

**Votes & Proceedings
of the
Sixteenth Parliament**

No. 26

**First Sitting of the Twenty-first Meeting
Tuesday, 9th May 2006**

10.00 a.m.

1. The House met at 10 a.m. in accordance with the resolution made on Friday, 28th April 2006.

2. The Hon. Valdon K. Dowiyogo, M.P., Speaker of Parliament, took the Chair and read Prayers.

3. Message from the President

His Excellency President Ludwig Scotty, M.P., made a statement to the House on the articles written in the 'Preachings & Doings' newspaper.

4. Notice of Motion

His Excellency President Ludwig Scotty, M.P., gave notice that at the next sitting of Parliament he shall present the Parliament of Nauru (Register of Interests)(Amendment) Bill 2006.

The Hon. Godfrey Thoma (Minister for Justice) seconded.

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

6. Ministerial Statement & Tabling of Papers

(i) His Excellency President Ludwig Scotty, M.P., made the following statement to allay fears and suspicions spread through vicious rumours and innuendoes:-

'Mr. Speaker, I rise to make a statement in order to allay fears and suspicions that have been spread among our people by vicious rumours and innuendoes circulated through written form and by way of mouth.

These rumours and innuendoes, Mr. Speaker, have been fanned along, if not actually started, by certain aggrieved members of society egged on by former Members of this Parliament and other hangers-on.

Recently, Mr. Speaker, a number of persons filed petition in the Supreme Court that made a number of vague, uncertain and unsubstantiated allegations against a majority of Honourable Members of this House including yourself. Two of the signatories are Members of this Parliament and one was a former Member. All three were part of the previous government in the last Parliament. The other eighteen (18) signatories are notable persons set against this government.

Those allegations concerned funds that have been provided to some Members and to be under their control for the purpose of allaying the hardship experienced by some constituents and of assisting others with deserving small projects of value to the community.

Mr. Speaker, even though I was not privy to arrangements between a donor with other individual Members I know that some Members named in the petition are receiving funds for assistance to their people in their constituency. I gather that some, like myself, are receiving a limited amount of funds on certain strict conditions that the money be used for the purposes I have referred to and any other benefits the members and community leaders may deem fitting to jump-start and improve people's welfare. The use of the fund is fully accounted for to the donor.

Mr. Speaker, I am aware that the scheme directs that Members distributing these funds are not permitted to use them for their sole benefits or their family's purposes and that if a Member misuses the funds other than community benefits in the constituency, the donor would be inclined to cease to provide any Member with further funds and other more serious consequences would follow.

Mr. Speaker, the provision of these funds and their use are not, I believe, covered by the Parliament of Nauru (Register of Interests) Act 2004. It is because they are not so covered that I am making this statement in good faith.

I want to make it really clear that the funds do not belong to Members and Members handle them for no other reason than they are, at present, the only available conduit by which assistance can be readily and anonymously provided to our people at the grass-roots level. According to feed-backs there has been great benefit in this scheme to the people on a large scale. I want also to make it exactly clear that the funds are not public funds and are not accountable under the Republic's Treasury Budget.

It is an unfortunate fact that certain persons who were Members of or were very close to the previous government earned for themselves a certain reputation for handling other people's money, and it may well be that until events might prove otherwise, the donor is not prepared to entrust the present Members of the opposition, as they call themselves, with handling other people's money. The facts of their past reputations speak for themselves. In this regard I do not think anyone should question and or be over possessive as to where any donor would consider parting with their money.

Mr. Speaker, never have the local district communities been in a more active role to fend for themselves as a result of receiving this grass-roots assistance. There are now certain activities noted around the island made possible from this assistance. In my own three districts, people are immensely benefiting from the assistance whether to individual household or through our three respective district communities. In turn, I demand and keep accounts of transactions for my report to the donor. I know for a fact that others around the island are also benefiting from this scheme. The District Communities are not particular not favourable as to who does and does not support this government. Everyone has the same benefit according to the genuine needs. As I understand and practise, the requirements are seriously considered by the District Communities and or the Member before giving out assistance to where needed most.

Mr. Speaker, none of the Members on this side of the House would ever refuse to assist the Members or their constituency who are in dire need and would not inquire or take into account whether or not those people support any particular person in the Parliament. It is the committed responsibility of this government to revive the economy of this nation which was put in tatters, as inherited, and to improve the lives of the people. Furthermore, none of the Members on this side of the House had ever denied that we are receiving and using donor funding on community welfare. There is no big deal in this matter and I would challenge anyone to prove that we had denied handling the grass-roots funding issue.

Mr. Speaker, I believe that the track records to date supports what I say. Checks can be made through what we have stated in Parliament that can be verified by Hansard.

Mr. Speaker, I may well be asked who is this beneficent donor of whom I speak, but, Mr. Speaker the funds are provided on the basis of anonymity and I do not propose to breach that trust. The benefits to our less fortunate people are clear and I do not wish to prejudice that simply to satisfy the political whims of some persons who would probably be of more value doing community service, voluntary or under a court order, than whining about useful service to Nauruans in need.

Mr. Speaker, members of this government and our supporters in Parliament are doing so much for the revival of this beloved nation of ours. We, therefore, strongly feel we do not deserve the unfounded criticisms and allegations from hidden elements set against us. We view their push to bloat the grass-roots funding issue as being a national crisis to be petty and damaging that would be detrimental to our people if the donors decline to assist further, especially under present economic climate. We also feel that these unjustified rumours are of a defamatory character that could possible incite the wrath of people against us, that

may in turn jeopardise our work to progress our nation. The outcome of this incitement may also put our country into chaos.

If anyone is to consider how this country is presently surviving without any revenues at all, they should be reminded that the recent success in progress of our nation from the last 19 months depended much on assistance by external donors and the utilisation of meagre funding means upon appropriate priority goals set by this government and supports in Parliament. Hence, the minor grass-roots funding issue should not be let to be a major hindrance to our collective efforts. The next 17 months until election date would prove our worth.

Mr. Speaker, may I sum up as follows in accordance with what I know –

- 1. Yes, funds are received in trust from a donor for use and distributio0n for needy Nauruans.*
- 2. Yes, funds are distributed in accordance with the donor's wishes.*
- 3. No, the funds are not the property of the Members who receive them, and they may not use them for their own benefit.*
- 4. Yes, the Members are required to account to the donor for their application of the funds.*
- 5. No, the donor is anonymous and will remain so.*

Mr. Speaker, before I end this submission, I would appeal to the perpetrators of these defamatory matters surrounding the grass-roots funding means to refrain their efforts on that matter and to concentrate more on assisting with the government and the District Communities on the more important role of improving prospects for the better livelihood of the people of Nauru.

In ending, I hope that this would allay the anxieties and fears borne upon our people and put to final rest some vicious rumours circulated by those who are working hard to see the downfall of hard-working, popularly elected Members of this House, and to once again get their hands on the public purse to the detriment of the people and our beloved nation. Thank you.'

(ii) The Hon. Dr. Kieren Keke (Minister for Health), as Chairman of the Constitutional Review Committee, presented the First Report of the Committee on 'Amendment to the Constitutional Review Committee Act', 'Review Process' and 'Other Matters'.

Mr. Tabuna (Yaren) moved that the Paper be noted.

7. Motion – Leave Sought for

Mr. Batsiua (Boe) sought leave of the House to move a motion.
Leave was granted.

8. Motion

Mr. Batsiua (Boe), as Chairman of the Select Committee on Procurement of Caterpillar Generator Sets, moved the following motion –

‘This House may kindly recall that the Select Committee on the Procurement of Caterpillar Generator Sets was given an extension of time of four months, i.e. until April 27, 2006 for completing its inquiry and presenting a report to Parliament;

That the Select Committee has progressed a significant part of its work but have been severely hampered and frustrated by the lack of co-operation extended to it by one of its key witness, Mr. Kinza Clodumar, who despite being served with a summons to appear before the Select Committee to tender evidence, has chosen not to comply and have remained overseas up to now thereby breaching the conditions of his summons;

And that due to his breach of summons an application has been lodged in the Court House by the Honourable Speaker through the Clerk of Parliament in accordance with Section 12 of the Parliamentary Powers, Privileges and Immunities Act 1976 to issue a warrant of apprehension and to force his appearance before the Committee;

And that such application was lodged on April 21st, 2006 and the Parliament Secretariat has yet to receive a response from the Court House;

And that given the importance of the evidence to be tendered by Mr. Clodumar;

I therefore would like to request on behalf of the Select Committee members that a further extension of four months retrospective from April 27, 2006 be granted to the Committee until August 26, 2006 for the completion of the said inquiry and for reporting back to the House accordingly.’

Mr. Kun (Buada) seconded.

Debate ensued.

Question put and passed.

9. Matter of Privilege

The Hon. Dr. Kieren Keke (Minister for Health) raised a matter of privilege as follows:-

‘Last sitting, Friday 28th April 2006, as I walked out of the Chamber of this House, a member of the parliamentary staff handed me a piece of paper folded in four and stapled that had my name on it. When I opened it, it was clear that this was a document from the Supreme Court of Nauru.

The Parliamentary Powers, Privileges and Immunities Act 1976 clearly provides that no process issued by any court shall be served or executed within the precincts of the Parliament when Parliament or any committee is meeting, or through the Speaker, the Clerk or any officer of Parliament.

There is clearly been a breach of privilege in the issuance of this document from the Supreme Court and I would request you under Standing Order 83 to refer this matter to the Committee of Privileges.

The Chair informed the Member that the matter will be referred to the Committee of Privileges.

The Chair informed the Member that the matter will be referred to the Committee of Privileges.

10. Motion Fixing the Date for the Next Sitting

His Excellency President Ludwig Scotty, M.P., moved that Parliament its rising do adjourn until a time and date to be fixed by the Chair.

The Hon. Godfrey Thoma (Minister for Justice) seconded.

11. Motion of Amendment

Mr. Harris (Aiwo) moved to amend the motion as follows:-

'I wish to amend the motion as moved by His Excellency the President that the House continues with the normal business so as to enable me to move my motion listed as Motion No. 8 on the Notice Paper to be decided forthwith by the House and thereafter the President may adjourn the House as he so wishes.'

Mr. Adam (Buada) seconded.

Question put and passed.

12. Motion

Mr. Harris (Aiwo) moved as under:-

'A Select Committee of this House be constituted to look into the alleged irregularities, inefficiency and corruption rampant in the Nauru Police Force specially at a time when the Police Force is headed by an expatriate Australian police officer deputed by virtue of AusAID;

That such a Select Committee shall look into the :-

Causes of deviation of Nauru Police Force from its diligent duties as the Republic is witnessing high rates of crimes which remain uncontained and are surging at a very fast rate;

Critically look, observe and recommend on the progress and upgradation of Nauru Police Force in terms of training, investigative methods, handling adolescent delinquency, crime against women and domestic violence, charging for prosecution, enforcing various criminal codes, checking illegal immigration and all other callings expected from the police force under the current Commissioner of Police; and

Look into the problems faced by the police officers and recommend ways and means to make it an efficient body by overcoming all impediments as mentioned in the premises in the foregoing paragraphs in order to introduce police reforms.

That the Select Committee consists of five members, namely:-

- (i) Hon. Dogabe Jeremiah*
- (ii) Hon. Riddel Akua*
- (iii) Hon. Mathew Batsiua*
- (iv) Hon. Terangi Adam;*

and myself as mover of the motion;

That the Select Committee shall be named as 'Select Committee on Nauru Police Force;

That the quorum of the Committee shall be three;

That the Committee elects one of its members as the Chairman and also constitute its terms and references based on this motion;

That in the event of an equality of voting, the Chairman has a casting vote;

That the Committee be provided with all necessary staff, facilities and resources;

That the Committee shall make interim reports to Parliament and shall seek extension if required;

That the foregoing provisions of this motion, so far as they are inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders;

That the Committee have power to send for and examine persons, papers and records, to move from place to place if required; and to meet in private or public sessions; and

That the Select Committee shall present its report within 4 months of passing of this motion.'

Mr. Adam (Buada) seconded.

Question put and passed.

13. **Motion Fixing the Date for the Next Sitting**

His Excellency President Ludwig Scotty, M.P, moved that Parliament at its rising do adjourn until a time and date to be fixed by the Chair.

The Hon. Godfrey Thoma (Minister for Justice) seconded.

Question put and passed.

14. **Adjournment**

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

Debate ensued.

Question put and passed.

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

Members Present

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

Mr. Adeang

Mr. Pitcher

Mr. Stephen

Mr. Ribauw

John Garabwan
Deputy Clerk of Parliament