



FORTY-NINTH SESSION

Hansard Report

49th Session

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MR DEPUTY SPEAKER TOOK THE CHAIR AT 5.00 p.m.

OPENING PRAYER

MR DEPUTY SPEAKER (T.TURA): Please be seated. Greetings to all of us this afternoon. To the Prime Minister, Deputy Prime Minister, Members from the Government, Leader of the Opposition and Honourable Members of your team, greetings to you all. Again, I would like to greet all the Honourable Members who are present in this Honourable House today.

I also wish to advise this Honourable House that the Acting Clerk received a letter of resignation from the former Speaker of Parliament, Mrs Niki Rattle, on Friday, 12th February 2021. It reads:

*Miss Jeannine Daniel,
Acting Clerk,
Parliament of the Cook Islands,
Nikao,
Rarotonga.*

Re: Letter of Resignation

Kia Orana Miss Jeannine Daniel,

I wish to tender my resignation as the Speaker of Parliament of the Cook Islands, effective as of this day Friday, 12th February 2021. I am most grateful and humbled for the opportunity to have been invited to be the Speaker of the Parliament of the Cook Islands back in June 2012, following the death of Sir Geoffrey Arama Henry, by the former Prime Minister Henry Puna. Serving our country in this capacity of procedural technicalities has been a highlight milestone in my working career that deviated from the humanitarian field of nursing Red Cross at all levels. I embraced the challenges with an open mind and on the whole, I have thoroughly enjoyed the role and responsibilities and will miss the staff of Parliament.

I have been able to operate at the highest level of the CPA in promoting our jurisdiction and worked with many partners, such as UNDP, our twining Western Australia Pacific Jurisdiction and many others in bettering our small Parliament.

I regret that I have not completed many of the important projects that we have implemented but I know that you and the team will continue to completion with the enthusiasm and dedication.

I will clear my personal property and hand over the Parliament resources on Monday, 15th February.

*Kia manuia,
Niki Rattle.*

I will now call the Acting Clerk to conduct the election of a new Speaker.

ACTING CLERK AT THE TABLE (J. DANIEL): Honourable Members, we will now go to the election of the Speaker. Before I call the nomination for the Speaker, I would like to draw your attention to and request that you take note of the Constitution Amendment 2001, No.24. The person who shall be elected Speaker of Parliament and no other, shall be the person nominated by the Prime Minister.

We will now commence the election process for the Speaker at this moment. I now call on the Prime Minister to make his nomination and move a Motion accordingly.

HON. M. BROWN: Thank you Acting Clerk. May I, at this time, acknowledge, in this Honourable House, the outstanding service provided by our former Speaker, Niki Rattle. She has served into her ninth year as the Speaker, gaining recognition for our country in the region and throughout the Commonwealth. She has held positions of distinction and high authority throughout the Commonwealth Parliamentary Association and her service to our Parliament and to our country is well recognised by this House and will be accorded a deserved recognition in due course.

However, Madam Chair Person, may I, in accordance with Article 31 as amended by the Constitution Amendment 2001 No. 24, I now move:

That the Honourable Tai Tura, Member of Parliament for Mauke do take the Chair of this Parliament as the Speaker of this Honourable House

ACTING CLERK AT THE TABLE: Thank you Honourable Prime Minister. I call for a Seconder.

Seconded by the Honourable Henry Puna

MR H. PUNA: I will speak briefly to the Motion please.

First of all, I would like to lend support to the comments of praise and congratulations by the Prime Minister for our former Madam Speaker. I was somewhat surprised in learning of the resignation of the former Madam Speaker. I suspect maybe because I resigned, maybe she has also decided to.

However, as the Prime Minister has said, the name of this country have been uplifted through the work of this woman. The first time I worked with her was when she and I

travelled to Geneva in Sweden to attend the Conference of the Red Cross worldwide. I did not know that she was already nominated to Chair this prestigious meeting.

As soon as we arrived, the President of Switzerland met to congratulate her and I was so proud in the way she conducted the meeting. When she became the Speaker of this Parliament, likewise, she carried the name of this country very high. In my mind, it is only right that we all should be very proud of what she has done. However, I am even more proud because I am the Member of Manihiki and she is a Manihiki woman. However, she has always been a Cook Islander.

Yes, I know some of her major projects are not completed, however she probably thinks the time is right for her to retire. Mama Niki, if you can hear me, I on behalf of all of us in the House convey our congratulations and praise to you.

To our Speaker that has been nominated by the Prime Minister, a son of Mauke, I believe he is capable of taking the position due to the mentorship of Niki Rattle. I am sure that whatever concerns we put to him, he will not be flustered by it. Just be careful, we might be evicted from this House. However, this is an honour that has been bestowed onto this son from Mauke and he is following in the footsteps of our former Speaker, Papa Mapu Taia, who also comes from Mauke. Therefore, all the best with your new position.

ACTING CLERK AT THE TABLE: Thank you Honourable Henry Puna. I see the Member for Matavera.

MR V. TUPA: Thank you Madam Acting Clerk for granting me time to comment in support of the nomination.

Firstly, I lend my support for the nomination by the Member of Manihiki for our new Speaker of Parliament, the Member of Mauke. Secondly, Madam Acting Clerk, I give compliment to the former Speaker, Niki Rattle, as beforehand complimented by the Member from Manihiki. We have all heard from the Member of Parliament from Manihiki giving a brief background of her time as Speaker in Parliament, until the time I became a Member in 2018.

I acknowledge the time she spent in assisting the new Members through workshops and mentoring to assist us all in this House. I would like to make a special mention to her for selecting me out of all the Members of Parliament in the Cook Islands to be the Cook Islands Representative as an Observer for the Fiji Elections one year. At that point in time, I received great assistance and teachings from Niki Rattle regarding the period observing the Fiji elections. Therefore, if you are listening in Niki Rattle, through me and on behalf of all of us the Members of Parliament on the Opposition side, we give you our thanks and appreciation for your great service.

Lastly, to the Member from Mauke, we give you our full support and encouragement in your new role. For that reason, if you want support, I am here to help you out. From all of us in the Oppositions side, to you the new Speaker, may God grant you the knowledge and wisdom in your deliberations in this House.

ACTING CLERK AT THE TABLE: Thank you Honourable Vaitoti Tupa. I see the Leader of the Opposition, Honourable Tina Browne.

HON. T. PUPUKE BROWNE: Greetings to everyone this evening. To the Acting Clerk, greetings. To all your staff, greetings. To the Prime Minister and your Ministers and all Members of the Parliament, greetings. To our visitors in the gallery, greetings. I can see that you are here to support your Candidate from Mauke as the Speaker.

I rise to seek some understanding, as I can see, the Crown Law Office is here with us. When the Standing Orders were created, it was the original Article 31. When the original Standing Order was formulated, it relied on the previous Article 31 of the Constitution. We know that in 2001, that article was amended and the difference is that the only person that can ever be elected as the Speaker, is the nominee of the Prime Minister. The Article is quite specific, it says no other.

When we go to the Standing Orders, to all those Standing Orders I think that applies, Acting Clerk, I'm looking at Standing Order 8 (3), it says that: "If only one member or person is so proposed, he shall be declared by the Clerk to have been elected" by the Prime Minister.

My question is, is that the procedure that we are going to adopt today?

ACTING CLERK AT THE TABLE: Thank you Honourable Tina Browne. I wish to confirm to this House that, that is the process that we are going to take today.

I am also minded to note that the Standing Orders had not been amended to implement the change to the Constitution. The Constitution overrides the Standing Orders where there is a conflict. In this case Honourable Members, only the Prime Minister may nominate a person to be elected as Speaker, under Article 31 (2) of the Constitution, as amended by Constitution Amendment number 24 at 2001.

Honourable Members, as there is only one nomination and none other, Honourable Tai Tura is declared the Speaker Elect.

Honourable Members and members from the public Gallery, please rise. I am honoured to present to you the Speaker Elect, Honourable Tai Tura.

Honourable Members and members of the Gallery, please rise.

I am honoured to present to you the Speaker Elect, the Honourable Tai Tura.

MR SPEAKER: Thank you, please be seated.

Firstly, I would like to thank you all for trusting in me. In addition, to everybody who had encouraged me, I would like to let everyone know that I will do everything in this seat with honor and will do my best to be fair with everyone in this Parliament. I'd also like to give my thanks to the Former Speaker who had retired, because we had worked together for some years and she had helped and supported me on some of the things that I had not done right.

What will I do? I can assure everyone that I will do my best and there is this saying, “I am the best”. When the Sevens started here in the Cook Islands, there was a friend of mine Amene Rangī and the Member for Ruauu, William Heather. We were the first outer island team to have joined in this tournament. The Coach was, yours truly.

When we started this game, the players were asking me if we were playing against Jonah Lomu, because that was the time when Jonah Lomu returned and had just been selected in the All Blacks team. This is what I said to these players, “You are the best and there is no one better than you, including Jonah Lomu”. This gave them the courage to do their best. Therefore, I would like to let you all know that you are the best in your own self. Thank you.

I will now suspend Parliament to allow myself, the Proposer and the Seconder to go on to His Excellency the Queen’s Representative, Sir Tom Marsters, to take the oath of allegiance and to lay claim to all its privileges.

Honourable Members, Parliament is suspended.

Sitting suspended at 5.34 p.m.

Sitting resumed 6.57 p.m.

MR SPEAKER: Please be seated. Parliament is resumed.

Kia Orana Honourable Members. I am pleased to report that I, as Speaker of this Honourable House, have taken and subscribed the oath of allegiance before His Excellency, the Queen’s Representative Sir Tom John Marsters. That on behalf of Parliament, I lay claim to all its privileges and that His Excellency on behalf of the Queen was pleased to confirm the same.

May I call upon the Leader of the House?

MS T. BROWN: Mr Speaker, I stand to move:

That Parliament extends today’s Parliament sitting under Standing Order 54 (2) to allow Parliament to consider the business before the House with the following times: Start at 5.00 p.m. to 7.30 p.m. break at 7.30 p.m. to 8.00 p.m. Resume at 8.00 p.m. to 10.00 p.m.

MR SPEAKER: Thank you Leader of the House.

Can I call for a Seconder, please? I see the Honourable Albert Nicholas.

Seconded by the Honourable Member Albert Nicholas

I put the Question:

That the Motion be agreed to?

Motion agreed to.

Royal Recommendation by the Queens Representative.

Message No. 1

The Queens Representative in pursuance to Article 3 of the Constitution on behalf of Her Majesty and in pursuant to Article 43 of the Constitution recommends Parliament to precede upon the Bill that the short title where is COVID-19 Cook Islands National Superannuation Act 2021.

We have now come to the election of the Deputy Speaker.

I now call for nominations. I see the Honourable Minister George Angene.

HON. G. ANGENE: Thank you Mr Speaker and greetings to all of us in this Honourable House. I rise to nominate the Member for Pukapuka-Nassau, Deputy Minister for Finance, the Honourable Tingika Elikana to be the Deputy Speaker.

MR SPEAKER: Thank you Honourable Minister and I call for a Seconder.

Seconded by the Honourable Minister Vaine Mokoroa

Are there anymore nominations?

I see the Leader of the Opposition, the Honourable Tina Browne.

HON. T. PUPUKE BROWNE: Mr Speaker, I nominate the Honourable Vaitoti Tupa as a Deputy Speaker for Parliament.

MR SPEAKER: Thank you, Leader of the Opposition. Can I call for a Seconder?

Seconded by the Honourable William Heather

Thank you Honourable Member. We now have two nominations. Are there anymore nominations?

It seems there is only two nominations.

I see the Leader of the Opposition.

HON. T. PUPUKE BROWNE: Mr Speaker I rise to speak on our nomination.

MR SPEAKER: You may proceed.

HON. T. PUPUKE BROWNE: Our nomination is not undermining the Honourable Member for Pukapuka-Nassau. However, as you have stated you are the best Speaker and for our nomination, we are saying that Honourable Vaitoti Tupa is the best Deputy Speaker.

This is not the first time we have nominated the Honourable Member for Matavera. As we had supported your nomination to be our new Speaker, therefore this House should support our nomination for the Deputy Speaker. Kia Orana.

MR SPEAKER: Thank you Leader of the Opposition. Now we will proceed with the election of the Deputy Speaker and we will do that by secret ballot and that is under Standing Order 17. Ballot papers will be distributed to every Member of this Honourable House.

Please indicate your choice by writing very clearly the name of the candidate of your choice on the ballot paper provided. Please ensure your ballot papers are folded as required by Standing Order and insert them in the ballot box and it will be collected by the Acting Clerk of Parliament.

Can I ask these Honourable Members, the Honourable Tereapii Maki-Kauana from the Government side and also the Honourable Selina Napa from the Opposition to come forward and act as our scrutineers? Please breathe normally. The Acting Clerk will announce the result.

Thank you Honourable Members.

ACTING CLERK AT THE TABLE: Honourable Members, I am pleased to announce our results. Ballot papers for the Honourable Member Tingika Elikana – 13. The Ballot papers for the Honourable Member Vaitoti Tupa – 11.

Thank you Honourable Members.

MR SPEAKER: Thank you Acting Clerk. I now declare the Honourable Tingika Elikana as Deputy Speaker elect.

(Applause)

Now I would like to ask the Honourable Deputy Speaker to make a speech please.

MR T. ELIKANA: Thank you, Mr Speaker, thank you for the opportunity to say a few words as a result of the election to Deputy Speaker. I was going to try and be the best, but unfortunately, that mantle has been taken by you. Therefore, I am going to end up the second best, to support the Speaker in all the things related to this Honourable House.

Like you, I pledged to uphold the functions of this Honourable House and to exercise what is required in a fair and proper manner, and wherever required to assist in any ways with the proceedings. Thank you, Mr Speaker.

MR SPEAKER: Thank you, Deputy Speaker. I now call upon the Leader of the House.

MS T. BROWN: Mr Speaker, I seek leave from the House, to move a Motion without notice, to reconstitute the Membership of the Standing Orders Committee, following

the election of a new Speaker and Deputy Speaker and the resignation of the former Prime Minister.

MR SPEAKER: Thank you Leader of the House. Leave is sought for that purpose, is there any objection? It seems there is none, Leader of the House.

MS T. BROWN: Mr Speaker, I move:

That in accordance with Standing Order 360, the following persons and Members be discharged from the Standing Orders Committee – Mrs Niki Rattle, former Speaker, Hon. Henry Puna, former Chair and Hon. Terepai Maoate and the following Members are added to the Standing Orders Committee – Hon. Robert Tapaitau and Hon. William Heather

MR SPEAKER: Can I call for a Seconder?

Seconded by the Honourable Member, Albert Nicholas

I put the Question:

That the Motion be agreed to?

Motion agreed to

Now we have come to the end of this session and Parliament is now suspended and we will come back at 8.00 p.m.

Sitting suspended at 7.19 p.m.

Sitting resumed at 8.00 p.m.

MR SPEAKER: Honourable Members please be seated. We have now come to the exciting time of Question Time. The Floor is open.

QUESTION TIME

I see the Honourable Member Vaitoti Tupa.

MR V. TUPA: Thank you very much Mr Speaker for this opportunity to ask a question. I have two questions and I will ask the first question to the Honourable Minister George Angene.

I have seen him driving around in his Government car and on the rear windscreen is a title called “LEADER”. I believe the Leader of Government, Honourable Mark Brown and the new Leader of the House Tehani Brown, which leads me to ask the Minister to explain to us why did he put “LEADER” on his car?

MR SPEAKER: I see the Honourable Minister, George Angene.

HON. G. ANGENE: Thank you Mr Speaker. Thank you also to the Member from Matavera for the good question. If you have heard the Chaplin this afternoon during our opening devotion mentioning the term “Leader”, leading the people of God. When we got to Titikaveka, I had hope you would have followed us so you could listen to the Chaplin mentioning the word “Leader”.

On the question of what is the actual definition for the term “Leader”, we know the leader of Government is the Prime Minister. Mr Speaker, the position of the Prime Minister is that he is the Prime Minister. It did not say Prime Minister and Leader. He is the leader of the Cook Islands Party, Tina is the leader of the Democratic Party and George Maggie is the leader of the One Cook Islands, returning to the home where he came from. I believe the purpose of a leader is, for example: “Love is patient, love is kind. It does not envy, it does not boast, it is not proud. It does not dishonor others, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil but rejoices with the truth.” (*1 Corinthians 13:4-6*).

These are the status of a good leader and I believe the Cook Islands Party has elected the right leader. This is my response to you Honourable Member from Matavera. “Teach us to number our days, that we may acquire a wise heart”. “Thy word is a lamp unto my feet and a light unto my path”. Amen.

MR V. TUPA: I was going to ask a Supplementary Question to the Minister but I will ask a question to the Prime Minister.

The question is, as I have had a look at the MFEM website, he may not be able to answer tonight and maybe tomorrow because I asked this same question at the last Sitting last year. I believe the Prime Minister will have a fair understanding of the question.

The question is, if you can explain to the House on the status of our financial situation in the country. I believe Mr Prime Minister, our people listening in will be happy to hear where we are in terms of our financial situation.

MR SPEAKER: I see the Honourable Prime Minister, you have the Floor.

HON. M. BROWN: Thank you Mr Speaker. Thank you also to the Finance spokesperson for the Opposition.

Just last week or the week before, the Cabinet received and released the Quarterly Report for the period ending December. At six months of the Financial Year, we will be reporting on. The country’s revenue was operating better than expected due to additional revenues that were not recorded at the time of our budget in June last year. Our expenditures were also on track with what we have expected with minor variants but there is no denying that the revenues of the country because of the drop in tourism has dropped considerably. Next week will be the end of the third quarter of this financial year and again, we will have a better idea of what our actual revenues are and our actual expenditures for these three quarters.

However, our team has made an assessment since the closure of our border in March last year – 12 months now. The cost of the border closure to our country, not to the

Government but to the wider economy, is about a million dollars a day. This is the money that tourist brings into our country every year and that is what we are missing out on. When I say we, I mean the hotel operators, restaurant owners, car rentals and motor bike operators, tour operators, fishermen who sell their fish to the hotels and restaurants, the growers who sell their products to the hotels and the restaurants, the market vendors who no longer have any customers to sell to. But we have kept our people alive, we have protected our country and not allowed the COVID to come in and I think for that, our people are very grateful.

However, it has come at a very big cost to our country but we are seeing now the people who have been on minimal wage or the wage subsidy close to a year, for many that is not enough for them to continue. If the tourist are not bringing in the money for them to earn, our people will go overseas to find that money and that is what we are seeing now is our people going in for short-term contract at the meat works and at the fruit picking.

Therefore, Mr Speaker, this year's finances has been appropriated in the budget and we stand by what we will make available to people right through to the end of the financial year in June. However, we have for a number of months now been preparing the new financial year for the new budget and we will be going through its final processes by April. It is here that we will see that there could be a funding gap.

In the budget for this year, we were able to fill that gap with the stabilization of the fund and money that we have set aside. We were supported with some Grant Funding from New Zealand and we drew down on some of our loan and contingent borrowing from the ADB. This year our options are very limited because we are a developed nation that graduated last year, the Grant Funding and the concessional borrowing that is available to other countries is not available to us.

So we are working very hard with other avenues to be able to fill in those funding gap. And part of my state visit to New Zealand in the next few days will be to talk with not only the Prime Minister of New Zealand but to also talk with relevant agencies and the Reserve Bank of New Zealand to look at other avenues for our country.

But the real fact of the matter is Mr Speaker that the avenue for us that is best suited for our country is the revenue that is derived from our tourist because it is money that we do not need to borrow, it is money that is not in the form of grants from donors, it is money that we as a country earned from our own hard work.

I know we have been sitting comfortably for one year now, keeping the COVID out and the tourist out. But while we have been sitting quietly there has been a lot of work that has been going behind the scenes. Our tourism operators have been gearing up for a restart of the tourism industry. Our Health at Te Marae Ora has been gearing up to ensure our readiness in terms of health is well prepared.

Our Border-Agencies have been prepared for the commencement of the two-way quarantine travel. Our testing capability is fully functional and will be ready with the additional PCR lab in two weeks' time. Our contact tracing capability, today we announce the commencement of the Bluetooth App that will complement the QR card

that is now in use in our country. This app Mr Speaker is able to operate both here in the Cook Islands and also sync with the New Zealand system.

All the advice that I have been given Mr Speaker is that we are ready to open for business. The one added measure of comfort that is available to us Mr Speaker is the availability of the vaccine so that we can start vaccinating our population to protect our people. Te Marae Ora have completed the detailed plan of the vaccination rollout which will mean that our entire population of Rarotonga, the Northern Group and the Southern Group can be vaccinated in a matter of days.

So, while the question raised by the Honourable Member (Vaitoti Tupa) regarding the status of our financial accounts is a very valid one. We know our finances will be taking a battering but the bad news is not how the state of our accounts are. Actually, I should rephrase that, the news that we should not be concerned with is how bad our state of accounts is. The good news we should be looking at is how well as a country are we going to respond.

The good news Mr Speaker is that as a country we prepared ourselves one long year for the commencement again for our business. We have learned lessons about how our tourism industry is operating better over the last seven years. We know there will be new ways of doing business but we are positioning ourselves Mr Speaker to be one of the first in the region to be up and running and back in business.

We are the first country that New Zealand has entered into an agreement for quarantine free travel between ourselves and New Zealand. As a matter of fact, we have been operating in a two-way quarantine free travel between ourselves and New Zealand since January this year. Albeit just restricted between Cook Islanders and work permit holders.

We have proved our ability to respond to any outbreak that occurred in New Zealand. Two recent outbreaks over the last two months. We were able to respond and stop passenger travels for a short period of time to ensure that the COVID did not come into our country.

So, I say Mr Speaker that as a country, yes we have come through some very difficult times, but I say we are well placed indeed, Mr Speaker to face the coming challenge and to put ourselves back into business in the next few weeks.

Mr Speaker I will endeavor to provide to the Honourable Member the information that he seeks that I have eluded to in our quarterly financial report on the website at the Ministry of Finance, thank you.

MR SPEAKER: Thank you Honourable Prime Minister. I see the Honourable Vaitoti Tupa and you have the Floor.

MR V. TUPA: Thank you very much Mr Speaker. I have a Supplementary Question to the Honourable Prime Minister. My question is, have your team sought advice from our financial partners as to what has been agreed to in the past to give us aid going forward.

For example, we are a member under the Climate Change Organisation and we are also a member under the Environment Agency and we are a member in the BRS – Basel, Rotterdam and Stockholm Convention. My understanding is that if we fail to consider our financial partners and yet we have adequate contributions with these international partners.

Referring back to our Pacific Region, under SPREP, SPC and SOPAC, I know that we have contributed to these Regional Organisation for we have signed the agreements.

My question is, what type of assistance can they provide for our nation and for us to become a developed country, will they be able to reassess our nation and place us back into a developing country again? I believe that this is a valid question Honourable Prime Minister, they should provide the type of help we need for the Cook Islands and for the entire Pacific nation.

MR SPEAKER: Thank you Honourable Member and I see the Honourable Prime Minister.

HON. M. BROWN: Thank you, Mr Speaker. I can assure the Honourable Member that the Government has left no stone unturned. Thank you, Mr Speaker.

MR SPEAKER: Thank you Honourable Prime Minister. I see the Honourable Member Tamaiva Tuavera.

MR T. TUAVERA: My question is to the Prime Minister and thank you, Mr Speaker, for this opportunity. My question Mr Prime Minister is, before the bubble travel, because yesterday morning I watched the news from New Zealand and the New Zealand Prime Minister was getting interviewed on the Breakfast show.

The question posed to her was, are they going to open up the bubble with Australia.

MR SPEAKER: Honourable Member, can you ask your question please.

MR T. TUAVERA: Her answer to that question was, it is going to take another two weeks before she can answer the question regarding the bubble travel between Australia and New Zealand. My question now is, do we play Russian roulette with COVID by letting tourists come to our country? I know we are not ready. We can boast how we got this, we got that, but we are not ready. We still have two machines up there and there is nothing else that I have seen in the hospital that tells me we are ready if we ever get COVID over here. So playing Russian roulette with COVID to me is very dangerous. Do we get vaccinated first before we seek tourist or do we just receive tourists and play Russian roulette?

MR SPEAKER: Thank you Honourable Member. I see the Honourable Prime Minister, can you answer that in short?

HON. M. BROWN: Tomorrow.

MR SPEAKER: Your question will be answered tomorrow.

We have come to the end of Question Time.

PRESENTATION OF BILLS

I will call the Leader of the House, Honourable Tehani Brown.

MS T. BROWN: Mr Speaker, I move:

That Standing Order 224 Notice to be given of introduction of a Bill be suspended so as to enable the Seabed Minerals Amendment Bill to be introduced and passed through all its stages tonight to enable the Police Amendment Bill to be introduced and passed through all its stages tonight and enable the COVID-19 Cook Islands National Superannuation Bill to be introduced and passed through all its stages tonight

MR SPEAKER: Can I call for a Seconder please?

Seconded by the Honourable Tereapii Maki Kavana

I see the Leader of the Opposition.

HON.T. PUPUKE BROWNE: Mr Speaker, I just wanted to get clarification. The Order Paper in our pigeon holes today did not include the Bills that was mentioned by the Leader of the House. The Supplementary Order Paper we have received about half an hour ago does not have any of those Bills on the Order Paper.

I am looking at Standing Orders 64 to 70. I am very mindful of the fact that part of this Session in Parliament is to correct mistakes that we made or this House made in March and September last year. I do not claim to know exactly how these Bills come onto the Order Paper without them actually being stated on there. I am a little surprised that we are still using the Suspension Standing Order in 4 to do the very things that the Standing Order Select Committee have been discouraging. In other words, do not abuse the Suspension Standing Order No. 4.

If you are confused, Mr Speaker that is because we also are confused and if you can take us through the Order Paper and how it is that you can include Bills on the Order Paper that are not on the Order Paper, then that will be helpful for us.

MR SPEAKER: Thank you Honourable Leader of the Opposition. These Bills are on Presentation of Bills Motion to allow the Bills to be dealt without notice required by Standing Order 224. It's on page 88 – second page Notice of Introduction of Public Bills – No.1 Seabed Minerals Amendment Bill, 2 Police Amendment Bill and 3 COVID-19 Cook Islands National Superannuation Fund on the Order Paper. Thank you.

I now call for a Seconder.

Seconded by the Honourable Tereapii Maki Kavana

The Question is:

That the Motion be agreed to?

Motion agreed to

PRESENTATION OF BILLS

The first Bill is the First Reading of the Police Amendment Bill. Can I call the Minister?

ACTING CLERK AT THE TABLE: Short Title: Police Amendment Act 2021.

BILL READ A FIRST TIME

MR SPEAKER: Can I ask the Minister to name time and date for the Second Reading of the Bill?

HON. M. BROWN: Forthwith, Mr Speaker.

MR SPEAKER: Thank you Honourable Minister. Seabed Minerals Amendment Bill. I call the Minister.

ACTING CLERK AT THE TABLE: Short Title: Seabed Minerals Amendment Act 2021.

BILL READ A FIRST TIME

MR SPEAKER: Can I ask the Minister to name the time and date for the Second Reading of the Bill.

HON. M. BROWN: After the Police Amendment Bill, Mr Speaker.

MR SPEAKER: Amendment Bill No.3 COVID-19 Cook Islands National Superannuation Bill. Can I call the Minister?

ACTING CLERK AT THE TABLE: Short Title: COVID-19 (Cook Islands National Superannuation) Act 2021.

BILL READ A FIRST TIME

MR SPEAKER: Can the Minister name time and date of the Second Reading of the Bill?

HON. M. BROWN: After the Seabed Minerals Amendment Bill, Mr Speaker.

MR SPEAKER: Presentation of Papers – Paper 82.

HON. M. BROWN: Mr Speaker, I have the pleasure to present:

Paper No. 82 the Customs Tariff Pacer Plus Schedule of Commitments

on Tariff Amendment Order 2020 Serial No.2020/28

I lay this on the Table.

MR SPEAKER: Paper No. 83 COVID-19 (Cook Islands National Superannuation Extension) Order 2020, Serial No.2020/29.

HON. M. BROWN: Thank you, Mr Speaker. Pursuant to Section 5 of the COVID-19 Cook Islands National Superannuation No.2 Act 2020 and the Regulations Act 1971-72 and the Legislative Service Act 1968-69, I have the honour to present:

**The COVID-19 Cook Islands National Superannuation Extension Order 2020,
Serial No.2020/29**

I lay this on the Table.

MR SPEAKER: Thank you Honourable Minister.

Paper Number 84: The Management Report of the Cook Islands Financial Statement for 2015 to 2017.

I lay this on the Table.

Paper Number 85: The Management Report of the Cook Islands Government Financial Statement for 2018 to 2019.

I lay this on the Table.

Paper Number 86: The Performance Audit Report into the management of Payments on Behalf of the Crown (POBOC).

I lay this on the Table.

Paper Number 87: The Public Expenditure Review Committee (PERC) Report into CITC complaint against the Revenue Management Department.

I lay this on the Table.

Paper Number 88: Special Review Audit Reports that covers the following individual special reviews issued:

- Sealing of the Punanga Nui Market Project
- Missing funds at the Penrhyn Islands Admin
- Income Expenditure of the Office of Leader of Opposition
- Ministry of Corrective Services
- EO of Mitiaro Island Admin misuse of Public Funds

I lay these on the Table.

Paper Number 89:

HON. M. BROWN: Thank you Mr Speaker I have the honour to present:

The Annual Report of the Financial Supervisory Commission of the Cook Islands for the period 2019-2020

I lay this on the Table.

MR SPEAKER: Paper Number 91:

HON. M. BROWN: Thank you Mr Speaker I have the honour to present:

The Government of the Cook Islands Financial Statements for the year ended 30 June 2018

I lay this on the Table.

MR SPEAKER: Paper Number 92:

HON. M. BROWN: Thank you Mr Speaker I have the honour to present:

The Government of the Cook Islands Financial Statements for the year ended 30 June 2019

I lay this on the Table.

MR SPEAKER: Paper No. 93: I call the Honourable Patrick Arioka.

HON. P. ARIOKA: Thank you Mr Speaker. I have the honour to present:

The Final Report of the Agriculture Bill 2020 Select Committee March 2021

I lay this on the Table.

MR SPEAKER: You may continue.

HON. P. ARIOKA: Thank you Mr Speaker and greetings everyone in the name of our Lord. Greetings to our people who are listening in to us tonight and also greetings to those watching us on livestream on Facebook. Greetings to us Honourable Members in this Honourable House tonight. Greetings to you Mr Speaker and congratulations once again for taking up the realm to lead this Honourable House into the next century. I also pay my congratulations to the Deputy Speaker as well for being able to take on this responsibility as your Deputy Speaker moving on the years ahead. Greetings to the Leader of the Opposition and your Members of Parliament under your control and wish you the hard work that we have worked together on this very particular Bill, Mr Speaker.

I think it is fair for me Mr Speaker to speak in our mother tongue because I know that many of our people who has been working hard as well as being part of the process to bring this Final Report on the Agriculture Bill to a conclusion. It is also fair Mr Speaker that on behalf of the Minister of Agriculture, the Honourable Rose Toki-Brown and

myself, as well as the Select Committee, they have been working so hard to bring this Bill to an end and it has been worthwhile waiting and at the same time now we have something concrete that our people and their livelihoods really depend on. In saying that Mr Speaker, I congratulate the Select Committee who has worked tirelessly on each of the key elements that concerns our people to make sure that we understood their concerns with regards to their livelihoods in agriculture.

Most in particular the Deputy Chairman who has been very vocal in making sure that the issues discussed has met all the criteria's that this Bill has gained so that our people understands it very well. I also give thanks to each member of the Select Committee who has worked as a group on every issues that we have dealt with and I am sure to say that we have thoroughly given time to make sure that this Bill is not only able to enable the industry to grow but also to assist our people to further on in the agriculture industry.

To all our people listening today, it is a happy day because we have accomplished something wonderful through a law to strengthen agriculture for the next twenty or thirty or even fifty years in the future. I can assure you Mr Speaker that most of us in here are planters. That is why we are so quick to understand the importance of this Bill, collected and drafted from the people of our nation, tabled today. Mr Speaker, this report is very clear, we were able to distinguish the importance in compiling this Act for our people.

In year 1984, the Ministry of Fisheries Department was removed and since that time, Agriculture has held on to that long-standing law to this day. No other law was passed to improve agriculture since 1994 to this day. Fortunately for us because in 2012 FAO (Food Agricultural Organisation of the United Nation) funding was available to support and draft the Bill. In 2017, consultations on a policy for the Bill took place. In 2019, Cabinet then gave approval for public consultations. So, Mr Speaker we can see that since 1996 the Ministry and it outputs remained at the same level. Two things were noticed during that time. Firstly, this Ministry does not get involved with agriculture in the outer islands, because of this, the Minister Honourable Rose Toki Brown in 2008 formed an MOU to commence agriculture with the outer islands. From then on until today, we can see the great work that has been put into this Bill. We can see that there is no need to go back to an MOU as we have a Bill that will soon be passed in this House.

Now, I would like to comment on the support that have been put forward by the Members of this Committee. Mr Speaker the first one is that the Government will be able to assist our people to market their produce to other countries. This Bill will enable our people to send their produce to New Zealand and to other countries. In the past it was very difficult for our local growers to market their produce New Zealand, but this Bill takes that away.

This Bill will enable our people to have the confidence that their produce will have the market to consume them. Although with the assistance of Pacer-plus, this Bill will enable our people to be in a good status regarding the market. This is the stand of the Members on this Committee that our people are catered for and not at a lost as in the past.

Secondly Mr Speaker, we cannot ignore the local knowledge our people possessed. Through our consultation with our people, it was established that the local knowledge of our people are very important and it should not be ignored. The committee believes that these are the local knowledge of planting that our people have and we should hold on to this knowledge. In fact, we can see today that some of our European friends are taking advantage of these local wisdom. Therefore, since this is something of our own heritage, we should treasure these local knowledge and experiences for future benefit.

Thirdly Mr Speaker, I would like to point out the importance of members selected to be committee members that were appointed to support the overall work of the Ministry of Agriculture. The committee were able to strengthen the overall performance of the committee and ensured a proper process in place in encouraging them to become great committee members should they get chosen to support the work of the Ministry. These steps would be of great help for the Head of the Ministry in providing proper guidance for the right thing to be done under this Act.

I am glad to announce the support of our people to the Committee and for the process to be clear for our people to understand and to know that everything is being covered under this Act and they will be protected should they get involved. This Bill will strengthen the committee members covered in this Act for the work of the Ministry of Agriculture.

Fourth point Mr Speaker is based on the area of work for those seeking knowledge in the agriculture area for our people. I am also glad to inform you Mr Speaker the importance of this Bill, it is to protect our nation so that nobody will not get into any problems, difficulties or mistreatment as previously experiences.

Therefore, the committee and our people had reviewed these closely to ensure that the work of our workers are correctly reviewed and protected when inspecting agricultural sites. We have had past experiences of pest who had entered our country attacking our produce resulting a significant loss with our planters. That is why this Bill is necessary for us to support our people by researching further into the agriculture activities. On behalf of the committee, I am honoured to report to this Honourable House that our people are happy because the process listed are very clear and these steps will not to be tolerated and be misused when a problem arises, but to be used to support our local planters.

So, a decision has been made Mr Speaker, an authority has been granted, a law to help protect those who enter plantation grounds, even those who enters residential premises that are unattended, they will be protected under this Bill to ensure they carry their duties successfully. Therefore Mr Speaker, this Bill is successfully completed.

The fifth important thing in this Bill is finding people that the Ministry can use for various research task. Anyone wanting to access this information will have to refer to the OIA Act 2008.

MR SPEAKER: Thank you, I can see the Honourable Minister.

HON. R. TOKI-BROWN: Mr Speaker, I rise to move:

**That the Minister be given extra speaking time so that he
can complete his speech on the Bill**

MR SPEAKER: Thank you Honourable Minister and I call for a Seconder

Seconded by the Honourable Vaitoti Tupa

I put the Question:

That the Motion be agreed to?

Motion agreed to

I know that is a very long speech Minister. You may carry on.

HON. P. ARIOKA: Thank you Mr Speaker. I am trying to be brief to give our other Members time to raise their comments.

Thank you Mr Speaker, as I was speaking on part of the Official Information Act 2008 to confirm that regardless whether the Bill is included in it, it is best that our people follow the proper procedure outlined in the Act to enable them to collect any information or knowledge from within our Ministry today. Our committee were able to confirm these with Crown Law for our Ministry to proceed with their investigations in collecting information instead of the OIA 2008 being used against them. In case our people requires information that the Ministry had collected, they will still have to refer to the Official Information Act. The purpose behind this Act, so that we can protect the information that is freely given to us by our own growers. The information given will benefit our own growers as this Act gives that protection.

Part 6 of this Report, Mr Speaker gives protection to the Agriculture Officers who work for the Ministry. In this Bill there is provision made for those who will have to enter into homes or land used for planting or storage of machines, they will be protected when entering these premises.

However, in the first writings of this Bill there was a provision, or consideration given to the parquet and the Committee decided that this explanatory on parquet to be removed because it did not serve its purpose under this Bill so this Amendment has been completed under this Bill.

Part 7 of this Bill concerns the days applying to our growers. Under the original Bill there was seven days allocated. However, in the Amendment Bill this has been extended to twenty-eight days and this is on part with all the legislations of this country. This was amended and accepted by our people so there's uniformity in the accepted of 28 days applying to our growers.

Part 8 of this Bill covers the relationship between the Ministry of Agriculture as well as the Island Government of each island and under this Bill within the relationship between Ministry of Agriculture and the Island Governments there's provision granted to the Secretary of Agriculture within this section. Everybody accepted this change because that includes that in the future maybe these types of work will be extended to the workers of the Island Government under this provision.

For example, we consider the caretakers that has been sent to the island of Suvarrow where they have been given the powers under this Act to act as biodiversity officers on the island. Therefore, the Committee was happy with the support granted by the Council Members on the island and through the Island Government.

Mr Speaker, I come to the final part which is on the Regulations under the Act. The Output 5 areas under this Regulation where it lends support to the production of food right across the whole spectrum of agriculture.

We see the different modes and methods of growing and planting today and an example is organic farming. As well as beekeepers today and those who are growing root crops today. But there remains legislation that will impact on our food producers which is the Food Safety Standards Requirement.

Therefore, Mr Speaker the intent under the Regulations is to ensure that the food and produce that we grow do not cause other problems when we export them out of the country.

The second provision under the Regulations is concerned with the steps and the ways where Government can assist the growers in exporting their produce overseas. Hence the Committee has included major provisions under the Regulations that is completed today.

Number three under the Regulations is to do with certain steps and procedures that our growers need to abide and follow. These steps are referred to as standards and codes of production. Our people accepted these steps and is supported by the Committee.

The forth provision is made for the time when our people need to do the right thing and where protection is required under research and bio-security protection.

MR SPEAKER: Thank you Honourable Minister.

HON. R. TOKI-BROWN: Mr Speaker, I rise to seek leave of the House to provide extension of time for the Minister of Agriculture to complete his presentation.

MR SPEAKER: I call for a Secunder.

Secinded by the Honourable Member Vaitoti Tupa

Honourable Minister, you may continue.

HON. P. ARIOKA: Thank you, Mr Speaker. I only have two short parts to complete what I have to say. Provision 5 under the Regulations is concerned with growing and planting in the Outer Islands in co-operation with our traditional leaders. These provisions enable us to consider the laws, customs and practices of growing and planting on each island. The Committee gave full support to this and ensured that this provision be included under the Regulations to ensure it does not fall aside.

On behalf of the Committee, we extend our sincere thanks and appreciation to the people of our nation who had given their full support with the good work that we have

been doing today and what can be done for the future. We can assure that over 60 recommendations were received from our people to be inserted into this bill, however, our Committee have managed to sort them out, which is the report that you can see before us today.

Thank you Mr Speaker.

MR SPEAKER: Thank you Honourable Minister, I see the Active Deputy Leader of the Committee

MR V. TUPA: Thank you Mr Speaker for the opportunity you have given for me to speak. I will only speak for about 20 minutes. Coming back to the report, as I am the Deputy Leader on this Committee, you will find recommendations that were confirmed in this report. Within those recommendations confirmed by the Committee, they have selected nine recommendations who had been approved. This confirmation had been relayed back to the people who had contributed.

We have all read the report, there were nine important recommendations which we the Committee had discussed and confirmed with the public that these recommendations had been included in this report. Mr Speaker, I will spend most the majority of my time when it is the second reading of this Bill. That is the end of what I have to say, that is why I said that I will only speak for about 20 minutes on this Bill, so I can give my support for this report. Also, with the recommendations that has been approved, I want us Members of Parliament to read all the recommendations, so everybody understands what is being talked about with this Bill for Agriculture, thank you.

MR SPEAKER: Thank you Honourable Member, that brings us to the completion of the presentation of papers.

ORDERS OF THE DAY

Constitution Amendment (No. 29) Bill, Committee of the Whole House.

Honourable Members, I wish to advise you that I will suspend Parliament for 10 minutes, to allow the Crown Law Office time to consult with the Members of the Opposition on the Constitution Amendment.

Parliament is suspended for 10 minutes.

Sitting suspended at 9.47 p.m.

Sitting resumed at 9.51 p.m.

MR SPEAKER: Please be seated. Thank you for your patience Honourable Members.

I now call upon the Leader of the House.

MS T. BROWN: Mr Speaker, I move:

That Standing Order 54 (2) Sitting days and hours of sitting be suspended so as to enable Parliament to sit on Tuesday, 23rd March 2021 at these times – starts at 10.00 a.m. to 11.30 a.m., break at 11.30 a.m. to 12.00 p.m., resume at 12.00 p.m. to 2.30 p.m. break at 2.30 p.m. to 3.00 p.m., resume at 3.00 p.m. to 5.00 p.m.

MR SPEAKER: Thank you Honourable Leader of the House. I call for a Secunder?

Seconded by the Honourable Member Tingika Elikana

Honourable Members we will come back tomorrow to complete our work.

I put the Question:

That the Motion be agreed to?

Motion agreed to

Can one of the Members please lead us in a closing Prayer?

CLOSING PRAYER

Parliament is adjourned and will resume at 10.00 a.m. tomorrow morning. Please be advised that there will be some late night snacks for everyone.

Sitting adjourned at 9.55 p.m.