill comprising of the following Members:**

**Mr Mona Ioane – Chairman**

**Mrs Rose Brown – Member**

**Mr Toka Hagai – Member**

**Mr Tai Tura – Member**

**Hon. William Heather Jnr – Member**

**Mr James Beer – Member**

**Mrs Selina Napa – Member**

And with the powers and procedures applying to a Select Committee under the Standing Orders and to report their findings and conclusion to Parliament by 31<sup>st</sup> May 2018.

**MADAM SPEAKER:** I now call a Secunder for the Motion please.

**Seconded by the Honourable Nandi Glassie**

The Question is:

**That the Motion be agreed to?**

**Motion agreed to**

May I call on the Prime Minister to make a second Motion please and the Motion is to refer the Bill to the Select Committee.

**HON. H. PUNA:** Thank you madam Speaker. I move:

**That the Marine Resources Bill be referred to the  
Select Committee just established**

**MADAM SPEAKER:** Prime Minister may I please ask you to complete that by saying, and to report their findings and conclusions to Parliament by 31<sup>st</sup> May 2018.

**HON. H. PUNA:** Thank you Madam Speaker. I thought by referring to that specifically in the Motion that there was no need to repeat it. I do repeat and add to the Motion:

**That the Committee be vested with all the powers and procedure as provided by  
the Standing Orders and for them to report their findings and conclusion to  
Parliament by 31 May 2018.**

**MADAM SPEAKER:** I call a Secunder to the Motion please.

**Seconded by the Honourable James Beer**

The Question is:

**That the Motion be agreed to?**

**Motion agreed to**

**ORDERS OF THE DAY**

We will now go to the Second reading of the Maritime Zones Bill. I call on the Prime Minister to move the Motion.

**HON. H. PUNA:** Thank you Madam Speaker. I move:

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

Madam Speaker, this Bill before the House will repeal archaic Acts such as the Continental Act 1964, the Continental Shelf Amendment Act 1977, the Territorial Sea and Exclusive Economic Zone Act 1977 and the more recent Territorial Sea and Exclusive Economic Zone Amendment Act 2011 and the same similar Act of 2012.

Madam Speaker and Honourable Members, these Acts were modelled on the New Zealand legislation and were passed before some of us were born. More importantly, they were passed before the United Nations Convention on the Law of the Sea, UNCLOS was ratified.

This new Bill will ensure that our Maritime boundaries are consistent with the UNCLOS, reflect the modern arms of Government that we have today and the advancement of technology that was not available at the time. For example Madam Speaker, we are removing references to statutory authorities that no longer exist such as the New Zealand Secretary of Defence.

We are also allowing for the use of satellite mapping technology to establish our Maritime boundaries. This sort of technology was not available during the time of these Acts.

For ease of reference and for clarification sake, this Bill is set out in five parts. The inland waters, the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf of the Cook Islands as maritime zones.

For those like me who have no idea, it should be noted that a nautical mile is a unit of distance equal to 1.852 metres.

Honourable Members and Madam Speaker, the baseline of our country's territorial sea is also set by this Bill. A base line is the line from which the seaward limit of a state's territorial sea and certain other Maritime zones of jurisdiction are measured.

Normally, a sea baseline follows the low water line or mark of a coastal state. The baseline of the territorial sea refers to the line from which the seaward limits of the Cook Islands Maritime Zones are measured. These includes the breath of the territorial sea, the seaward limits of the contiguous zone, the exclusive economic zone and in some cases the continental shelf.

For clarification sake Madam Speaker, some of our people in the Northern Group islands and even in Aitutaki might be wondering where their baseline should be drawn from. Because we have internal waters with islands on the reef and the question might be raised, well which is our baseline because in some cases you have two coastal lines facing the ocean.

Well the simple explanation is that the internal waters are those within the reef of the islands and the baseline has to be measured from the surrounding reef.

There are many types of territorial sea baselines depending upon the shape of the coast line in any given circumstances. There is a normal baseline, there is the straight baseline and there is the bay or river closing lines which are different one from the other. I do not think these apply in our case Madam Speaker so I will not go into them and I will now go into the different zones set out in the Bill.

First the internal waters. These are those areas of sea that are on the landward side of the base line of the territorial sea so as I was explaining earlier in the case of say

Manihiki our internal waters is the lagoon because it is enclosed by atolls and the two main islands on the surrounding reef.

The territorial sea the second zone, Madam Speaker is a belt of water not exceeding 12 miles or 22.2 kilometres in width measured from the territorial sea base line which is usually the mean low water mark.

This Bill also confirms that the seabed and subsoil of the internal waters and the territorial sea are vested in the Crown.

The third Maritime zone is the contiguous zone which is that belt of water contiguous to the territorial sea next to the territorial sea the outer limit of which does not exceed 24 miles from the territorial sea base line.

In this zone the Cook Islands may exercise control necessary to prevent and punish infringements of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea.

Fourth zone is the exclusive economic zone. This is an area beyond and adjacent to the territorial sea. The total area of our EEZ minus land area is 1,976,000 million square kilometres the outer limit of the exclusive economic zone cannot exceed 200 miles from the base line from which the breadth of the territorial sea is measured.

Madam Speaker, Honourable Members I know this is a bit complicated but it is very important that we get a grip of the different zones so that we can understand when we debate the principles and merits of this particular Bill.

The fifth and final zone is the continental shelf and this is the area of the seabed and subsoil which extends beyond the territorial sea to a distance of 200 miles from the territorial sea base line.

Madam Speaker, Honourable Members we might all be aware that the Cook Islands have a current application before the United Nations to extend its continental shelf and this application relates to the continental shelf in our North outside of Manihiki and Penrhyn and the argument has been put for us by the Commonwealth Secretariat that these continental shelves are an integral part of the land masses of Manihiki and Penrhyn.

I acknowledge the work that our former Prime Minister Dr Terepai Maoate, the late Dr Terepai Maoate has done in respect of this particular application because if our application succeeds we stand to gain about 400,000 square kilometres extra in addition to our nearly two million square kilometres of EEZ now.

The Bill before us today therefore reflects our national interest by providing that the continental shelf can extend beyond the outer edge of the continental margin.

Part 3 of the Bill, Madam Speaker refers to a number of general and miscellaneous provisions which I will leave to Honourable Members to read up on but I think I need to let Honourable Members know now that a lot of changes have been made to this Bill after it was introduced into this House late last year. We will go through these

changes as we debate the principles and merits of this Bill or even in the Committee stage but at this point in time I just want to signal that there may be some confusion because of the changes that have been made very late.

There is one important point I should touch upon. Honourable Members will recall that your Government took the initiative of declaring an exclusion zone around each of our island extending 50 miles from the base line of our territorial sea. I want to make it very clear that this legislation, this Bill would not affect or have an impact on that declaration whatsoever.

What this Bill does reflect are the international norms and the zones accepted by all countries of the world. These are the zones acknowledged and accepted by the world pursuant to the United Nations Convention on the Law of the Sea but our declaration of our exclusion zone of 50 miles around each island is not affected by this.

This is an issue that the Marae Moana Council discussed with the Secretary of Marine Resources last Monday and I am sure that we will also be interested to hear as to what is being done to accommodate this new declaration by this country of the exclusion zone.

So, with those few introductory remarks, Madam Speaker and Honourable Members I commend this Bill to this Honourable House. Thank you.

**MADAM SPEAKER:** Thank you Honourable Prime Minister. I seek a Seconder for the Motion on the Floor please.

**Seconderd by the Honourable Mona Ioane**

The Question is:

**That the Bill be read the Second time?**

Are there any speakers? As the Seconder Honourable Member you have the first opportunity to speak if you would like to.

**MR M. IOANE:** Thank you, Madam Speaker. Greetings to us all this afternoon in the Name of the Lord. I thought I would speak tomorrow but I want to share some thoughts on this Bill. This is a new Bill to us and it is an important Bill for our people as well.

To our people listening in from the further northern island of Tongareva and down south to Mangaia greetings in the Name of our Lord. Special greetings to my constituency and to every person on the island of Aitutaki, Church Ministers, traditional leaders and to all people greetings in to our broadcast.

Madam Speaker as highlighted in our recent workshop last week it was explained to us Members in attendance the principles of this Maritime Zone Bill 2018. It was outlined and identified to us the territorial zoning of our ocean. The sectors or zones in our waters and sovereign rights over this areas. Our people needs to understand where our rights are as a country over the zones of the sea or ocean around us. To our

people there are no restrictions to our rights as a country with regards to the waters around our island country.

Our people think that all the waters or ocean that surround our island country from Pukapuka in the north to Mangaia in the south this vast ocean belongs to us. Maybe under our traditional customs they are thinking that gives us the right with our ocean. Because our fore fathers sailed these open waters that gives us the right today to call it our own and our claim on this ocean is superior to any other country.

This was shown to us at our Members workshop by the Ministry of Marine that this is not a correct thinking. There are limits and zones that clearly shows where we have rights and where we do not have any claim. I think that the zoning diagram should be inserted or attached to the Bill. And to include the mapping of the different zones in the Bill it will be easily accessible to our people and when they open the Act it will be clear to them how our ocean waters are zoned.

This diagram of the maritime zones is similar to our land diagram when we are asking the family for piece of land. We need to show our family the limits of the piece of land that you are asking them to give to you. The map you will bring to the family will show which section is already claimed by another family member and which section are still vacant. Otherwise you are not entitled to the section of land. The land map of our sections of land is similar to the maritime zones map.

If we insert this diagram at the back of the Act this will assist our people in recognising the different zones of our ocean, what they are referred to and how far these zones are marked from the land and so forth. As I said before most of our people are not bother to read pages of written documents but when you place before them pictures or diagrams they will find it easy to comprehend.

The diagram that was shown to us at the workshop clearly shows where our internal waters, territorial sea, exclusive economic zone and open sea. It clearly shows where our internal waters start and the boundaries. There is the first reading of a 12 nautical miles away from the land and a second 12 nautical miles out from the first 12 nautical miles and then the 200 EEZ. I believe when this diagram or map is shown to our people they will have a clear understanding of the zones and our rights to it as a nation.

The chart will make it clear to our people the marking of our water zones around our islands. The people must also know where this maritime zone map comes from and that is the United Nations Convention on the Law of the Sea. Our people must know the background as to the reason we have to make a law such as this. This Bill is also connected and related to the Marae Moana Act.

If this map is accessible to our people then they will be able to identify the exact locations of the zones. On the FFA surveillance television it shows the Kiribati zoning. I believe we can ask FFA to put on their surveillance map our country's maritime zones also so they can detected all the fishing vessels that may come into our water zones.

The Kiribati zones have restrictions and no one is allowed to fish with these waters and the FFA is monitoring these zones where no fishing is allowed. Maybe we can request them to put the Marae Moana boundary zones and our Maritime Zones on their surveillance system. I believe that this is a major section for our ocean because the Marae Moana borders will encircle much of our ocean. Our own people will be able to identify specific limits of our Marae Moana and limits where they can fish.

Madam Speaker this is a very important Bill for our country. Our reef will be included in the 12 nautical miles territorial sea zone. We are not to be confused that the boundary begins at the reef. The Bill clearly states the territorial sea begins at the low water mark between land and sea. Some of our islands they have small islets will those be included in the zoning. It cannot be because it is an islet and the Bill states it must be an island.

Madam Speaker these are my views which I want to speak on the Bill. This is another Bill that I think must be taken to our people so they have a clear understanding of what we are talking about the different zones of our ocean.

I strongly support this Bill Madam Speaker, thank you.

**MADAM SPEAKER:** Thank you, are there any further speakers. And I see the Honourable Ngamau Munokoa you have the Floor.

**MRS N. MUNOKOA:** Kia Orana Madam Speaker and to all of us in this Honourable House. Even if I did not attend the Members workshop as the Member Mona Ioane was alluding to. Since a child I was taught my parents how to read the borders of the sea. We know the areas that belong to the community and the areas that are privately owned.

I do not believe someone of my age would not know the practice during those days. During the past years when hotels are built, they restrict people from crossing to go on the beach. I always say that the beach side do not belong to them but because today people think like that the reason types of Bills like the one we are discussing now is made.

For me, we should correct the clauses that need improvement but I believe if my house site is close to the beach, the actual beach belongs to our people.

Therefore Madam Speaker these are my views regarding the zoning areas on our beaches. Thank you.

**MADAM SPEAKER:** Thank you Honourable Member. I see the Honourable Minister Nandi Glassie.

**HON. N. GLASSIE:** Thank you Madam Speaker and Kia Orana to all of us again this afternoon.

Madam Speaker before I express my views on the Bill before us, I would like to make some comments about the gentleman who passed away on our island Enuamanu. His name is Tura Koronui but the name I know him very well is Ninja.

One day we met in Atiu. I said to him, the name I know of you when we were at school is Tura but when I returned from New Zealand you have a new name which is Ninja. Why are you called Ninja? He said one day they went hunting pigs. He aimed the gun on one pig but when he shot the pig, two pigs were killed. The people in Atiu said, it is impossible to shoot two pigs with one shot. Only a Ninja can do that. That is the reason he was named the Ninja of Enuamanu.

But on the serious side Madam Speaker, Tura Koronui has spent some years in the Cook Islands Police. At his early days he was a good policeman but throughout his life, his life has always been his passion for the sea. He comes from a family of strong seafarers, the Koronui family.

I believe it was the same Koronui family that pinched the rock from Rakahanga to Atiu that is why we used to have so many flying fish those days in Atiu but that rock did not get to the island if Atiu.

However, there were so much maroro and therefore there is a link between Atiu, Rakahanga and the Seabed Mining Act. Madam Speaker, before I get more complaints from the Opposition I want to remind the Opposition that when you talk about principles and merits there are times you can detour from the Bill.

I was one of those who did not come to the workshop and therefore when I look at all this documents I am trying to make some meanings out of them. Madam Speaker, this Bill is very timely because this Bill follows the Marine Resources Bill and there is a clear marriage or clear connection between the Marine Resources Bill and the Maritime Zones Bill.

If I can make it simple for our people listening in, for the last few days we have been talking about the purpose of the Marine Resources is to look at conservation, management and the development of the marine resources. And then we are look at the Maritime Zones Bill we are looking at is clear purpose is to provide a framework that declares explicit rights of Cook Islanders and other states that we are related to.

One focus of the conservation in there is to make use of the living and non-living things in our waters and the Bill before us talks about the five parts of measuring between the high marks and the waters out there as described briefly by Aunty Mau.

With those understandings of these two excellent Bills if I can just take us back to some kind of a history. I just happened to pick an article I have been keeping in my file and that article went back to July 1974. It was at a Law of the Sea conference that was held in Caracas, Venezuela in South America. At that particular conference the late Sir Papa Albert Henry was representing the Cook Islands and during that time those years back he was able to describe who and what the Cook Islands were.

During that particular conference he impressed on the conference that although we had fifteen small tiny islands but we were surrounded by one of the biggest ocean in the world. He mentioned at that particular conference that his Government at the time in 1974 saw the sea could become the most dominant factor in the development in our economy.

I can say Madam Speaker that was a visionary statement made by Papa Albert Henry. His presence at that meeting was looking at how important we can build and expand in the form of economic activities for our twenty thousand people living in the Cook Islands at that time.

If you can imagine at that time there was no talk about how big is the zone for our country, there were no territory and some of the measures being mentioned here, there were nothing at all in other words, he went into that conference saying that we have these resources what can we do in terms of having ownership of the seas surrounding our small islands. So, as a result of his presence at that particular conference we were able to think about it, we were able to put in place what we are talking about the past few days and today.

Based on the Bill that is in debate right now which has a strong historical background that I have described I see a lot of advantages to our people here in the Cook Islands, starting from Rarotonga I can see the benefit of the hotels surrounding the coast they should fully understand that should you decide to build a hotel for the tourism industry this are the law in place where you can do something it or you cannot do based on the marks that is within the Bill.

From Rarotonga then we move out to our Outer Islands and of course these two Bills will help our people in the Outer Islands probably solve the fights over lands in regards to coastal lands and so forth. So, I see this Bill will help a lot of disputes resolution. At the same time the Bill as raised in here will also or is a way of giving the Island Councils some ideas how to put this Bill in their own by-laws.

Of particular in Nga-Pu-Toru, the island of Atiu, Mauke and Mitiaro, which also include the island of Takutea. Imagine if we apply the fifty miles zone, we Nga-Pu-Toru will have quite a sizable amount of waters that we can claim to be ours.

It is a pity Madam Speaker that one of the things I was thinking for Nga-Pu-Toru and Takutea if we can ring fence the territory then we will not have people from next door islands trying to pinch our fish in our waters particularly those around Takutea.

There were times when our people go to Takutea and look for some harvest and they were amazed to see there were some people who harvested our coconuts and our crabs on the island of Takutea and not the work of Atiu themselves.

So, therefore the Member of Parliament for Teenui/Mapumai and Rose and I are thinking of getting our own surveillance boat to make sure we do not have people coming to harvest not only our fish but our coconuts as well on the island of Takutea. Maybe Rose and I will take turns looking after Takutea every now and again.

But on the serious side, Madam Speaker and I know that people are mumbling away there but I want to say that I stand to fully support the Maritime Zones Bill and all its content. The spirit of this Bill works very nicely with the Marine Resource, with Seabed Minerals, with conservation right across our nation in regards to the sea.

Finally, I just want once again to thank the Ministry of Marine Resources under the secretarial ship of Ben Ponia and his most capable staff. On that note I thank you, Madam Speaker.

**MADAM SPEAKER:** Thank you, Honourable Minister. We still have some time if there is somebody who would like to take the Floor. I see the Honourable James Beer.

**MR J. BEER:** Thank you, Madam Speaker. I am grateful for the opportunity to be able to speak on this particular Bill. Madam Speaker, I think it is very obvious that this Bill is actually a very technical Bill in relation to international treaties of which requires a lot of scrutiny by people in the law fraternity, Crown Law and other people with the requisite skills because it is one of those very technical Bills that deals with international treaties like UNCLOS.

The Prime Minister is right to give some credence to the work done by the former Prime Minister the late Sir Dr Terepai Maoate. Even back approximately I think it was 2006 or 2007, I recall the former Honourable Member of this House making a very important trip to the United Nations on our EEZ.

It is a long time ago, so the details escape me at this stage but I do recall it was about getting an extension or extra land based on that application to the United Nations and I think it is important for us as the Prime Minister has pointed out to recognise the work that he provided for this country and the good work that he did and the Government of the day in getting around the whole idea of mining for manganese nodules.

It is also good to see that within the Maritime Zones Bill as well as the Marine Resources Act that we have just passed, of course it has to be assented to by the Queen's Representative that it both recognises the importance of that international agreement of UNCLOS. In particular Articles 51 and 52 of the UNCLOS Treaty dealing with the rights of traditional fishermen and the right of passage of foreign ships.

There are some issues within it that I think would be quite important, Madam Speaker for this also to be referred to the same Select Committee that is going to be dealing with the Maritime Resources Bill.

I have very little to say about it other than to say that I have looked at the Supplementary Order Paper in relation to the Maritime Zones Bill and I have had the opportunity to go to our Legislative Assembly library to check up on the Maritime Zone Act of 2017 that is mentioned within the Supplementary Order Paper. Unfortunately, Madam Speaker I am unable to locate a Maritime Zone Act of 2017.

I have since discovered, Madam Speaker that it is in fact not an Act but a Bill and it might assist us in being able to understand why it is called the Maritime Zone Act of 2017 if it has not yet been passed into law and I think it would be wise of us to make those amendments in the Committee when that time comes about. More to show that the Act was passed in 2018 and not 2017. Simply for a situation of clarity, Madam Speaker in terms of when the Act was actually passed.

But apart from that, Madam Speaker I have to say that the work done by the Ministry of Marine Resources particularly at the workshop at the Crown Beach Resort was informative, interesting and I think as a result of that particular presentation by the Ministry of Marine Resources the Members that were present were very engaged in what was happening on the charts that the Secretary was displaying.

Madam Speaker, in the interest of time I would very much like to continue tomorrow if that is alright and say some brief comments about it but I understand we are now almost at the process of adjourning of Parliament.

**MADAM SPEAKER:** Thank you very much, perfect timing and you are right we are coming for the adjournment of this Sitting. Before I do that I would like to ask the Members of the Standing Orders Committee to remain after the Sitting when everybody has vacated this room because we will be doing an official meeting.

As you were last on the floor, Honourable Member would you like to say our closing prayer.

### **CLOSING PRAYER**

**MADAM SPEAKER:** Parliament is adjourned until Thursday, 15 February 2019 at 1.00 p.m.

**Sitting adjourned at 4.59 p.m.**