

TheParliamentarian



Journal of the Parliaments of the Commonwealth

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Towards a Common Future: CHOGM 2018 Outcomes

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inspires young leaders

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STATEMENT OF PURPOSE

The Commonwealth Parliamentary Association (CPA) exists to connect, develop, promote and support Parliamentarians and their staff to identify benchmarks of good governance, and implement the enduring values of the Commonwealth.

Calendar of Forthcoming Events

Confirmed as of 30 May 2018

2018

June

- | | |
|--------------------|---------------------------------------------------------------------------------------------------------------------|
| 8 to 11 June 2018 | CPA Expert Committee on the Status of the Association, London, UK |
| 15 to 23 June 2018 | 43 rd CPA Regional Conference of the Caribbean, Americas and Atlantic Region, Georgetown, Cayman Islands |
| 18 to 20 June 2018 | CPA Recommended Benchmarks for Democratic Legislatures Review Meeting, Wilton Park, UK |

July

- | | |
|--------------------|-----------------------------------------------------------------------------------|
| w/c 9 July 2018 | CPA Fundamentals Programme for Small Branches (Online), McGill University, Canada |
| 22 to 27 July 2018 | 56 th CPA Canadian Regional Conference, Ottawa, Canada |

November

- | | |
|---------------------|--------------------------------------------------------------------------------|
| w/c 5 November 2018 | CPA Fundamentals Programme (Online), University of Witwatersrand, South Africa |
|---------------------|--------------------------------------------------------------------------------|

The publication of a Calendar of Commonwealth Parliamentary Association (CPA) events is a service intended to foster the exchange of events and activities between Regions and Branches and the encouragement of new ideas and participation. Further information may be obtained from the Branches concerned or the CPA Headquarters Secretariat. Branch Secretaries are requested to send notice of the main CPA events and conferences to hq.sec@cpahq.org in advance of the publication deadline to ensure the Calendar is accurate.

Further information can also be found at www.cpahq.org or by emailing hq.sec@cpahq.org.



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CHOGM 2018 OUTCOMES AND A NEW FOCUS ON THE COMMONWEALTH

The Editor's Note

Following recent events, there is a renewed focus on the Commonwealth that we have not seen for a number of years. The diverse community of the 53 Commonwealth nations has an opportunity to increase its promotion of prosperity, democracy and peace and to tackle the worldwide challenges such as climate change that affect all of our global population.

The role of the Commonwealth's wide network of organisations – from the Commonwealth Parliamentary Association (CPA) and the Commonwealth Women Parliamentarians (CWP) through to the Commonwealth Games Federation and the Commonwealth Local Government Forum – is of huge importance in giving the Commonwealth a unique role in responding to the world's universal challenges.

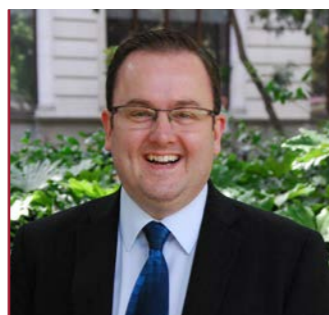
This issue of *The Parliamentarian* reports on a wide range of recent events and activities that have reached our membership in all nine regions of the Commonwealth Parliamentary Association.

This issue reports on the many events that took place prior and during the Commonwealth Heads of Government Meeting (CHOGM) 2018 and Commonwealth Summit in the United Kingdom with a wide range of activities involving Commonwealth Parliamentarians. From the opening ceremony by Her Majesty Queen Elizabeth II at Buckingham Palace to the Commonwealth Foreign Ministers meeting at Lancaster House, all of these events had a great impact.

This issue reports from three of the four Commonwealth Forums – *Women's*, *People's* and *Youth* – which, together with the Business Forum, took place in London ahead of the main CHOGM 2018 bringing together Parliamentarians, heads of government, global leaders, business executives, civil society groups, international and women's organisations and young people. The Commonwealth Forums were a valuable opportunity to discuss shared agendas, forge important new partnerships and celebrate common interests.

The **Chairperson of the Commonwealth Parliamentary Association (CPA) Executive Committee, Hon. Emilia Monjowa Lifaka, MP** (Cameroon) builds on the outcomes of the Commonwealth Women's Forum in her *View* article on the subject of 'Women and Politics' and the **CPA Secretary-General, Mr Akbar Khan** in his *View* article writes about leveraging the Commonwealth network to make lasting change.

Hon. Angelo Farrugia, MP, Chairperson of the CPA Small Branches (Malta) writes about the importance of the separation of powers to democracy in the Commonwealth, a subject he spoke about at



Jeffrey Hyland, Editor
The Parliamentarian,
Commonwealth
Parliamentary Association

the 2018 Commonwealth People's Forum in London, ahead of CHOGM 2018.

Shri Rajiv Pratap Rudy, MP (Lok Sabha, India) gives us a view of CHOGM 2018 from India's perspective and write of the increasing importance that his country is placing on the Commonwealth connection.

Just prior to the CHOGM 2018, the successful XXI Commonwealth Games was held in the Gold Coast in Australia. This issue hears from Queensland Government Minister for the Games, **Hon. Kate Jones, MP** (Queensland, Australia) about the impact of the event on the state and the country as a whole.

This issue of *The Parliamentarian* features an article by **Rt Hon. David Hanson, MP** (United Kingdom)

about the CPA UK Branch's Modern Slavery Project in partnership with the UK Government that is reaching many Commonwealth countries.

Hon. Meraj Hamayun Khan, MPA (Khyber Pakhtunkhwa, Pakistan) is the Chairperson of the Women's Parliamentary Caucus in the Khyber Pakhtunkhwa Assembly and she writes about the inspiring Malala Yousafzai.

This issue celebrates the ten-year anniversary of the Pakistan Institute for Parliamentary Services (PIPS) with an article by its Executive Director, **Mr Zafarullah Khan** about the work that the Institute has undertaken in parliamentary development and youth engagement.

The CPA *Recommended Benchmarks for Democratic Legislatures* were developed as a global tool for parliamentary benchmarking and several CPA Branches are undertaking self-assessments using the benchmarks. This issue of *The Parliamentarian* hears from **Ciara Furlong** and **Amanda Honeyman** from the Queensland Parliament who share their insights and experiences of the benchmarking process.

V. K. Babu Prakash, Secretary of the Kerala Legislative Assembly (Kerala, India) writes about the Indian Parliament in relation to judicial matters and the role that it plays.

On 12 March 2018, the CPA Headquarters Secretariat celebrated **Commonwealth Day 2018** with young people from the Commonwealth and this issue features a report and images of the events in London alongside reports from many CPA Branches about the wide range of activities that took place across the Commonwealth from St Helena to Zanzibar, Manitoba to New Zealand.

The **9th Commonwealth Youth Parliament** took place at the States Assembly in St Helier, Jersey in a cold and wintry February



Image: CHOGM 2018/Commonwealth Secretariat

earlier this year with over fifty Commonwealth youth delegates aged between 18 to 29 years old. This issue features a full report from the event and two perspectives from youth participants from Jamaica and the United Kingdom.

International Women's Day 2018 was marked by Commonwealth Women Parliamentarians (CWP) and Commonwealth Parliaments across the world and this issue reports on some of the events to mark the day as well as reports of CWP regional strengthening activities and the historic unveiling of the first statue of a woman in the UK's Parliament Square.

This issue of *The Parliamentarian* features news reports from the CPA Executive Committee's Mid-Year meetings in Mauritius; the Post-Election Seminar for the National Assembly of Kenya; Parliamentary staff training organised by the Centre for Parliamentary Studies and Training (CPST) and the Parliament of Kenya in partnership with McGill University; and other CPA and Commonwealth news.

Above: Commonwealth leaders gather for the final day of the Commonwealth Heads of Government Meeting (CHOGM) 2018 in April with Windsor Castle as a spectacular backdrop.

The *Parliamentary Report* and *Third Reading* section in this issue includes parliamentary and legislative news from Canada Federal, British Columbia, India, New Zealand, Sri Lanka and Australia Federal.

We look forward to hearing your feedback and comments on this issue of *The Parliamentarian*, on the issues of concern to Parliamentarians across the Commonwealth and to receiving your future contributions to this publication.

Jeffrey Hyland
Editor, *The Parliamentarian*
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CORRECTION: *The Parliamentarian*: 63rd CPC workshop report: A report from the 63rd Commonwealth Parliamentary Conference (CPC) which appeared in *The Parliamentarian* 2017: Issue Four (Volume 98) on 'Workshop H: What factors fuel the rise of different kinds of nationalism?' (page 314) stated that during the workshop, Hon. T. N. Thongdok, MLA, Speaker of the Legislative Assembly of Arunachal Pradesh commented on the issue of Al-Shabaab, a militant Islamist group linked to Al-Qaeda. The CPA Arunachal Pradesh Branch has asked us to clarify that the Speaker of the Legislative Assembly did not comment on this issue during the workshop. The publishers of *The Parliamentarian* are happy to make this correction and apologise for any confusion caused by this inadvertent error. In addition, the Speaker was incorrectly identified as the Deputy Speaker in the report published on page 296 in the same issue.



WOMEN AND POLITICS

View from the CPA Chairperson

As democracies evolve throughout history, there has been a growing call for political participation for all genders, races and social class. The inclusion of women in the political sphere and growth of democracies either through conventional means of participation such as running for office, unconventional ways such as sit-ins and participation at rallies or even on descriptive or substantive bases of participation, though very vital, has been sidelined. These and more have engendered a continuous debate on the issue.

All over the globe, though women are continuously breaking through this glass ceiling, their voices are still not heard. In Parliament and in the realms of policy making, women are still being



Hon. Emilia Monjowa Lifaka, MP, Chairperson of the CPA Executive Committee and Deputy Speaker of the National Assembly of Cameroon

“As democracies evolve throughout history, there has been a growing call for political participation for all genders, races and social class. The inclusion of women in the political sphere and growth of democracies either through conventional means of participation such as running for office, unconventional ways such as sit-ins and participation at rallies or even on descriptive or substantive bases of participation, though very vital, has been sidelined. These and more have engendered a continuous debate on the issue.”

stereotyped in many ways including the gender distribution of labour as women are often placed in female-related roles and Committees. To enhance the democratization of governance in transitional and consolidated democracies, it is pivotal that gender equality (especially with regards to the inclusion of women) is put at the forefront of the political agenda.

We all do agree that political activities require time, money and a lot of sacrifice and which many women are ready to make. However, access to financial resources is a major setback for women. There are very few programs designed at the level of governments and by financial institutions to provide financing for women and also, women do not have the collateral to access loans from financial institutions.

In addition, women because of gender bias have a greater workload within the family and no economic or financial value is attached to this.

As an Association, the CPA will work in close collaboration with different legislatures across the Commonwealth to encourage Parliaments to hold their respective governments to account, to mainstream gender into public policy making because the absence of clear gender policies give room for misinterpretation, and to combat discrimination, which if clearly defined will foster gender equality and gender balance.

Political will is required, not only to ratify the international conventions relating to the advancement of women but to actually put in place the legal instruments for its implementation. We shall also encourage our governments to create a national organ (through an ombudsman) to monitor the implementation and mainstreaming of gender policies at the local and national levels.

From a ‘fish-eye’ viewpoint, the inclusion of women across the board, in general and in Parliament, in particular, serves not just as a bridge connecting young women to a more assured future where the sky is the limit, but also as a conscious awakening to solving issues faced in today’s society.

First, given that the ratio of women to men in leadership positions is 10:1 within today’s population, it is but befitting that women play an increased role in making decisions which affect them.



Images: CHOGM 2018/ Commonwealth Secretariat

Second, solid political institutions and inclusive laws which help promote sustainable development and drive societies forward are best built with the consideration of various perspectives from different experiences which is what female inclusion in the political and legislative process brings to the table. In other words, how can you make a decision as to how many months a woman needs for maternity leave if you have never been in a woman’s position to go through the enduring process of being pregnant and giving birth?

For women to make a noticeable difference in these regards, it is essential that their numbers in Parliament increase. That notwithstanding, the few women in politics today need to keep trying to make their voices heard and their presence felt.

Female Parliamentarians contribute enormously to the day to day running of national and sub-regional Parliaments across the Commonwealth. They play vital roles in assigned Committees, Q&A sessions and the humanization of the political process as they are considered less adversarial, more conciliatory, flexible, practical, quick witted and committed to their duties. Women, when given the opportunity, try to change the bias in policy priorities.

If women occupy leadership positions as Parliamentarians or other

Above and below left: The CPA Chairperson, Hon. Emilia Lifaka, MP (Cameroon) took part in the 2018 Commonwealth Women’s Forum, which took place in the run-up to the Commonwealth Heads of Government Meeting (CHOGM) 2018 in London, UK. The opening session was addressed by the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC. Please turn to page 110 for full report.

top-level decision-making positions in government, they will be in a position to influence policy directions, change parliamentary practices and serve as role models to other women and provide a different perspective in debates.

As an Association, we shall continue to promote gender equality and as Members of the Commonwealth Parliamentary Association, we have taken the lead through the adoption of the Commonwealth Women Parliamentarians (CWP) strategic plan. It now remains our prerogative to live up to the expectations we set for ourselves.

Being an example of a woman in politics who has been elected for three consecutive legislative periods in my country where the quota system doesn’t yet apply, I firmly believe we are heading in the right direction and I encourage young women to make their voices heard, connect with communities, set high standards, run for office and leave a mark that other women can build on, just like those in that position today are doing.

Slowly but surely, we will get there. I encourage all women in Parliament and other decision-making positions not only to leave the door wide open for other women but to stretch their hands behind and pull in as many as possible. There is plenty of room if we work together.

“Let us realize the arc of the moral universe is long, but it bends towards justice” - Martin Luther King Jr.

“In politics, if you want anything said, ask a man. If you want anything done, ask a woman” – British Prime Minister, Margaret Thatcher





THE SEPARATION OF POWERS AND ITS IMPORTANCE TO DEMOCRACY

View from the CPA Small Branches Chairperson

Effective parliaments are essential to democracy, the rule of law, human rights, gender equality and economic and social development. Democracy has many forms but it is usually predicated upon an effective separation of powers between the executive, the judiciary and the legislative – *i.e. parliaments* – to spread power and maintain checks and balances. Many of us hail from systems based on this tenet and perhaps would find any other constitutional arrangement unusual.

The core legislative, oversight and representational functions of parliaments provide an essential contribution to the quality of a country's overall governance by adding value to government policy, providing additional legitimisation for government actions and activities, initiating policies independently of government, and enabling policy to be translated into social reality by means of laws.

The theory of the separation of powers may be divided between two historical periods: ancient and modern. The ancient theory can be traced back to ancient Greece and the philosophical writings of Plato [375 BC], Aristotle [323 BC] and Polybius [118 BC]. Classical political thought recognised the different functions of government. Aristotle, for example, distinguished between the deliberative, magisterial and judicial aspects of ruling. These ancient philosophers and their writings have had a great influence on modern writers.

The separation of judicial power became prominent in Montesquieu's [1748] account on the separation of powers. In the political treatise *Spirit of the Laws*, Montesquieu distinguishes between the legislative power, the executive power and what he calls '*the power of judging*', the judiciary. This tri-partite system is intended to prevent the concentration of unchecked power by providing division of responsibilities allowing for checks and balances to avoid autocracy or inefficiencies. In many systems, however we observe that the branches, especially the legislative and executive, are closely entwined, for example by the fact that Cabinet Ministers need to be appointed from elected Members of Parliament.

The Commonwealth has also recognised the importance of



**Hon. Angelo Farrugia,
MP, Chairperson of the
CPA Small Branches and
Speaker of the House of
Representatives of the
Parliament of Malta.**

this tenet; in 2003 the Commonwealth Heads of Government adopted the Latimer House Principles, which were intended to frame the relationship that should exist between the three branches of power in the light of political and governance challenges that were being observed across the Commonwealth.

It is indeed in the 2005 Malta CHOGM Communiqué that it was stated that: "*Heads of Government noted that the Commonwealth (Latimer House) Principles on the Accountability of and Relationship between the Three Branches of Government, which recognise the importance of a balance of power between the Executive, Legislature and Judiciary, constitute an integral part of the Commonwealth's fundamental political values as set out in the Harare Commonwealth Declaration.*"

Their application has helped to advance the rule of law, democracy and good governance globally.

This is the basis of our discussion today. Beyond the theoretical treatises which cannot be argued with, within our own Commonwealth jurisdictions, such a clear-cut separation of these powers may not always exist, with possible blurring between them.

Despite this, one should not underestimate Montesquieu's ideas of law and their relationship with society, dating back centuries and in place, in the majority of modern democracies. His approach was grounded in the then radical notion that laws were not divinely inspired or handed down by ancient lawgivers, but evolved naturally out of everything that influences a country, including traditions, habits, history, religion and economics. Laws, Montesquieu believed, could be rationally studied and then adjusted to increase liberty for all. We can transpose this idea to most of societies in that their laws tend to reflect the culture and beliefs of a society. In fact, if one were to analyse the evolution of the laws of a society one could have a good idea of how the belief and value systems of that society has evolved over the same period.

The doctrine of the Separation of Powers often lies in a written constitution. In Malta for example, the 1964 Constitution made Malta an independent parliamentary democracy within the Commonwealth, based on three organs of the state: the legislature (Parliament), the

Executive (Cabinet of Ministers) and the judiciary (the courts). At the time, the Queen remained the Head of State of Malta, but considerable power relating to purely internal matters was devolved to a Cabinet of Ministers under the leadership of a Maltese Prime Minister.

Albeit a strict separation of powers is predicated in the Maltese Constitution, one can still find areas in which in practice this is questionable. A case in point – which I must say is very close to my heart – is the evolution the Maltese Parliament has experienced in the past two years. Up to a few months ago, notwithstanding Parliament being politically autonomous from the two other branches, administratively it remained part of the Public Service, hence its budget and staffing remained, to a certain extent, at the discretion of Government. This has now changed; the law has set up an independent Parliamentary Service and made the Speaker of the House *de jure* responsible for its administration. As from this year the budget of the Parliamentary Service has been established by way of a resolution of the House, and new procedures have been put in place allowing the Service to engage its own staff.

Another issue of distribution of powers that concerned Parliament was a case brought before the Constitutional Court in Malta by a witness appearing before the Public Accounts Committee. The witness was challenging a ruling by the Speaker stating that according to the *Guidelines for Witnesses Appearing before the Public Accounts Committee*, a witness must answer all questions put to him unless these questions may incriminate him. The witness invoked his 'right to silence', which the Constitutional Court upheld. We could of course discuss the merits of this case and its implications for the tenet of the separation of powers at length, however I am merely referring to it to show that in practice, the division is not always a clear cut one. This is in spite of having a Constitution that posits this division in an unequivocal manner.

In spite of the arguments which seem to justify and advocate a strict separation of powers without reservations, and that such separation needs to be spelled out in a written Constitution, it would mean that the Mother of Parliaments itself would be on an unsure

footing. It has been argued that if there were a strict separation, and overlaps or checks and balances were inexistent, then all systems of Government would become unmoveable. A lack of cooperation between limbs would result in constitutional deadlock and therefore, many argue that a complete separation of powers is possible neither in theory nor in practice. One can see this overlap in the UK with the position of Lord Chancellor where historically, his position was distinctive in that he was a member of all three branches of Government and exercised all three forms of power.

I believe the doctrine of the separation of powers remains probably one of the most basic concepts which build a modern democracy. The separation of powers is immensely important not only by setting out a clear division of power among the organs of the state, but more importantly provides for the mechanisms that ensure that these organs do not abuse the powers vested in them and from being abused. I do, however, also agree that an overlap and balance between the three powers and where they worked together to achieve a fully functional democratic system is required.

A degree of tension within the separation of powers will always exist, and I believe that it is no secret that the greatest danger of abuse and excess will always lie with the executive arm – not judges or legislatures. It is with this in mind that I feel that as Commonwealth members we need to keep in mind the Latimer House Principles that we have agreed should provide an effective framework for power sharing and control. It is the responsibility of each Commonwealth member to regularly ask itself whether its Executive respects the freedom of the Legislature and the Judiciary to discharge their responsibilities.

To conclude, I am also including the recommendations set out as a result of the session at the Commonwealth People's Forum. Across the Commonwealth, the separation of the powers of parliament and the judiciary must be enhanced. Civil society calls on Commonwealth Governments to:

- Promote, utilise and realise the Commonwealth Latimer House Principles to ensure the financial and administrative independence of parliament and the judiciary;
- Implement fair and impartial appointment processes for judicial officers and provide support, particularly those in lower courts, where independence may be threatened; and
- Uphold and protect freedom of expression for the media.

This article is based on a speech and presentation given by the CPA Small Branches Chairperson at the 2018 Commonwealth People's Forum in London, United Kingdom on 17 April 2018, ahead of CHOGM 2018. For a report of the event please turn to page 112.

Left: The CPA Small Branches Chairperson speaking on the Separation of Powers at the 2018 Commonwealth People's Forum.





CHOGM 2018: LEVERAGING THE COMMONWEALTH NETWORK

View from the 7th CPA Secretary-General

At the opening of the 2018 Commonwealth Heads of Government (CHOGM) at Buckingham Palace Her Majesty The Queen said to the gathered Commonwealth leaders *"Put simply, we are one of the world's great convening powers: a global association of volunteers who believe in the tangible benefits that flow from exchanging ideas and experiences and respecting each other's point of view. And we seem to be growing stronger year by year. The advantages are plain to see. An increasing emphasis on trade between our countries is helping us all to discover exciting new ways of doing business. And imaginative initiatives have shown how together we can bring about change on a global scale."*

The convening power of which Her Majesty spoke and the Commonwealth network to which we belong was reiterated during the week-long events of the 2018 CHOGM. These words are not new to the organisation that I represent as Secretary-General; they are part of the DNA of the Commonwealth Parliamentary Association (CPA) and our network of over 180 Parliaments and Legislatures and 17,000 Parliamentarians across the Commonwealth. Many of the CPA's Members, whether Presidents, Prime Ministers or Foreign Ministers were at the heart of discussions taking place at CHOGM representing their Commonwealth nations.

One Commonwealth Parliamentarian, Hon. Dr Joseph Muscat, MP, Malta's Prime Minister spoke of equality for all being at the heart of the Commonwealth and said: *"while respecting our different cultures and backgrounds, the Commonwealth must be a force that nudges and encourages its Members to embrace this fundamental value. By standing together, our Commonwealth has fought proudly for equality amongst different races at a time when such equality could not be taken for granted."*

The CPA Headquarters Secretariat was also represented by the CPA Chairperson, Hon. Emilia Lifaka, MP (Cameroon); Hon. Vicki Dunne, MLA (Australian Capital Territory), CPA Treasurer; and Hon. Angelo Farrugia, MP, CPA Small Branches Chairperson and Speaker of the Parliament of Malta, who were very active throughout the CHOGM week and flying the CPA flag at many different meetings and events and deepening the CPA's contacts with others in the greater Commonwealth network.

The CPA Chairperson, Hon. Emilia Lifaka gave a keynote address at the launch of *#ChangetheScript*, a new campaign for women's empowerment in the Commonwealth led by UK Parliamentarian, Baroness Uddin and the National Commission on Muslim Women.



Mr Akbar Khan
Secretary-General of
the Commonwealth
Parliamentary Association

The CPA Treasurer, Hon. Vicki Dunne contributed a CPA perspective to the discussion of freedom of religion and belief convened by the Commonwealth Initiative for Freedom of Religion and Belief (CIfORB) at Lambeth Palace.

Commonwealth leaders met under the theme of *'Towards a Common Future'* and addressed a wide range of issues and examined how member states will work even closer together on sustainability, fairness, security and prosperity. The ever-present threat of climate change was discussed at all levels and new collaborations formed as well as the launch of the *Commonwealth Blue Charter* on ocean governance.

I had the opportunity to emphasise the broader Commonwealth network in the presentation I gave to Commonwealth Foreign Ministers at Lancaster

House on behalf of the nine Commonwealth Associated Organisations (AOs) at the Foreign Ministers Roundtable. I spoke of the ability to add global value in our respective fields of operation by leveraging our formal and informal partnerships, stakeholder networks, resources and expertise across many different levels in the Commonwealth.

The AOs bring together a network of institutions, decision-makers and change agents, which could play a much stronger and more coordinated role in support of the practical realisation of Commonwealth values. This potential of the AO network can only be fully realised by reaching beyond silos and working together and in partnership, including with the Commonwealth's intergovernmental wing, the Commonwealth Secretariat, thereby allowing us to leverage the wider potential benefits of the Commonwealth for our 2.4 billion citizens.

The rich tapestry of the Commonwealth AOs, including organisations such as the Commonwealth Games Federation (CGF) and the Commonwealth Local Government Forum (CLGF), as well as the wider group of over 80 Commonwealth Accredited Organisations took a very active role in the many and wide-ranging events during the CHOGM week including the Commonwealth Forums.

The four Commonwealth Forums – *Women's, Youth, People's and Business* – which brought together the vast Commonwealth network also showed the vibrancy and nimbleness of the Commonwealth, highlighting case studies of Commonwealth bodies working with each other and beyond.

The Commonwealth Women's Forum on the first day of CHOGM week included the CPA's joint event delivered in partnership with CLGF and the CPA UK Branch, and which demonstrated the role and importance of women's political leadership at all levels. We were delighted to have the session chaired by Rt Hon. Helen Clark,



Left: At the 2018 CHOGM, the Commonwealth Parliamentary Association (CPA) Secretary-General, Mr Akbar Khan presented to the Commonwealth Foreign Ministers meetings held at Lancaster House and chaired by the UK Commonwealth Minister, Rt Hon. Lord Ahmad. The CPA Secretary-General presented on behalf of the Commonwealth Associated Organisations (AOs) to the Foreign Ministers meeting together with, Lucy Slack, Deputy Secretary-General of the Commonwealth Local Government Forum (CLGF).

The CPA's work in democratic governance was given a further boost by the announcement of £4 million accountable democracy programme by the UK government to strengthen democracy and broaden political

participation across 18 Commonwealth countries and focus on political participation of marginalised groups, including religious minorities and women. The two-year programme will cover Commonwealth developing countries across Africa, South Asia, the Caribbean and the Pacific and the CPA Headquarters Secretariat will be working with a consortium led by the Westminster Foundation for Democracy to deliver the programme.

The Small States of the Commonwealth were also on the agenda at CHOGM 2018 with its focus on climate change and the impact on the world's smallest nations and the signing of the Commonwealth Small States Trade Finance Facility. The CPA is the only Commonwealth body that works to strengthen national, state, provincial and territorial assemblies and legislatures with many of these found in the CPA's Small Branches.

It was exciting to see the Commonwealth's vibrant youth network in action at the 2018 Commonwealth Youth Forum where participants from the CPA's recent Commonwealth Youth Parliaments drew on their experiences to contribute to the *'Declaration by the Young People of the Commonwealth and Action Plan'*, which was presented to Commonwealth leaders. The Youth Forum's theme of *'Powering our Common Future'* emphasised the potential for young people in the Commonwealth to make a tangible and lasting difference whilst also encouraging participants to contribute recommendations and actions towards a prosperous, secure, sustainable and fairer future.

Overall, we witnessed the Commonwealth network at its best at CHOGM 2018. The network is present, vibrant and has the potential to be utilised to mark lasting change and progress. The CPA will be making the most of the Commonwealth network as we go forward towards a common future and in realising the commitment to work together to foster a fairer, more secure, more sustainable and more prosperous future for the benefit of all of our Commonwealth citizens.

Mr Akbar Khan
7th Secretary-General
Commonwealth Parliamentary Association (CPA)

"Overall, we witnessed the Commonwealth network at its best at CHOGM 2018. The network is present, vibrant and has the potential to be utilised to mark lasting change and progress. The CPA will be making the most of the Commonwealth network as we go forward towards a common future and in realising the commitment to work together to foster a fairer, more secure, more sustainable and more prosperous future for the benefit of all of our Commonwealth citizens."



Commonwealth Parliamentary Association (CPA)

CPA Photo Gallery



Above: Parliamentary clerks from different Commonwealth Parliaments attending a Professional Development Programme at the UK Parliament visited the CPA Headquarters Secretariat to hear about the work of the CPA in parliamentary development. The clerks were: Mr David Bagnall (New Zealand); Mr Siegfried Peters (Québec); Ms Laura Ross (Tasmania); Mr Celumusa Erick Khoza (Swaziland); Ms Susan Cherotich Maritim and Mr Finlay Muriuki (Kenya).



Above: CPA Chairperson, Hon. Emilia Monjowa Lifaka, MP (Cameroon), the CPA Treasurer, Mrs Vicki Dunne, MLA (Australian Capital Territory) and the CPA Secretary-General, Mr Akbar Khan met with new Members of the CPA Executive Committee ahead of their Mid-Year Meeting in Mauritius. *For a full report please turn to page 102.*

Below: A group of journalists from India met with the CPA Secretary-General, Mr Akbar Khan and CPA staff at the CPA Headquarters Secretariat ahead of the CHOGM 2018. The visit was organised by the British High Commission in New Delhi and the Commonwealth Journalists Association (India Branch).



Right: CPA Chairperson, Hon. Emilia Monjowa Lifaka, MP (Cameroon) met Lord Ahmad of Wimbledon, UK Minister for the Commonwealth in London to discuss parliamentary strengthening ahead of CHOGM 2018.



Below: CPA Chairperson, Hon. Emilia Monjowa Lifaka, MP (Cameroon) and the CPA Secretary-General Mr Akbar Khan met with Hon. Harriett Baldwin, MP, UK Minister for Africa at the Foreign & Commonwealth Office in London.



Right: Hon. Sardar Hussain Babak, MPA from the Khyber Pakhtunkhwa Provincial Assembly in Pakistan together with officials visited the Commonwealth Parliamentary Association Headquarters Secretariat to meet with the CPA's Director of Operations, Mr Jarvis Matiya to discuss the CPA's parliamentary strengthening opportunities and the CPA's work in the Asia Region and Pakistan.



Below right: The Commonwealth Parliamentary Association Secretary-General, Mr Akbar Khan met with Hon. Kate Doust, MLC, President of the Legislative Council of Western Australia to discuss the CPA's work in parliamentary strengthening for state parliaments and the CWP's work in gender equality.



Above: Hon. Justin B. Muturi, MP, Speaker of the National Assembly of Kenya (centre) welcomes Hon. Alexandra Mendès, MP, CPA Vice-Chairperson and Member of the Federal Parliament of Canada and Mr Jerry Hartz, Director of Government Relations at the National Democratic Institute (USA) to the Post-Election Seminar in Mombasa, Kenya. *For full report turn to page 104.*



Left: CPA Secretary-General, Mr Akbar Khan met with the Cyprus High Commissioner to the UK, His Excellency Euripides Evriviades together with Baroness Uddin, Vice-Chair of the UK All-Party Parliamentary Group for the Commonwealth ahead of the CHOGM 2018 to discuss parliamentary strengthening and development.

Below: A group of MPs from the Parliament of Malta visited the CPA during a week-long exchange visit to the Parliament of the United Kingdom. Hon. Edward Zammit Lewis, MP, Hon. Stefan Zrinzo Azzopardi, MP, Hon. Robert Cutajar, MP and Hon. Frederick Azzopardi, MP met with the CPA's Director of Operations, Mr Jarvis Matiya and Head of the Secretary-General's Private Office, Ms Meenakshi Dhar to discuss the CPA's parliamentary strengthening opportunities and the CPA's work in the region.



Above: The Commonwealth Parliamentary Association Africa Region held an Executive meeting in Dar es Salaam, Tanzania chaired by the Speaker of the National Assembly of Kenya, Hon. J. B. Muturi, MP.



Above and right: The CPA Secretary-General, Mr Akbar Khan met with a high-level delegation from Maharashtra, India at the CPA Headquarters Secretariat led by Shri Ramraje Naik Nimbalkar, Chairman, Maharashtra Legislative Council and Shri Haribhau Bagade, Speaker of the Maharashtra Legislative Assembly together with four Members of Legislative Council and Maharashtra Legislature Secretariat staff.



Right: CPA Chairperson, Hon. Emilia Monjowa Lifaka, MP (Cameroon) and the CPA Secretary-General, Mr Akbar Khan met Sir Iain MacLeod, Legal Advisor to the UK Foreign & Commonwealth Office.



Right: The CPA Secretary-General, Mr Akbar Khan met with Hon. Christine Scipio-O'Dean, MLC from the St Helena Legislative Council in London to discuss the recent CPA Post-Election Seminar in St Helena for newly elected Members and the launch of the CPA Roadshows for Young People.



Commonwealth Day 2018

CPA Headquarters Secretariat Activities

Focus on a common future for young people as Commonwealth Parliamentary Association celebrates Commonwealth Day 2018

The Commonwealth Parliamentary Association (CPA) has celebrated Commonwealth Day 2018 both in London at the CPA Headquarters Secretariat and across the CPA's nine Regions and over 180 Branches.

Her Majesty Queen Elizabeth II, Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association, with members of the royal family, attended celebrations in London to mark Commonwealth Day 2018 and attended one of the largest multi-faith celebration services in Westminster Abbey. Hon. Emilia Monjowa Lifaka, MP, Chairperson of the CPA Executive Committee and Deputy Speaker of the National Assembly of Cameroon, together with the CPA Secretary-General, Mr Akbar Khan represented the CPA at the service. The service was also attended by Commonwealth High Commissioners, the Commonwealth Secretary-General and dignitaries from around the Commonwealth as well as senior politicians and 1,000 local school children.

Also attending the Commonwealth Day service were young people from across the Commonwealth who were attending the CPA Commonwealth Day Youth Programme on the theme of 'Towards a Common Future'. The young participants represented the following CPA Branches: Pakistan; Sri Lanka; New South Wales; Falkland Islands; Gibraltar; Isle of Man; Malta; United Kingdom; Wales; Jersey; Cayman Islands; Bermuda; Montserrat; Trinidad and Tobago; Kerala, India; New Zealand.

On Commonwealth Day 2018, the Secretary-General of the

CPA, Mr Akbar Khan released a video message to CPA Branches and said: *"Commonwealth Day provides us with the opportunity to reflect on what the Commonwealth means to us and our communities. The Commonwealth can play a vital role in ensuring a better future for us all, today and for future generations. The 2018 Commonwealth theme reminds us that only by working together can we secure a more sustainable, prosperous, fairer and secure Commonwealth for everyone. I wish you all a Commonwealth Day that inspires you to work towards our common future."* Please visit www.cpahq.org/cpahq/youtube to view the CPA Secretary-General's video message for Commonwealth Day 2018.

The CPA Youth Programme on Commonwealth Day 2018 was opened by the CPA Chairperson, Hon. Emilia Monjowa Lifaka, MP who spoke of the importance of this year's 2018 Commonwealth theme of 'Towards a Common Future' for the Commonwealth Parliamentary Association which promotes common goals for CPA Branches and the strengthening of Commonwealth Parliaments to achieve democratic solutions. The CPA Chairperson emphasised the need for young people to participate in politics in order to have a voice in the democratic process and also the need for all Commonwealth Parliamentarians to listen to young people in their respective jurisdictions to ensure that they represent youth voices. The CPA Chairperson said: *"Over one billion young people hold the key to unlocking the challenges that we face – beyond our respective borders. The CPA and the Commonwealth are truly global organisations."*

The CPA Youth Programme participants heard from keynote speaker, Hon. Dawn Butler, MP (United Kingdom) who is the Shadow Women and Equalities Minister in the UK Parliament. Dawn Butler said: *"The future is too important to give up on your vision."*



It is up to the younger generation to put their mark on the special relationship that we have with the Commonwealth."

This was followed by a round table discussion on the theme of 'The Role of Youth in the Implementation of the SDGs through Political Participation'. The round table discussion included a wide range of views on the implementation of the SDGs from CPA Commonwealth Day Youth participants.

UK Parliamentarian, Lord Purvis of Tweed also spoke at the event and responded to questions on the role of youth in implementing the SDGs and the Commonwealth trade potential. Baroness Uddin also attended the CPA Headquarters Secretariat event at the UK Houses of Parliament.

During the evening of Commonwealth Day 2018, Hon. Emilia Monjowa Lifaka, MP, Chairperson of the CPA Executive Committee and Mr Akbar Khan, CPA Secretary-General together with seven of the CPA Commonwealth Youth Programme participants attended the Commonwealth Secretary-General's Commonwealth Day reception at Marlborough House in the presence of HRH The Prince of Wales, HRH The Duchess of Cornwall and HRH The Duke of Cambridge.

In addition, CPA Branches and Regions across the network of the Commonwealth Parliamentary Association marked Commonwealth Day in many different ways (see pages 96 - 101). Commonwealth Day has been celebrated around the Commonwealth on the second Monday in March every year since the 1970s.

For images of the CPA Commonwealth Day Programme 2018 please visit: www.cpahq.org/cpahq/flickr.



Above from top: HRH The Prince of Wales with CPA Commonwealth Youth Programme participants; HRH The Duke of Cambridge meets Hon. Emilia Monjowa Lifaka, MP, CPA Chairperson and Mr Akbar Khan, CPA Secretary-General; the CPA Chairperson with the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC at the Commonwealth Day reception at Marlborough House.

Commonwealth Day 2018

CPA Branch Activities

CPA Pakistan Branch

To commemorate Commonwealth Day 2018, the National Assembly of Pakistan, CPA Pakistan Branch and the Pakistan Institute for Parliamentary Services (PIPS) organised a seminar on the theme of 'Towards a Common Future' at the PIPS main campus in Islamabad. Over 100 participants joined Pakistan's premier Parliamentary organisations in celebrating Commonwealth Day including officials from the Senate and the National Assembly of Pakistan, as well as faculty members and students from Fatima Jinnah Women University, International Islamic University, Pakistan Institute of Development Economics, and Riphah International University; development partners including the European Union's project Subai Pakistan team and representatives from CDIP/British Council Pakistan.

The one-day event began with the national anthem of Pakistan, followed by a recitation of the Holy Quran. Mr Zafarullah Khan, Executive Director of PIPS, in his welcome remarks, highlighted the importance of the day and said that the seminar was taking place on the same day that the Senate of Pakistan is electing its Chairman and Deputy Chairman. He also said that a shared heritage emanating from the 'Westminster-style' democratic institutions paves the way for finding the 'common' in all the member states of the Commonwealth.

Mr Zafarullah Khan also underscored the pertinent role of the CPA in the progress of democratic institutions in the member states and that the CPA remained instrumental in providing the opportunity to learn from other countries' experiences in the legislative process, especially how the laws made during the colonial era were decolonised in the post-independence period. He also spoke about the fact that the Parliament of Pakistan is in the process of launching *PTV Parliament*, a channel dedicated to covering the



events and workings of the Parliament, on the pattern of *BBC Parliament*.

Seminar participants watched the Commonwealth video 'Helping



every voice to be heard' which was followed by the Commonwealth Day 2018 message of Her Majesty Queen Elizabeth II, Head of the Commonwealth which was read by Ms Rabia Basri from the National Assembly IR Wing. A video of the message from the CPA Secretary-General, Mr Akbar Khan was also televised during the seminar. This was followed by the Commonwealth Day message by Hon. Sardar Ayaz Sadiq, Speaker of the National Assembly of Pakistan read by Mr Muhammad Rashid Mafzool Zaka, Director-General (Research & Legislation) at PIPS.

Mr Shamooun Hashmi, Regional Secretary for the CPA Asia Region gave an overview of the history and workings of the CPA and the role of Pakistan within the organisation.

The guest address was given on 'Respecting Diversity and Harmony: the core value of Commonwealth' by chief guest, Hon. Dr Lal Chand Ukrani, MPA from the CPA Sindh Branch and a Member of the CPA Executive Committee. He congratulated the participants on Commonwealth Day and stated that the differences of religion, race, colour, cast, creed, social status should be kept aside in order to generate harmony in society. He emphasized the need to promote equality and create opportunities for all. He also thanked the organisers of the seminar for providing the opportunity to celebrate diversity among various nations of the Commonwealth and to learn from others' experiences and concluded by emphasizing the role of youth in peace and development in society.

A lively question-and-answer session followed with guest speakers and delegates. To read the full transcript visit: <https://pips.gov.pk/pipscapacitybuilding/seminars/seminar-commonwealth-day>.

CPA Malta Branch

On Monday 12 March 2018, the House of Representatives of Malta joined Commonwealth Parliaments in celebrating Commonwealth Day, with the theme chosen for this year being 'Towards a Common Future'.

At the beginning of the sitting, interventions were made by the Minister for Foreign Affairs and Trade Promotion, Hon. Carmelo Abela, and the Opposition spokesman on Foreign Affairs and Promotion of Trade, Hon. Carmelo Mifsud Bonnici, as well as the Speaker of the House, Hon. Angelo Farrugia, also the CPA Small Branches Chairperson.

The debate in the chamber was based on a motion submitted jointly by both sides of the House. The resolution, adopted unanimously by the House, recalled the central role of the Commonwealth in bringing people together from around the world, and despite all their diversity, embrace values that can provide a solid base on which to build a common future. Moreover, the resolution drew attention to the role that MPs elected by the citizens that make up the Commonwealth's future can play and to encourage them to be active in various forums of the Commonwealth Parliamentary Association.

In his remarks, the Speaker said that in today's day and age, which are characterized by uncertainty and insecurity, the Commonwealth should be a combination that offers assurance. He pointed out that the Commonwealth offers an international platform to its members, including at parliamentary level, to exchange knowledge and experiences in various fields, not least on issues directly affecting citizens.

At the end of his remarks the Speaker tabled the Commonwealth Day 2018 message of Her Majesty Queen Elizabeth II, Head of the Commonwealth.



With thanks to CPA Branches for sharing their Commonwealth Day 2018 news. Several CPA Branches applied for additional bursary funding from the CPA Headquarters Secretariat to assist with their activities this year. For 2019 Commonwealth Day funding applications please email hq.sec@cpahq.org or contact the CPA Headquarters Secretariat for details.

CPA Cayman Islands Branch

The CPA Cayman Islands Branch continued the tradition of holding its annual Youth Parliament to celebrate Commonwealth Day and in 2018, the 11th Cayman Islands Youth Parliament was held. Nineteen students from Cayman Brac and Grand Cayman high schools as well as the University College of the Cayman Islands helped the Branch to celebrate Commonwealth Day by enthusiastically participating in the annual Youth Parliament.

Youth participants came from Cayman Brac's Layman E. Scott Sr. High School as well as Cayman Prep and High School, Clifton Hunter High School, Grace Christian Academy, John Gray High School, St. Ignatius Catholic School, Triple C School, the University College of the Cayman Islands and Wesleyan Christian Academy, all on Grand Cayman. With coordination and assistance from the Clerk of the Legislative Assembly, Mrs. Zena Merren, the students chose their roles in the Youth Parliament, which included whether to serve on the government or opposition benches. The young people also got the opportunity to play the role of the Speaker, Clerk, Serjeant at Arms, Premier or Leader of the Opposition and decide on the topics to debate. This year, they chose to debate on the age that students should leave school, government-run A-Level courses and a requirement that candidates for a general election should live in the district that they wish to represent.

Participants were also provided with the opportunity to speak to Ms Kimberly Kirkconnell and Ms Danielle Roberts from the Ministry of Education and Mr Orrett Connor, past Election Officer about their experiences. Many Members of the Legislative Assembly including Mr Arden McLean, Hon. Ezzard Miller and Organising Committee Members, Ms Barbara Conolly, Mr David Wight, Mr Alva Suckoo and Mr Kenneth Bryan assisted the participants.

The Youth Parliament gives the participants a true insight into how the democratic field operates in the Cayman Islands and with the assistance of the Clerk and the Members, the young people were completely prepared and had the confidence to excel in the debates. The experience for the students is far reaching as it provides them with an insight into parliament, an opportunity to associate with peers from different schools, gain experience in public speaking, engage in debates on topics that effect their lives on a daily basis and give them a platform on which their opinion can be heard. The students from both the

CPA Isle of Man Branch

Writer and international relations student, Annie Lennon and University of Manchester undergraduate, Alex Eaton from the Isle of Man were selected by the Executive Committee of the CPA Isle of Man Branch to join around 1,000 other young people from around the Commonwealth to attend the Commonwealth Day Observance in Westminster Abbey.

The two young people were attending the CPA Commonwealth Day Youth Programme in London. Annie Lennon said: "After an enlightening tour around the Houses of Parliament, we had the pleasure of joining other participants from the Commonwealth for a discussion on how to best achieve the UN's Sustainable Development Goals, in the presence of Hon. Emilia Monjowa Lifaka, Chairperson of the Commonwealth Parliamentary Association. It was a wonderful experience to meet her and, of course, to discuss these pressing issues with other young people. Having access to this global association is just one of the many



Opposition and the Government gave compelling arguments.

At the conclusion of the debate, the youth participants attended a reception



hosted by Hon. W. McKeeva Bush, MLA, Speaker of the Cayman Islands Legislative Assembly where they received their certificates and plaques and awards were also given specifically for the best attendance (Alejandro Whittaker and Ashleigh Chin) and the best debaters (Daina Levy and Richard Webber). Every year, the Cayman Islands Youth Parliament is lucky to have a number of generous sponsors and for this year the major sponsor was Harney's Law Firm.

In addition to the Youth Parliament, the CPA Cayman Islands Branch also had two students, Matthew Welds and Janelle Syms, representing the Cayman Islands at the CPA Commonwealth Day Youth Programme in London. The two participants had a series of insightful tours around the UK Parliament and joined discussions with Members of Parliament and important delegates in this unique experience.

Miss Janelle Syms highlighted the opportunity to gain an insight into the importance of youth participation in our democratic systems, as well as how countries can make an impactful difference when minds work together towards a common goal. For Matthew Welds, he highlighted that the experience focused on many opportunities for the development of youth empowerment throughout the Commonwealth and offered him the ability to voice a valid opinion on matters that are directly affecting the youth of today.



benefits of being a young person from the Isle of Man."

Alex Eaton added: "It was a pleasure to attend the Observance of Commonwealth Day. I had a wonderful time and am extremely grateful for the experience. I really enjoyed having the opportunity to engage with other young people from around the Commonwealth. We collaborated on drafting legislative proposals to address several of the challenges faced by young people today, on topics as diverse as youth entrepreneurship to gender equality, with highly knowledgeable input from both a shadow Minister and a former government peer."

Chairman of the CPA Isle of Man Branch, Hon. Juan Watterson, SHK, said: "One in three young people aged between 15 and 29 live in Commonwealth countries. The Commonwealth recognises the important role young people have to make in shaping its future, so is adapting to change and challenging and building on its strengths and assets to create brighter prospects for everyone in the Commonwealth 'family'. I am pleased that Annie and Alex found their experience of Observance of Commonwealth Day inspiring and that they had the opportunity to discover more about the common values and aspirations that define and unite the Commonwealth."

Commonwealth Day 2018

CPA Branch Activities

CPA St Helena Branch

Commonwealth Day 2018 was celebrated in St Helena with the raising of the Commonwealth Flag at an event held at the Jamestown Community Centre in the presence of Her Excellency the Acting Governor, Members of the Legislative Council, CPA St Helena Branch Members, Government officials, students of Prince Andrew School and invited guests.

The day began with opening remarks from Hon. Eric Benjamin, Speaker of the Legislative Council, before the Deputy Speaker, Hon. John Cranfield, raised the Commonwealth Flag as part of the *'Fly a Flag for the Commonwealth'* campaign, during which it was planned for over one thousand Commonwealth Flags to be flown across the Commonwealth. Members of the Prince Andrew School (PAS) Student Council then read the Commonwealth Affirmation and a message from the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC.

The Acting Governor of St Helena, Miss Louise MacMorran, then read the message from the Head of the Commonwealth, Her Majesty Queen Elizabeth II to the people of all Commonwealth countries.

A competition was run at Prince Andrew School where students were asked to produce a written piece based on the theme for Commonwealth Day 2018 - *'Towards a Common Future'*. Student Ella-Rose Stevens, shared her entry called *'My Common Future Commonwealth Cake'* in which she read a recipe that included ingredients for a happy, healthy and unified Commonwealth, including health, education, love, aspiration, respect, integrity and unity.

Speeches were given by St Helena Councillors, Lawson Henry, Christine Scipio-O'Dean, Cruyff Buckley and Government Economist, Nicole Shamier which focussed on the 10-Year Plan and the draft Sustainable Economic Development Plan, which are futuristic and set out the path for sustainable development that will benefit St Helena and its people.

After a quick refreshment break, groups of students from the Prince

Andrew School Student Council presented the Budget Challenge, which replicated the annual challenges faced by the Elected Members to allocate funding for different projects on St Helena.

Students were asked to act as the Financial Secretary and Elected Members and to allocate £1 million for St Helena. They had to deliberate current Island issues, prioritise these by importance, and show where and how they would spend their budget on their chosen projects and sectors. These included implementing improvement plans to Island roads, education, residential care and renewable energy, with the majority of groups referencing the 10-Year Plan. The presentations gave Members of Legislative Council a good chance to hear the views of the Island's youth.

Talks were then given by Tony Leo of the St Helena Beekeepers Association and Julie Thomas of the St Helena Fisheries Corporation as part of Enterprise St Helena's Sustainable Development Hot Topics.

In his closing remarks, Councillor Derek Thomas, Chairperson of the Commonwealth Day Working Group, thanked all in attendance and congratulated those who participated in the celebrations, making special mention of the Prince Andrew School students. He spoke about his ambition for St Helena to continue to develop and work alongside other Commonwealth countries towards a common future.



CPA Northern Territory Branch

Over the course of a week, the Parliamentary Education Service of the Northern Territory welcomed some 470 participants from nine different schools from the Darwin, Palmerston and rural areas to engage them in a programme aiming to promote awareness of the Commonwealth and the CPA amongst young people in the Northern Territory.

The key program objectives were for students to gain knowledge of the countries that comprise the Commonwealth, their region in the world and the diversity, as well as the similarities of the people of these countries as we journey together *'Towards a Common Future'*. This programme was jointly delivered with Government House. Students participated in a tour of the house and learned about the role of The Administrator of the Northern Territory.

At Parliament House, students participated in an activity that saw them completing 'passport' quiz booklets based on the regions of the world where we find Commonwealth countries. The activity saw students answer questions with the aid of informative posters and stamp

their passports as they went, and was closely linked to the Australian History and Geography curricula.

Full sized flags of all Commonwealth nations were displayed overhead in the Main Hall of the Northern Territory's Parliament House, forming an impressive visual spectacle.

This year the Parliamentary Education Service placed a particular emphasis on flag protocol and vexillology. Members of the Flag Society of Australia were consulted and the Australian flag was positioned in the place of honour in the Main Hall alongside the Commonwealth Flag. The flags and displays were also available for viewing by members of the public visiting Parliament House.



CPA Manitoba Branch

The CPA Manitoba Branch recognised Commonwealth Day 2018 through the Protocol Office for the Manitoba Government who arranged for the flags of all Commonwealth countries to be on display in the beautiful Rotunda located immediately to the north of the Legislative Assembly Chamber at Parliament House.

CPA Zanzibar Branch

The CPA Zanzibar Branch marked Commonwealth Day 2018 by holding its Youth Parliament on 12 March 2018. A total of 50 youth members drawn from all districts of Zanzibar convened the Youth Parliament and the selection of the youth participants considered the following criteria: gender balance; representation of disabled youth; representation of each district of Zanzibar.

Prior to Commonwealth Day, the CPA Zanzibar Branch Executive Committee and Commonwealth Women Parliamentarians (CWP) held a press conference at which about thirty media houses were invited and briefed about the Commonwealth Day 2018 events. Through the media, information reached out to a wide cross section of the Zanzibar populace as well as the Tanzania mainland. Youth from different areas of Zanzibar manifested their passion to come and observe the Youth Parliament during the day.

Youth Parliamentarians were trained by officials of the House of Representatives ahead of Commonwealth Day on parliamentary procedures and they were asked to prepare their documents relating to business to be transacted during the Youth Parliament.

The Youth Parliament dealt with the following business: the Speaker's statement; Instruments to be laid; Questions and answers; a Government Bill; an Urgent Member's motion; and a Private Member's motion. During the question and answers session, three questions were asked relating to child and youth abuse, the unemployment crisis



facing youths and the performance of Zanzibari students in national examinations. The questions were responded to by different Ministers including a blind youth participant



acting as the Minister for Employment. The Youth Parliament debated a Government Bill on the improvement of education in Zanzibar introduced by a Minister for Education and Vocational Studies which was eventually passed at all levels. Youth Parliamentarians also discussed two Members' motions in respect to gaps in the Act relating to the establishment of a Zanzibar youth council and the need for and extent of involving youths in economic development of the country.

During the business in the Youth Parliament, participants resolved to come up with a number of recommendations, as pursuant to order 149 of the standing Orders of the House of Representatives of Zanzibar, any recommendations drawn from the Youth Parliament can be channeled to the government through the Standing Committee on Women and Youth Development.

The Deputy Speaker of the House of Representatives, Ho. Mgeni Hassan Juma assured the Youth Parliamentarians that their recommendations would be duly forwarded to the respective Standing Committee of the House for further action and engaging the government. The Chair of CPA Zanzibar Branch, Hon. Simai Mohammed Said congratulated the Youth Parliamentarians for a 'job well-done' and promised that the CPA Zanzibar Branch will ensure that the next Youth Parliament shall be further improved.

CPA New Zealand Branch

The annual multi-faith National Observance of Commonwealth Day service was held at Wellington Cathedral of St Paul in New Zealand on Commonwealth Day 2018. All of the flags from Commonwealth countries were displayed. The theme for this year's commemoration was *'Towards a Common Future'* and Her Excellency Rt Hon. Dame Patsy Reddy, Governor-General of New Zealand, delivered the Commonwealth Day 2018 message from Her Majesty Queen Elizabeth II, Head of the Commonwealth to the audience which included Members of the New Zealand Parliament, young people from schools around the region, representatives from various Commonwealth countries, local communities and the diplomatic corps. Ms Wendy Hart also attended as the CPA Pacific Regional Secretary.

This National Observance of Commonwealth Day is organised by the New Zealand Department of Internal Affairs, in partnership with the Wellington Cathedral of St Paul, the Wellington Interfaith Council, the Ministry of Foreign Affairs and Trade, the Royal Commonwealth Society (Wellington) and Commonwealth Youth New Zealand (CYNZ).



Commonwealth Day 2018

CPA Branch Activities

CPA Jamaica Branch

In spite of a nationwide strike by Jamaica's teachers and the challenges posed by technical difficulties encountered, the Virtual Forum on Development which was staged on Commonwealth Day 2018 in Jamaica went a far way in achieving its aim of exploring how development could be achieved in a sustainable manner in Jamaica and the Commonwealth.

The event was held at the Houses of Parliament and saw the attendance of some thirty people, primarily Parliamentarians and parliamentary staff. Resident High Commissioners were invited to attend the event virtually via the internet as were the students who were to participate in the discussions. Unfortunately, due to the strike, only two of the schools that had been scheduled to participate in live discussions were able to do so – however a third school, Titchfield High, had submitted video shorts prior to the event.

The day's programme consisted of three segments: a formal portion, a Commonwealth video segment and discussions. The formal part began with a welcome by the Clerk to the Houses, Mrs Heather E. Cooke. This was followed by the Commonwealth Day messages of Her Majesty Queen Elizabeth II and the Prime Minister, Hon. Andrew Holness, MP which were read by young members of staff. The Leader of the Opposition, Dr Peter Phillips, MP, delivered his Commonwealth Day message by video.

The Speaker of the House, Hon. Parnell Charles, MP, in his overview of the CPA spoke to the Association's involvement in promoting good governance across the Commonwealth and made specific mention of initiatives such as the CPA Masterclasses and CPA Fundamentals programmes which are geared towards improving the capacity of Parliamentarians to participate in the process of governance.

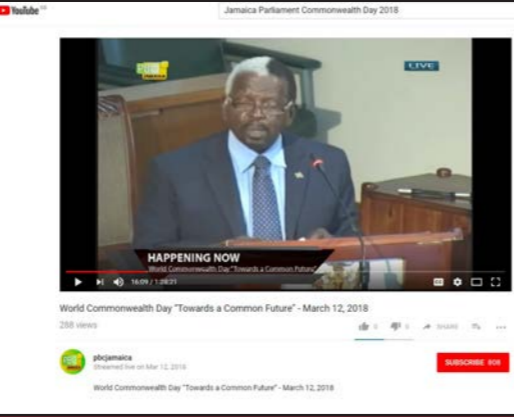
In the video segment, the Commonwealth Day message of the CPA Secretary-General and the Commonwealth video: *Helping Every Voice be Heard* were played to demonstrate how the Commonwealth worked cohesively in spite of the differences in location, size and economies of its Member States.

The discussion segment of the programme was led by Hon. Floyd Green,

MP, Minister of State in the Ministry of Education, and Senator Damion Crawford, Opposition Spokesperson on Youth and Culture. This session tackled the issues of equity in trade among Commonwealth partners, environmental responsibility and the creation of cohesive societies through respect for self and others. Students also raised the issue of inter-country cooperation in the field of education and skills training.

The messages of *"the centrality of the shared values of the Commonwealth to sustainable national development"* and *"the importance of cooperation"* which were messages present in the previous year's celebration were also echoed in this year's event. Another takeaway from the event was the usefulness of technology in bridging the communication barrier posed by distance. The two schools that were actually able to participate are located on the opposite side of the country, approximately 4 and 5 hours away, respectively from the Parliament and would normally not have been able to participate in our usual Commonwealth Day activities. In spite of the difficulties encountered with this year's staging of the event, we will pursue the use of technology in widening the reach of our activity in future years.

The Commonwealth Day event was covered by the Public Broadcasting Corporation of Jamaica who televised the event live and streamed it via their *YouTube* channel. To watch the event please visit <https://youtu.be/1Y4EFRNEg0U>.



CPA Australian Capital Territory

On Tuesday 20 March 2018 (it was a public holiday on 12 March) the CPA Australian Capital Territory (ACT) Branch held an event to mark Commonwealth Day 2018. The function was hosted by the President of the CPA ACT Branch, Hon. Joy Burch, MLA, Speaker of the Legislative Assembly and was attended by twelve High Commissioners of the Commonwealth based in Australia's capital city of Canberra, as well as school captains and principals from various secondary schools in the ACT. Also in attendance were Members of

the ACT Legislative Assembly, including the Leader of the Opposition, Mr Alistair Coe, MLA and Mrs Vicki Dunne, MLA, the CPA Treasurer.

Following a speech by the Speaker, the most senior High Commissioner in Australia, His Excellency Carmel Muscat, the High Commissioner for Malta, also gave a speech. This was followed by Ms Stefany Sarkis from the Melba Copland Secondary School who read the 2018 Commonwealth Day message from Her Majesty Queen Elizabeth II, Head of the Commonwealth. The Speaker then proposed a toast to Her Majesty and to the Commonwealth.



CPA Zambia Branch

On Monday 12 March 2018, the CPA Zambia Branch joined the rest of the Commonwealth in commemorating Commonwealth Day 2018. The day was commemorated in Lusaka at the Parliament Buildings under the theme of *'Towards a Common Future'*. The Commonwealth Day celebrations have become a platform to promote youth participation in the National Assembly of Zambia. In this regard, the Branch invited Secondary Schools from each of the ten Provinces to attend and one school/two learners (one male and one female) were selected from each Province. In addition, a school was selected from each of the seven constituencies of Lusaka province to participate in the activities. A total number of 90 learners participated in the programme.

Commonwealth Day was commemorated in collaboration with the Ministry of General Education and a committee comprising of staff from various departments of the National Assembly was constituted to help with the planning and implementation of the Commonwealth Day activities.

The First Vice-President of the CPA Zambia Branch, Mr Mwansa A. Mbulakulima, MP delivered the opening speech on behalf of the President of the CPA Zambia Branch and Speaker of the National Assembly of Zambia, Rt. Hon Justice Dr. Patrick Matibini, SC, MP. He stated that all member countries of the Commonwealth, regardless of size, wealth, race or religion have an equal say in shaping the Commonwealth of tomorrow. He encouraged the learners to share ideas on how best the Commonwealth can positively shape the future of Zambia. Those in attendance included Members of the Executive Committee, senior members of staff of the



National Assembly and representatives from the Ministry of Education. The Commonwealth Day 2018 message by Her Majesty Queen Elizabeth II was read by one of the learners and the ceremony was also characterized with drama, traditional dances and entertainment by a local musician. Participants also heard a poem by learners from David Kaunda Technical High School. The poem was based on the 17 Sustainable Development Goals and stressed the fact that the SDGs illustrate the underlying theme of having a common future, as all nations seek for the betterment of their respective populations as a whole.

The main activity for Commonwealth Day was an open day to open up Parliament to the learners and give them the opportunity to learn about the operation of Parliament and to interact with MPs. Participants toured the Parliament Buildings and saw the chamber, Committee rooms, media centre and the National Assembly of Zambia Library, to see how the library provides materials, books and literature that MPs and staff use in their daily work.

CPA Guyana Branch

The CPA Guyana Branch focused their celebrations for Commonwealth Day 2018 on all Commonwealth countries combining their efforts to develop methods to combat climate change. This was envisaged as an opportunity to sensitize people to the issues of climate change and advocating the importance of being protagonists for protecting the environment. Participation was sought from youth who were invited to create innovative projects that would teach positive attitudes and encourage citizens to protect the environment and, by extension, combat climate change. Other participants were also invited to lend their voices on a discussion on combating climate change.

The first activity on Commonwealth Day 2018 was an exhibition of the innovative projects on climate change held in collaboration with the Ministry of Education and the University of Guyana. The exhibitors from the eleven Education Districts in Guyana were invited to create and exhibit projects that would encourage citizens to protect the environment and to combat climate change with two submissions per district.

The exhibition was attended by Acting President Hon. Carl B. Greenidge, MP; Hon. Gregg Quinn, British High Commissioner to Guyana; Hon. Dr Barton Scotland, MP, Speaker of the National Assembly and students from many of the schools exhibiting.



Immediately preceding the exhibition, a number of speeches were given on the theme of climate change including Hon. Carl Greenidge, Vice-President and Minister of Foreign Affairs, who was performing the duties of President of the

Co-operative Republic of Guyana; the Speaker of the National Assembly; the Minister of State; the Opposition Chief Whip; a representative of the Environmental Department of the University of Guyana and a representative from the Office of Climate Change. Representatives from the British High Commission, High Commission of Canada and the Indian High Commission were also given the opportunity to make remarks on the theme.



Later in the week of Commonwealth Day 2018, a prize-giving ceremony was held for the winners of the Essay and Poster Competition which was held during the observance of last year's Commonwealth Day, under the theme of *'A Peace-Building Commonwealth'*. Prizes were given to participants in the primary and secondary schools by Hon. Dr Barton Scotland, MP, Speaker of the National Assembly and parents and colleagues were invited to the prize-giving ceremony along with Members of the Executive Committee of the CPA Guyana Branch.

The final event for Commonwealth Day was the unveiling of a Commonwealth Tree planted in the compound of the Public Buildings. The almond tree had been planted at the north-eastern side of the Public Buildings in observance of Commonwealth Day 2013 and upon the advice of the Speaker of the National Assembly, the tree had been trimmed, fenced and a plaque had been erected which contains of why the tree was planted. Hon. Raphael Trotman, MP, Minister of Natural Resources and Hon. Vindhya Persaud, MP were invited, along with other Members, to witness the unveiling by Hon. Dr Barton Scotland, MP, Speaker of the National Assembly.

Mauritius hosts Commonwealth Parliamentarians as island nation celebrates 50th anniversary of independence

The National Assembly of Mauritius and CPA Mauritius Branch hosted over 30 Commonwealth Speakers and Members of Parliament for the Mid-Year meetings of the Executive Committee of the Commonwealth Parliamentary Association (CPA) from 20 to 24 March 2018.

The CPA Executive Committee meetings took place just a few days after Mauritius, the island nation off the east coast of Africa, celebrated the 50th anniversary of its independence on 12 March. The country is also marking its 26th anniversary as a Republic. For the National Assembly of Mauritius, one of the CPA's active Branches in the Africa Region, hosting a large-scale international meeting demonstrates its commitment to parliamentary democracy and the work of the CPA. The National Assembly of Mauritius has recently benefitted from a CPA Technical Assistance Programme which resulted in the launch of a new Parliamentary Gender Caucus in the Assembly to promote gender equality and an inclusive Parliament.

Members of Parliament representing the nine regions of the CPA – Africa; Asia; Australia; British Islands & Mediterranean; Canada; Caribbean, Americas & Atlantic; India; Pacific; and South East Asia – attended the CPA Executive Committee, the governing body of the Association. The CPA meetings enable Commonwealth Parliamentarians to reach beyond their own Parliaments to contribute in a global setting to the development of best parliamentary practices and the most effective policies for parliamentary strengthening.

Hon. Mrs Santi Bai Hanoomanjee, Speaker of the National Assembly of Mauritius said: "As a new member of the Commonwealth, our successive leaders have since independence been constantly inspired by the fundamental values of the Commonwealth and have on all occasions seized the opportunity to consolidate these values, namely, democracy, the democratic processes, the rule of law, the independence of the Judiciary, fundamental rights and gender parity. As an active member of the CPA, our parliamentary democracy nurtures these values and we are therefore proud to welcome the holding of this CPA Executive Committee Meeting in Mauritius."

The Chairperson of the CPA Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon chaired the meetings in Mauritius for the first time as Chairperson and said: "This is my very first time to preside over the Mid-Year Executive Committee meeting of the CPA as Chairperson

since I was elected as CPA Chairperson at the CPA General Assembly in Bangladesh last November. I would like, on behalf of



Members of the CPA International Executive Committee, to take this opportunity to thank the Hon. Madam Speaker Hanoomanjee and CPA Mauritius Branch for hosting the meeting and for their unwavering support to the CPA."

The CPA Vice-President, Rt Hon. Rebecca Kadaga, MP, Speaker of the Parliament of Uganda; CPA Vice-Chairperson, Hon. Alexandra Mendes, MP (Canada Federal); the CPA Treasurer, Mrs Vicki Dunne, MLA, Deputy Speaker of the Legislative Assembly of the Australian Capital Territory; and the CPA Small Branches Chairperson, Hon. Anglu Farrugia MP, Speaker of the House of Representatives, Malta also attended the meetings along with the CPA Secretary-General, Mr Akbar Khan and staff from the CPA Headquarters Secretariat. CPA Regional Secretaries also attended the meetings in Mauritius and they held their bi-annual meeting with the CPA Chairperson and CPA Secretary-General ahead of the main Executive Committee meetings.

Ahead of the CPA Executive Committee Mid-Year meeting, students at the University of Mauritius were able to find out about the Commonwealth, parliament and democracy at a CPA Roadshow, organised by the National Assembly of Mauritius and the CPA. The CPA Roadshows provide an opportunity for young people to discuss issues of concern about their society and democracy, to meet Members of Parliament and Parliamentary staff and to find out more about the work of the CPA. The CPA Roadshow in Mauritius was attended by Mrs Vicki Dunne, MLA, CPA Treasurer; Hon. Bridgid Annisette-George, Speaker of the House of Representatives of Trinidad and Tobago; local Member of Parliament from Mauritius, Hon. V. V. Baloomoody, MP; and the CPA Secretary-General, Mr Akbar Khan. The CPA Secretary-General and members of the panel spoke about the importance of young people's engagement in politics and the panel answered students' questions.



CPA New Zealand Branch host CPA UK delegation in Wellington

The New Zealand Parliament and CPA New Zealand Branch welcomed a bilateral visit from the Parliament of the United Kingdom and CPA UK Branch. The delegation was led by Rt Hon. Lord Foulkes of Cumnock, CPA UK Vice-Chairperson and they were received by the Speaker of New Zealand's House of Representatives, Rt Hon. Trevor Mallard, MP. The delegation held a number of meetings and visited the New Zealand National War Memorial.

Ahead of the 2018 Commonwealth Women's Forum taking place in London, UK the following week, Commonwealth Women



Parliamentarians (CWP) from New Zealand and the UK also met in Wellington, New Zealand to discuss shared initiatives on gender and equality, co-chaired by Louisa Wall, MP and Jo Hayes, MP (see page 141).



The delegation visit was followed by the CPA Pacific Islands Parliamentary Workshop, co-hosted by the CPA New Zealand and UK Branches, helping to share parliamentary knowledge and build bonds with Pacific delegates.

CPA Secretary-General gives reading at Commonwealth service at Chelmsford Cathedral



The Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan attended a special multi-faith and multi-cultural service at Chelmsford Cathedral in Essex, England to mark the founding of the Commonwealth and its past, present and future.

The service was hosted by the Lord-Lieutenant of Essex, Mrs Jennifer Tolhurst and was one of many Commonwealth services and celebrations across the United Kingdom following the Commonwealth Heads of Government Meeting (CHOGM) and



Commonwealth Summit 2018.

The CPA Secretary-General gave two readings including the Commonwealth Affirmation. The service was attended by representatives from many different organisations including the Mayor of Chelmsford, Councillor Duncan Lumley; Rt Revd Trevor Mwamba, Assistant Bishop in the Diocese of Chelmsford; Cllr John Aldridge, Chairman of Essex County Council; and Sir David Amess, MP for Southend West.

Many young people attended the service and there were performances by the Band of the Corps of Royal Engineers, the Colchester Garrison Fijian Choir, Essex Army Cadet Force, Essex Dance Theatre and the Chelmsford Cathedral Choir.



Post-Election Seminar helps strengthen knowledge of parliamentary practice and procedure for newly elected and returning Kenyan MPs

Newly elected and returning Members of the National Assembly of Kenya have strengthened their knowledge of parliamentary practice and procedure at the Post-Election Seminar held jointly with the Commonwealth Parliamentary Association (CPA) in Mombasa, Kenya, from 4 to 8 March 2018. The CPA Post-Election Seminar focused on the theme of 'Sharing our experiences to enhance good governance and continually safeguard the welfare of the nation' which enabled recently elected Parliamentarians to gain a broader understanding of the principles of parliamentary democracy and strengthen their skillsets.

Hon. Justin B. N. Muturi, MP, Speaker of the National Assembly of Kenya opened the seminar and said: "Parliaments must remain an inspiration to society and they must also carry the burden of actualizing these aspirations. Parliaments remain an intrinsic component of the success that the Commonwealth has leveraged to enhance democracy and propagate good governance." Hon. Moses Cheboi, MP, Deputy Speaker of the National Assembly of Kenya; the Leader of the Majority Party, Hon. Aden Duale, MP; and the Leader of the Minority Party, Hon. John Mbadi, MP also attended the seminar.



Kenya is one of the largest legislatures in the CPA's membership and over 300 delegates participated in the three day seminar, which gave Members the opportunity to gain a better understanding of the parliamentary systems and democratic processes in other Commonwealth jurisdictions. Hon. Alexandra Mendès, MP, CPA Vice-Chairperson and Member of the Federal Parliament of Canada spoke about parliamentary ethics and codes of conduct while Rt Hon. Dr Patrick Matibini, Speaker of the National Assembly of Zambia and Hon. Lady Justice Philomena Mwilu, MGH, Deputy Chief Justice and Vice President Supreme Court of Kenya spoke about the importance of the separation of powers between the legislature, the executive and the judiciary.

Senator Lucy Gichuhi from the Federal Parliament of Australia spoke about her experiences as a Member of Parliament; Mr Tom Duncan, Clerk of the Legislative Assembly for the Australian Capital Territory and CPA Australia Regional Secretary presented on overcoming the challenges of managing parliamentary business; and Mr Jerry Hartz, Director of Government Relations at the National Democratic Institute gave examples of parliamentary accountability and ethics in the USA.



The CPA Secretary-General, Mr Akbar Khan, addressed the opening of the seminar and said: "Elections as a demonstration of democracy have the potential to bring a tremendous diversity of backgrounds to our Parliaments. This necessitates the need for Members to receive induction and development to enable them to get to grips with discharging their representative and constitutional functions. The CPA Post-Election Seminars serve as reflection of the 'mutuality of learning' which is at the heart of our CPA mandate of connecting, developing and promoting a community of Parliaments and Parliamentarians who individually and collectively strengthen their commitment to democratic governance across our Commonwealth."



CPA POST-ELECTION SEMINARS: If your Parliament or Legislature has recently experienced an election and you would like to organise a CPA Post-Election Seminar for the new and returning Members of the Legislature on parliamentary practice and procedure in Commonwealth Parliaments then please contact the Commonwealth Parliamentary Association (CPA) Headquarters Secretariat for more information. Email hq.sec@cpahq.org or write to the CPA Headquarters Secretariat.

Parliamentary staff training programme in Kenya builds skills for Commonwealth Parliaments and Legislatures

Parliamentary staff from 15 Commonwealth Parliaments have undertaken a staff development programme at the Enashipai Resort in Naivasha, Nakuru County (100km from Nairobi), Kenya which has been organised by the Centre for Parliamentary Studies and Training (CPST) and the Parliament of Kenya.

The Speaker of the National Assembly of Kenya, Rt Hon. Justin B. N. Muturi, MP opened the seminar and described the training as an empowering tool for staff who play a crucial role in Parliament. He said: "This training will help improve the skills and knowledge of the senior staff and will help the National Assembly play its role better."

Founded by the World Bank and McGill University in collaboration with the Commonwealth Parliamentary Association and other international partners, this intensive professional development programme builds skills for the Professional Development Certificate in Parliamentary



Management and the programme includes a one-week residency seminar followed by expert-moderated online courses and one-on-one professional mentoring. The course covers a diverse range of topics including: government



accountability; parliamentary research; corporate management of Parliament; and e-learning. Keynote speakers at the seminar included the Clerk of the National Assembly of Kenya, Mr Michael Sialai; Professor Nyokabi Kamau, the Executive Director of CPST and Professor Rick Stapenhurst from McGill University, Canada.

The following CPA Branches were represented at the training (funded through the CPA Headquarters Secretariat): Australia; Fiji; Gujarat; Jersey; New Zealand; Northern Ireland; Pakistan; Kwazulu-Natal; Mpumalanga; North West Province (South Africa); Trinidad and Tobago; and Zambia. In addition, three further Branches attended the programme (not-CPA funded): Tanzania, Kenya and Guyana.

New Commonwealth Media Principles launched ahead of CHOGM 2018

The Commonwealth Journalists Association (CJA) have launched a new document titled 'Commonwealth Principles on the role of the Media in Good Governance'. The new principles were launched ahead of the Commonwealth Heads of Government Meeting (CHOGM) 2018 at a special event held at the Institute of Commonwealth Studies in London.

The new Commonwealth Media Principles are a response to the growing challenges to media freedom and other threats to fair



elections and open public debate and the principles were developed by the Commonwealth Journalists Association and the Institute of Commonwealth Studies together with senior figures from the Commonwealth's legal and parliamentary community including the Commonwealth

Parliamentary Association and other concerned organisations. The new Commonwealth Media Principles provide a tool to help the Commonwealth family improve its record for media freedom and accountable government in line with the Commonwealth's strong commitment to the 2030 Sustainable Development Goals.

The launch event for the new Commonwealth Media Principles saw the CPA Secretary-General, Mr Akbar Khan speaking in a panel debate on the implementation of the new principles alongside Lord Black of Brentwood, Chair of Trustees, Commonwealth Press Union Media Trust and Executive Director of the Telegraph Group; Rita Payne, Emeritus President, Commonwealth Journalists Association; Peter Slinn, Vice-President of the Commonwealth Legal Education Association; Sanjoy Hazarika, Director, Commonwealth Human Rights Initiative; Kayode Soyinka, Editor-in-Chief, *Africa Today* Magazine; and Caoilfhionn Gallagher, QC, Doughty Street Chambers.

To access the *Commonwealth Principles on the role of the Media in Good Governance* please visit: <https://commonwealth.sas.ac.uk/research-projects/media-freedom-commonwealth>.





QUEEN ELIZABETH II, HEAD OF THE COMMONWEALTH AND PATRON OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION OPENS CHOGM 2018



Her Majesty Queen Elizabeth II opened the 2018 Commonwealth Heads of Government Meeting (CHOGM) at Buckingham Palace to mark the start of two days of meetings with 53 Commonwealth leaders, both in London and at Windsor Castle.

The Queen said: "I am glad to see that young people, connecting through technology, are becoming ever more involved. When I meet the young leaders of this century, I remember my own life-long commitment – made in South Africa in 1947 at the age of 21. As another birthday approaches this week, I am reminded of the extraordinary journey we have been on, and how much good has been achieved.

It remains a great pleasure and honour to serve you as Head of the Commonwealth and to observe, with pride and satisfaction, that

this is a flourishing network. It is my sincere wish that the Commonwealth will continue to offer stability and continuity for future generations, and will decide that one day The Prince of Wales should carry on the important work started by my father in 1949. By continuing to treasure and reinvigorate our associations and activities, I believe we will secure a safer, more prosperous and sustainable world for those who follow us: a world where the Commonwealth's generosity of spirit can bring its gentle touch of healing and hope to all."

The Commonwealth Parliamentary Association (CPA) was represented at the

opening ceremony of the CHOGM 2018 at Buckingham Palace by the Secretary-General, Mr Akbar Khan, who also attended many meetings and events during the week.

Heads of all 53 Commonwealth nations met under the theme of 'Towards a Common Future', which was also the theme for Commonwealth Day on 12 March 2018. CHOGM also addressed the four sub-themes of: a more sustainable future; a fairer future; a more secure future; and a more prosperous future.

Commonwealth leaders, Ministers and senior officials from the 53 Commonwealth nations also met at Lancaster House in London to discuss how member states will work even

closer together on sustainability, fairness, security and prosperity. Member states also discussed ways of collaborating to tackle the threat of climate change. Under consideration by leaders at CHOGM 2018, were:

- A Commonwealth Blue Charter on ocean governance
- A Commonwealth connectivity agenda for trade and investment
- A declaration on cybercrime
- Revised Commonwealth guidelines on election observation in member countries

Commonwealth leaders reaffirmed their continuing gratitude for the duty and commitment that Queen Elizabeth II has shown to all



Images: CHOGM 2018/Commonwealth Secretariat

members of the Commonwealth over the decades and her role in championing the Commonwealth and its peoples. Commonwealth leaders also confirmed that the next Head of the Commonwealth will be HRH The Prince of Wales.

Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC said: "CHOGM 2018 promises to deliver transformational change for the people of the Commonwealth. Through consensus Commonwealth leaders will reach agreement on collective action, with the impact of their decisions likely to extend far beyond the boundaries of the Commonwealth. Agreement among our culturally diverse and geographically widespread member countries to collaborate and innovate often provides the basis for broader progress regionally and internationally. Immediate impact combined with wider influence make the Commonwealth an unparalleled

force for building understanding and cooperation towards realising global goals for social and political progress, inclusive prosperity, and sustainable development."

Many members of the royal family took part in Commonwealth events during CHOGM week and it was announced that the Queen had appointed Prince Harry to be the new Commonwealth Youth Ambassador in his role as President of The Queen's Commonwealth Trust, a new youth charity which will provide a platform for young change-makers across the Commonwealth in areas such as education, sport, health and the environment.

Commonwealth Forums took place ahead of CHOGM 2018 on four themes – Women's, People's, Business and Youth – at the Queen Elizabeth II Conference Centre. Participants included Commonwealth leaders, government ministers, members of the royal family, senior UN figures,

business leaders, civil society activists and literary figures.

The Commonwealth Women's Forum explored the Commonwealth's role in achieving gender equality in line with UN aspirations and the crucial role women should play in politics, business and peace building. The Commonwealth Youth Forum brought together 500 young people to engage in planning, capacity-building and a General Assembly where they finalised their priorities on youth-led action in development and elected their new Commonwealth Youth Council.

The Commonwealth People's Forum, a joint venture between the Commonwealth Foundation and the UK government, was the single largest gathering of civil society representatives in the Commonwealth and discussed key issues facing Commonwealth people on the sub-theme of 'Inclusive Governance: The Challenge for a Contemporary Commonwealth'.

Above: Her Majesty Queen Elizabeth II opens the 2018 Commonwealth Heads of Government (CHOGM) in the State Ballroom at Buckingham Palace to mark the start of two days of meetings with 53 Commonwealth leaders.

The Commonwealth Business Forum, organised by the Commonwealth Enterprise and Investment Council in partnership with the City of London, took place at Guildhall in the City of London and was a unique platform for dialogue, bringing together business and government leaders from across the Commonwealth.

The outcomes of the four Commonwealth Forums were presented to Commonwealth leaders and Ministers ahead of the CHOGM 2018.

For further information about the CHOGM 2018/Commonwealth Summit please visit www.chogm2018.org.uk.



COMMONWEALTH PARLIAMENTARIANS CONTRIBUTE TO CHOGM 2018 AND ASSOCIATED COMMONWEALTH FORUMS IN LONDON



Commonwealth Parliamentarians participated in four associated Commonwealth Forums which took place ahead of the Commonwealth Heads of Government Meetings (CHOGM) in the United Kingdom from 16 to 20 April 2018. Over 5,000 people from parliament, government, business and civil society came together to participate in the week-long CHOGM and the Forums under the theme of 'Towards a Common Future', which was also the theme for Commonwealth Day on 12 March 2018. CHOGM also addressed the four sub-themes of: a more sustainable future; a fairer future; a more secure future; and a more prosperous future.

Members of the Commonwealth Parliamentary Association (CPA) including

the CPA Chairperson, Hon. Emilia Lifaka, MP (Cameroon) and CPA Officers as well as the CPA Secretary-General participated in the Summit, the Forums and other events which took place.

The CPA Chairperson, Hon. Emilia Lifaka, MP (Cameroon) took part in the CPA/CWP workshop session on 'Women's Political Participation at All Levels' in partnership with the Commonwealth Local Government Forum and the CPA UK Branch, held at the 2018 Commonwealth Women's Forum. The CPA Vice-President, Rt Hon. Rebecca Kadaga, Speaker of the Parliament of Uganda also spoke in a session on violence against women in elections. See page 110 for full report.

The Chairperson of the CPA Small Branches, Hon. Angelo Farrugia, Speaker of the Parliament of Malta spoke about the importance of the separation of powers between the legislature, the executive and the judiciary to

ensure effective governance and democracy at a workshop session at 2018 Commonwealth People's Forum. The CPA Small Branches Chairperson also highlighted the CPA's role in the establishment of the Commonwealth Latimer House Principles on the separation of powers and the CPA's Recommended Benchmarks for Democratic Legislatures. See page 88 for the CPA Small Branches Chairperson's View article and page 112 for a report of the Forum.

The CPA Treasurer, Hon. Vicki Dunne, MLA (Australian Capital Territory) attended the two-day Commonwealth Roundtable organised by the Commonwealth Initiative on Freedom of Religion

Left and below: The CPA Secretary-General, Mr Akbar Khan hosted a pre-CHOGM reception in central London ahead of the main CHOGM 2018 events. The reception was attended by the CPA Chairperson, CPA Treasurer, members of the Commonwealth Women Parliamentarians (CWP) Steering Committee and speakers at the CPA/CWP workshops including Rt Hon. Helen Clark, former New Zealand Prime Minister.



Above: The CPA Secretary-General presents to the Commonwealth Foreign Ministers meetings on behalf of the Commonwealth Associated Organisations (AOs).

and Belief held as part of the Commonwealth Summit. The roundtable event was held at Lambeth Palace, the London residence of the Archbishop of Canterbury, Rt Hon. Justin Welby and was part-funded by the CPA Headquarters Secretariat.

CPA Secretary-General, Akbar Khan said: "CHOGM 2018 will deliver better global outcomes for the Commonwealth's 2.4 billion citizens, 60% of whom are under the age of 30 by all parts of the Commonwealth family working more closely together towards a common future.

Members of the Commonwealth Parliamentary Association representing over 180 Commonwealth Parliaments and Legislatures and 17,000 Parliamentarians across the Commonwealth have been at the heart of the discussions taking place at key Forums and side events. The CPA brought its unique perspective to CHOGM 2018 through focusing on the key role that Parliamentarians can and do play in every aspect of a nation's life to bring transformational change to Commonwealth citizens' lives."

CPA Secretary-General presents to the CHOGM Foreign Ministers meeting on behalf of the CPA and the Commonwealth Associated Organisations

At the 2018 CHOGM, the CPA Secretary-General, Mr Akbar Khan presented to the Commonwealth Foreign Ministers meetings held at Lancaster House and chaired by the UK Foreign Secretary, Rt Hon. Boris Johnson, MP and the UK Commonwealth Minister, Rt Hon. Lord Ahmad. The CPA Secretary-General presented on behalf of the Commonwealth Associated Organisations (AOs)* to the Foreign Ministers meeting together with, Lucy Slack, Deputy Secretary-General of the Commonwealth Local Government Forum (CLGF).

*The Commonwealth Associated Organisations are: Commonwealth Association for Public Administration and Management; Commonwealth Association of Tax Administrators; Conference of Commonwealth Postal Administrators; Conference of Commonwealth Meteorologists; Commonwealth Games Federation; Commonwealth Education Trust; Commonwealth Local Government Forum; Commonwealth Parliamentary Association; Commonwealth Telecommunications Organisation.



CPA Chairperson and Secretary-General attend launch event for 'Change the Script' women's empowerment campaign during CHOGM week

The CPA Chairperson, Hon. Emilia Lifaka, MP spoke at the launch event for a new women's empowerment campaign 'Change the Script' held in the run-up to CHOGM 2018. The campaign, led by UK Parliamentarian, Baroness Uddin and the National Commission on Muslim Women, focusses on gender equality and empowerment. The launch event in London heard from the CPA Chairperson, the CPA Secretary-General, Mr Akbar Khan and the event host, His Excellency High Commissioner to the UK.

Above: The High Commissioner for Cyprus in the UK hosted the launch event for the new women's empowerment campaign 'Change the Script' held in the run-up to CHOGM 2018.

Pre-CHOGM reception hosted for the CPA at Royal Overseas League

The CPA Chairperson, Hon. Emilia Lifaka, MP attended a pre-CHOGM reception and dinner hosted by Dr Diana Owen, Director-General of the Royal Overseas League (ROSL) in London. The event was also attended by the CPA Treasurer, Hon. Vicki Dunne (Australian Capital Territory); the CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, Speaker of the Parliament of Malta; Hon. Laura Tucker-Longworth, Speaker of Parliament of Belize; the CPA Secretary-General, Mr Akbar Khan; and Sir David Brewer, Chairman of the Royal Overseas League.

Below: The CPA pre-CHOGM dinner hosted by the Royal Overseas League (ROSL) in London, UK.





GENDER EQUALITY AND OVERCOMING BARRIERS TO POLITICAL PARTICIPATION EMPHASISED AT 2018 COMMONWEALTH WOMEN'S FORUM



The 2018 Commonwealth Women's Forum emphasised women's positive political, economic and societal contributions ahead of the Commonwealth Heads of Government Meetings (CHOGM) in the United Kingdom. The three-day Commonwealth Women's Forum (CWF) saw many Commonwealth Women Parliamentarians speaking at the forum on a wide range of issues.

The 2018 Commonwealth

Women's Forum held a wide range of workshop sessions reflecting on some of the global challenges still faced by women, as part of a commitment to 'leave no one behind' in the Commonwealth journey to achieving gender equality by 2030. The Commonwealth Women's Forum saw international delegates from the Commonwealth and globally highlighting women's positive political, economic and societal

contributions and establishing mechanisms for how women and girls will be key to building sustainable and resilient societies. Key highlights included speeches

by: the Prime Minister of Bangladesh, HE Sheikh Hasina and UK Secretary of State for International Development, Rt Hon. Penny Mordaunt, MP speaking about education empowering girls; UK Home Secretary, Rt Hon. Amber Rudd and Commonwealth Secretary-General, Patricia Scotland speaking about the SDGs; CPA Vice-President, Rt Hon. Rebecca Kadaga, Speaker of the Parliament of Uganda on violence against women in elections.

The CPA's focus on SDG 5 is highlighted most clearly in the work undertaken by the Commonwealth Women Parliamentarians (CWP) in its mission for greater representation of women in legislatures and the CPA and CWP held a joint session at the CWF on 'Women's Political Participation at All Levels' in partnership with

the Commonwealth Local Government Forum (CLGF) and the CPA UK Branch.

The session was chaired by Rt Hon. Helen Clark, former New Zealand Prime Minister, UNDP Administrator and current Patron of CLGF who led the discussion on the challenges facing women's political participation in local and national government. Helen Clark also invited delegates to contribute pledges on what they will do to empower women and girls for leadership roles in their communities.

The Mayor of Makeni, Sierra Leone, Sunkarie Kabba-Kamara gave the keynote address and spoke of her inspiration from the women in her community who believed that the return of local democracy would help them and how she had mentored young women in Makeni. Delegates then heard from guest panellists on their experiences.

Hon. Angela Thoko Didiza,



MP, Commonwealth Women Parliamentarians Africa Regional Chairperson stressed the need to demystify politics for women and said: "Like any other job, you need a support system around you."

Councillor Buumba Malambo from Zambia highlighted the importance of education and mentoring for women - "more women need to be sat at the table not in the audience when it comes to taking political office."

Hon. Maria Browne, MP, Minister of Housing, Lands and Urban Renewal in Antigua and Barbuda spoke about

the role of men in helping to empower women in politics and Councillor Bev Esslinger, Chair of the Federation of Canadian Municipalities' Standing Committee on International Relations from Edmonton, Canada spoke of the need for more women in local government to be encouraged to stand for elections.

The session was summarized by Sarah Childs, Professor of Politics and Gender at Birkbeck University and Director of the Centre for the Study of British Politics & Public Life.



Members of the Commonwealth Women Parliamentarians including the CPA Chairperson, Hon. Emilia Lifaka, MP also asked questions at the session.

Members of the Commonwealth Women Parliamentarians also met in London in the margins of the 2018 Commonwealth Women's Forum.

The final session of the Commonwealth Women's Forum saw HRH The Duchess of Cornwall speak about the problems of domestic abuse



across the globe and how this hidden problem needs to be tackled. Jude Kelly from the WOW (Women of the World) organisation also addressed delegates at the close of the Forum.

The outcomes of the workshop sessions at the Commonwealth Women's Forum were fed into the outcomes document presented to the Commonwealth Heads of Government later the same week.

For further information about the CHOGM 2018/Commonwealth Summit please visit www.chogm2018.org.uk.



IMPORTANCE OF SEPARATION OF POWERS TO ENSURE EFFECTIVE GOVERNANCE HIGHLIGHTED AT 2018 COMMONWEALTH PEOPLE'S FORUM



The Chairperson of the Commonwealth Parliamentary Association (CPA) Small Branches, Hon. Angelo Farrugia, Speaker of the Parliament of Malta spoke about the importance of the separation of powers between the legislature, the executive and the judiciary to ensure effective governance

and democracy at a workshop session at 2018 Commonwealth People's Forum. The CPA Small Branches Chairperson also highlighted the CPA's role in the establishment of the *Commonwealth Latimer House Principles on the separation of powers* and the CPA's *Recommended Benchmarks*

for Democratic Legislatures.

The CPA Small Branches Chairperson spoke at the panel session on the separation of powers alongside Lady Brenda Hale, President of the UK Supreme Court; Cheryl Dorall of the Commonwealth Journalists

Association; and former judge, Keith Hollis of the Commonwealth Magistrates and Judges Association (CMJA). Panellists examined the role of the separation of powers in the Commonwealth, its effectiveness in providing democratic governance and the role of civil society. The session was

chaired by Mark Guthrie from the Rule of Law Section at the Commonwealth Secretariat.

The CPA was a partner in the establishment of the Commonwealth Latimer House Principles together with the Commonwealth Secretariat, the CMJA, the Commonwealth Lawyers Association and the Commonwealth Legal Education Association.

The Commonwealth People's Forum (CPF) 2018 was held ahead of the Commonwealth Heads of Government Meeting (CHOGM) 2018 and brought together civic voices from around the world to debate key issues facing Commonwealth people. The CPF is the single largest opportunity for civil society to engage with Commonwealth leaders on global development issues.



YOUTH DELEGATES HIGHLIGHT THE IMPORTANCE OF THEIR CONTRIBUTION FOR THE FUTURE OF THE COMMONWEALTH AT THE 2018 COMMONWEALTH YOUTH FORUM



The Commonwealth Youth Forum brought together over 500 youth delegates to engage in planning, capacity-building and a General Assembly where they finalised their priorities on youth-led action in development and elected their new Commonwealth Youth Council.

Several Commonwealth Parliamentary Association youth programme participants joined young people at the 11th Commonwealth Youth Forum hosted in the United Kingdom as part of the 2018 Commonwealth Heads of Government Meeting. The 2018 Commonwealth Youth Forum was convened under the theme of 'Powering our Common Future' from 15–18 April 2018. The Youth Forum's theme, designed as a response to the main CHOGM theme 'Towards a Common Future', emphasised the potential for young people in the Commonwealth to make a tangible and lasting difference whilst also encouraging participants to contribute recommendations and actions towards a prosperous, secure, sustainable and fairer future.

Participants from the CPA's 9th Commonwealth Youth Parliament (CYP), Tammy Randall (Gibraltar) and Dominique Noralez (Belize) joined 2018 Commonwealth Day

participant, Ryan Robinson Perinchief (Bermuda) during the General Assembly Meeting of the

Commonwealth Youth Council (CYC), which discussed and voted on recommendations on a broad range of issues including:

- Youth unemployment;
- Violent extremism;
- Cyber security;
- Climate change and resilience;
- Inclusion and equity;
- Health; and,
- Democracy and governance.

All of the recommendations and outcomes which were passed during voting at the CYC General Assembly were then included in the Declaration by the Young People of the Commonwealth and Action Plan to be presented to Commonwealth leaders at the CHOGM 2018 Meeting taking place later in the week.

The involvement of former participants in youth programmes provided by the CPA Headquarters Secretariat continued through to the elections to the Commonwealth Youth Council Executive Board, where former 8th CYP participant, Elizabeth Kite from the CPA Tonga Branch was elected to the position of Regional Representative (Pacific Region), where she will be responsible for representing young people's views and interests from across

the Pacific region.

The 2018 Commonwealth Youth Forum was opened by HRH Prince Harry who said: "As I travel around the Commonwealth in my work on behalf of The Royal Family, it is striking to see just how different today's generation of young adults are. You are connected. You have made positive use of technology to build relationships within your communities, nations and across the globe. You care. You want your nations to be cleaner, your planet to be greener, your friends and neighbours to be treated fairly and with respect, no matter their ethnicity, their religion, or their status. You are optimistic. The complicated challenges we face – climate change, inequality, conflict – they do not discourage you. Rather, they inspire you to persevere and effect change."

It was also announced that Queen Elizabeth II had appointed Prince Harry to be the global Commonwealth Youth Ambassador in his new role as President of The Queen's Commonwealth Trust, a new youth charity which will provide a platform for young change-makers across the Commonwealth in areas such as education, sport, health and the environment.

Some of the young delegates spoke about their experiences: "It's been

a great time here at the 2018 Commonwealth Youth Forum and I look forward to working with some of the young students we've met in the future. This was the first time Bermuda was represented, so I particularly enjoyed getting to know everyone else" – Ryan Robinson Perinchief (Bermuda).

"We've had the opportunity to meet and listen to some really inspirational people from the United Nations to former Prime Ministers and people who have changed the world. This is something I am going to remember for a very long time. In terms of the future and what we can take from this, we need to work closer together and we need a stronger, more united Commonwealth" – Kieran O'Neill (Scotland).

"One of my favourite parts of CYF was in the General Assembly, where the British Overseas Territories stood up for themselves and made a recommendation for youth votes for every country in the Commonwealth and seeing young people from across the Commonwealth stand up for themselves" – Dominique Noralez (Belize).





QUEEN ELIZABETH COMMONWEALTH SCHOLARSHIPS TO BOOST STUDY OPPORTUNITIES ACROSS THE GLOBE

In his opening remarks to the 2018 Commonwealth Youth Forum, and as his first act as the new Commonwealth Youth Ambassador, HRH Prince Harry announced the launch of the Queen Elizabeth Commonwealth Scholarships – a new scholarship scheme enabling talented young people to study at leading universities in low and middle income countries of the Commonwealth.

The 150 new scholarships, which will be managed by the Association for Commonwealth Universities (ACU), aim to widen collaboration across the Commonwealth and create study opportunities not previously available.

The scholarships are being named after Queen Elizabeth II as a fitting tribute to her contribution as Head of the Commonwealth, and her longstanding dedication to education and youth. The first Queen Elizabeth Commonwealth Scholars will begin their studies in 2019, coinciding with the 70th anniversary of the Commonwealth and the 60th anniversary of the Commonwealth Scholarship and Fellowship Plan (CSFP).

The Queen Elizabeth Commonwealth Scholarships will be supported by an expansion of the CSFP endowment fund, which was established by Commonwealth governments including Australia, the Bahamas,

Barbados, Brunei Darussalam, Cameroon, Kenya, Malaysia, the Maldives, Mauritius, the Seychelles, Sri Lanka, and the United Kingdom. The CSFP endowment fund, which is managed by the ACU, will be able to support even more scholarships from 2019 thanks to an additional £5 million contribution from the UK government.

Dr Joanna Newman, Chief Executive and Secretary-General of the ACU, said “*Scholarships have a transformational impact on the lives of individuals and also, more importantly, on their wider communities and societies, thanks to the skills and knowledge gained. I am delighted that the ACU will play a vital role*

in securing these educational opportunities for young people across all member countries. The Queen Elizabeth Commonwealth Scholarships scheme is a valuable, inclusive programme which will have a far-reaching impact for generations to come.”

The ACU were in attendance throughout CHOGM 2018 week, championing the role of higher education in building inclusive societies, and representing the concerns and interests of the ACU's 500+ member universities across the world.

For more information visit
[www.acu.ac.uk/scholarships/
commonwealth-scholarships](http://www.acu.ac.uk/scholarships/commonwealth-scholarships).



UK FOREIGN SECRETARY COMMITS £4M TO DEMOCRACY IN THE COMMONWEALTH AHEAD OF CHOGM 2018

The UK Foreign Secretary, Rt Hon. Boris Johnson, MP announced £4 million to strengthen democracy and broaden political participation across 18 Commonwealth countries ahead of the CHOGM 2018.

The new funding will support work with democratic institutions such as national parliaments and local authorities to help improve transparency and foster more stable, democratic

societies. The programme will focus on how institutions are accountable and inclusive of all their citizens, and on driving efforts to widen participation by women, minorities and other underrepresented groups.

The two-year programme will cover Commonwealth developing countries across Africa, South Asia, the Caribbean and the Pacific and will be managed by the UK Foreign and Commonwealth Office

through a consortium led by the Westminster Foundation for Democracy, partnering with the Commonwealth Parliamentary

Association Headquarters, the CPA UK Branch and the Commonwealth Local Government Forum.



Image: CPA UK Branch

Right: The UK Foreign Secretary, Rt Hon. Boris Johnson, MP addressed Parliamentarians and delegates from across the Commonwealth as he welcomed them to the 2018 Commonwealth Summit at a reception held in the Royal Gallery at the Houses of Parliament in Westminster. The Foreign Secretary highlighted the importance of engaging across the Commonwealth at this and future CHOGMs and the success of the first Commonwealth Parliamentarians Forum held in the UK in February. The event was hosted by the CPA UK Branch and the UK Parliament.

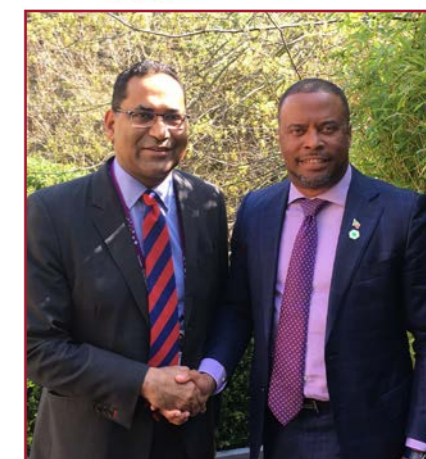
CHOGM 2018: CPA PHOTO GALLERY



Above: The CPA Secretary-General, Mr Akbar Khan met with Minister of Foreign Affairs for Australia, Hon. Julie Bishop ahead of the CHOGM 2018 Foreign Ministers Meeting at Lancaster House in London.



Above: The CPA Secretary-General met with the Speaker of the Parliament of Belize, Hon. Laura Tucker-Longworth and the CEO of the Belize Ministry of Foreign Affairs, Patrick Andrews in the margins of CHOGM 2018.



Above: The CPA Secretary-General met with Hon. Mark Brantley, MP, the Minister of Foreign Affairs of St Kitts and Nevis and Premier of Nevis Island, following the Commonwealth Foreign Ministers Meetings.



Right: CPA Chairperson, Hon. Emilia Lifaka, MP (Cameroon) met with the Prime Minister of Antigua and Barbuda, Hon. Gaston Browne at the Commonwealth Women's Forum ahead of CHOGM 2018 in London, UK

Left: The CPA Headquarters Secretariat filmed interviews with 2018 Commonwealth Women's Forum speakers including keynote speaker, Sunkarie Kabba-Kamara, Mayor of Makeni, Sierra Leone - see the video at: www.cpahq.org/cpahq/youtube.



Below: The CPA Secretary-General with representatives of Commonwealth Associated and Accredited Organisations including Royal Commonwealth Society, Commonwealth Forum and CMJA.



Below: Members of the Commonwealth Women Parliamentarians (CWP) Steering Committee also met in London, United Kingdom in the margins of the 2018 Commonwealth Women's Forum.



Images: CPA Headquarters Secretariat



CHOGM 2018 OUTCOMES: A VIEW FROM INDIA



Hon. Rajiv Pratap Rudy, MP is a Member of Lok Sabha in the India Parliament and Chairman of the Parliamentary Standing Committee on Water Resources. He has served as a Minister for Skills Development and Entrepreneurship in Prime Minister Modi's government. He has served five terms in Parliament including both in the Rajya Sabha and Lok Sabha. He has had many party roles including National General Secretary and he is a qualified pilot - flying fighter aircraft in the Indian Air Force, supersonic jets and passenger airplanes.

The Commonwealth Heads of Government Meeting (CHOGM) has proved to be a time-tested platform where both advanced economies and developing countries come together to build, renew, and redefine links with the group's 53-member states spanning across six continents.

The inaugural Commonwealth Parliamentarians' Forum in London, UK from 26 February to 1 March 2018 organised by the CPA UK Branch and the UK Parliament was a precursor to the main CHOGM 2018 which was also attended by the Honorable Prime Minister of India, Hon. Narendra Modi in April 2018. I had the privilege to lead the delegation to the Commonwealth Parliamentarians' Forum in February on behalf of the Indian Parliament as nominated by the Honorable Speaker of Lok Sabha, Smt. Sumitra Mahajan.

Several topics were discussed during the twelve sessions which were spread over four days. Climate change; the uncertain international situation due to protectionist trends; the WTO's developmental agenda; cybersecurity; mounting threats of international terrorism; and the public health crisis especially in developing countries were some of the major challenges deliberated upon during the meeting.

The Commonwealth theme for 2018 was '*Towards a Common Future*' and the discussion was around the general theme of:

1. A more sustainable future
2. A fairer future
3. A more secure future

4. A more prosperous future.

Considering that 31 out of the 53 Commonwealth countries are small states, with a population of under 1.5 million, India and the UK have jointly committed to building cybersecurity capacity and helping the smaller member states in implementing the global Trade Facilitation Agreement (TFA), which aims to streamline customs procedures, cut red tape at the border, and lower trade costs by providing necessary technical assistance. Commonwealth leaders have agreed to lend their support to advancing WTO negotiations and the Doha Round Agenda (or Doha Development Agenda) in particular.

As part of a pledge for clean and sustainable energy, Indian Prime Minister Narendra Modi and French President Francois Hollande launched the International Solar Alliance (ISA) at the 2015 UN Climate Change Conference in Paris. The ISA is an initiative that works for efficient usage of solar energy by reducing the dependence on fossil fuels. Many Commonwealth countries are members of the International Solar Alliance. This is a major milestone to address the climate change goals as well as the Sustainable Development Goals (SDGs). However, the majority of countries are firmly of the opinion that the developed countries should play a major role in combating climate change to ensure the equity and growth of developing countries.

For the combined Commonwealth population of

2.4 billion, it is imperative that the Commonwealth focuses on bringing greater economic prosperity for the people through an enhanced trade and investment relationship. It is to be noted here that 25 countries of the Commonwealth are small island developing states (SIDS). Therefore, considerable energy should be channeled towards the promotion of sustainable development and maritime security, which pose existential challenges to many of these small and island states.

Prime Minister of India, Narendra Modi during the CHOGM 2018 not only stressed the need to focus on providing developmental assistance to small island states but also announced the doubling of India's contribution to the Commonwealth fund for technical cooperation and capacity building of these small states and small island developing states that are part of the Commonwealth.

The Commonwealth forums on Business, People, Youth and Women offer an excellent opportunity for a wider debate on some of the key issues and challenges facing the member countries.

Half of the top 20 global emerging cities and UN peacekeeping contributions are from the Commonwealth. The combined GDP of Commonwealth countries was estimated to be USD \$10.4 trillion in 2017 and is predicted to reach USD \$13 trillion by 2020. Intra-Commonwealth trade was estimated to be USD \$0.5

trillion in 2015 and is projected to surpass USD \$1 trillion by 2020.

To further this, the Commonwealth Business Forum discussed a wide range of issues to increase intra-Commonwealth trade and reduce the cost of doing business between member countries. The meeting focused on providing better access to modern financial services, harnessing technology and innovation for easing the pathway for business along with attracting inward investment.

The future of the Commonwealth depends on its one billion young people. One in three young people aged between 15 and 29, which is approximately 640 million people, live in Commonwealth countries. The Commonwealth forums on People, Women and Youth are striving towards gender equality, women's empowerment, employment opportunities, and building a cross-cultural network, especially among the youth for achieving sustainable development as pursued through the 2030 Agenda and the Sustainable Development Goals (SDGs).

India's growing relevance

The Commonwealth is one of the oldest institutions that provided India with a view of the world, decades before India achieved independence. India shares the experience and struggle of independence from the colonial rule with other independent countries.

2018 marks a historic year as the world commemorates 125 years of Mahatma Gandhi's arrival in South Africa. His eviction from a train's whites-only compartment not only initiated Mahatma Gandhi's contemplation of racial discrimination but also laid the foundation for the beginning of his philosophy of non-violent protest - the Satyagraha movement against the discrimination and oppressive colonial rule both in South Africa and India. This form of action later became one of the great political tools of the 20th century, influencing the civil rights

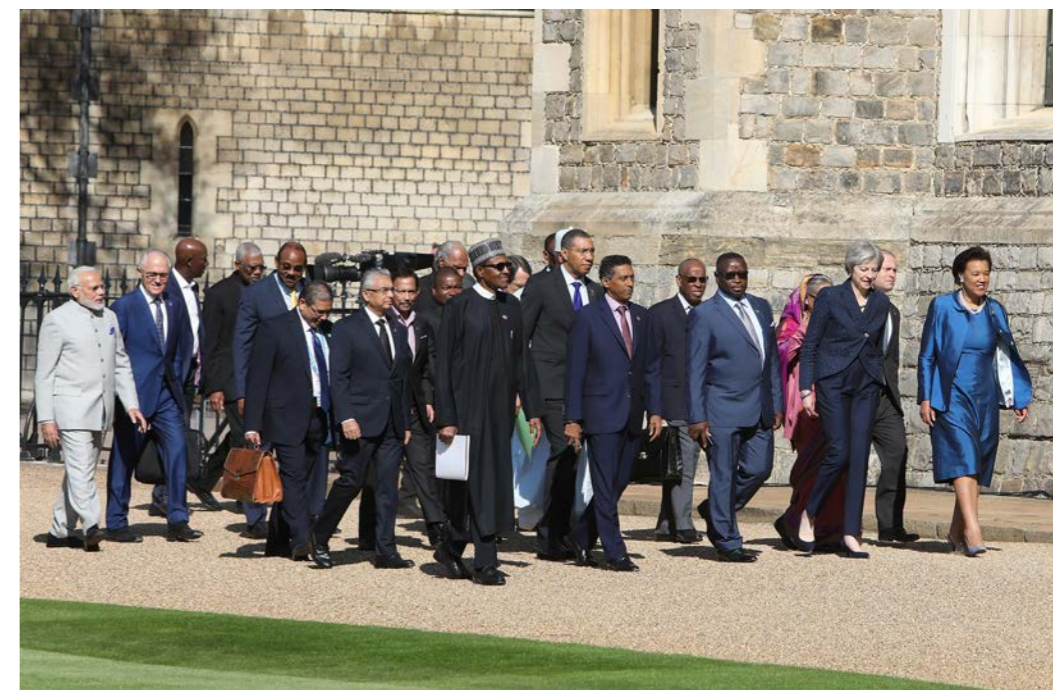


Image: CHOGM 2018/ Commonwealth Secretariat

movement in the United States and the African National Congress in its early years of struggle against apartheid in South Africa.

Since the London Declaration of 1949, which established the modern Commonwealth, India has held a pivotal position in this association of 53 independent sovereign states. As a globally reckoning power, India recognizes the Commonwealth as one of the most valuable forums and the Commonwealth also has much to gain from India's engagement.

India, the largest member country with 55% of the Commonwealth's 2.4 billion population and 26% of its internal trade is engaging actively with the Commonwealth's members especially the small and Island states by expanding trade ties and economic assistance and by showcasing its diplomatic and organizational capabilities.

The Prime Minister of India, Narendra Modi has reiterated India's focus on small island developing nations of the Commonwealth and emphasized that the assistance to these states should be "*demand-driven, rather than donor-driven.*"

India, one of the significant contributors to the Commonwealth

is on the verge of becoming the largest economy in the Commonwealth. India has demonstrated its capacity to grow even during adversity and is committed to making this forum that spans across the globe, evolve and improve in the coming years.

India, the largest democracy in the world has a natural ambition to reinforce the strategic partnerships, based on shared values, common law and institutions. India is not a big brother but a partner in the development of the Commonwealth. Given our focus on developing countries in Africa and the Caribbean, the Commonwealth provides the ideal platform for increasing trade and investment links along with fostering international relations.

The Prime Minister has reaffirmed that India, as a committed member of the Commonwealth, will work closely with other Commonwealth member-states and other partner organizations to address the shared global challenges. India stands committed to reinvigorating the Commonwealth, especially ensuring its enhanced engagement with the small and vulnerable states and to the youth, who make up 60% of the

Above: The Prime Minister of India, Narendra Modi (far left) together with Commonwealth leaders from 53 countries gather at Windsor Castle for the CHOGM 2018 meetings.

Commonwealth's population. The Prime Minister's participation at this year's CHOGM 2018 and India's growing participation has renewed the interest in the Commonwealth forum. The Commonwealth is serving as an effective multilateral forum that can bridge the gap between the developing and developed members.

CHOGM 2018 provided an important opportunity to address some of the major challenges faced by the world and in particular, for the Commonwealth, both the major economies and developing countries came together to unite under the summit's official theme '*Towards a Common Future*'. The Commonwealth meeting has envisaged creating a more sustainable, prosperous, secure and fairer future for all Commonwealth citizens by taking the necessary steps and collective action.



HOSTING THE COMMONWEALTH GAMES GOLD COAST 2018: THE QUEENSLAND GOVERNMENT MINISTER'S VIEW



Hon. Kate Jones, MP is the Minister for Innovation, Tourism Industry Development and the Commonwealth Games in the Queensland Government. Kate oversaw the successful delivery of the Gold Coast 2018 Commonwealth Games. She has previously served as Minister for Education and for Environment and Natural Resources in previous Queensland Governments. She was elected to the Queensland Parliament in 2015, having previously served between 2006 and 2012.

The Gold Coast 2018 Commonwealth Games was the single most significant event Queensland has ever hosted. I'm proud to say I was a Member of Parliament and a representative in Cabinet at the time we chose to bid for the Games and was the Minister responsible for delivering the state's largest sporting event.

Across eleven days of sport, we witnessed some fantastic sporting action as Australia dominated the medal tally to claim 80 gold to England's 45.

We saw the Australian women beat the world record in the 4x100m swimming, we witnessed Brisbane young gun Ariane Titmus dominate the women's freestyle and had the privilege of watching five countries win their first Commonwealth Games medals.

But the great thing about sport is that it brings us together when times are tough. We saw Jamaican sprinter Yohan Blake stumble in the 100m finals to take bronze behind South Africa's Akani Simbine and Henricho Bruinjies, and we witnessed a heart-warming outpour of support for Scottish runner Callum Hawkins who collapsed during the men's marathon. These are the moments sports fans will remember most.

But the challenge for the government, indeed for all governments faced with the quandary of whether to host a major event like the Games, was ensuring our investment paid off for the people of Queensland.

We invested around \$1.5 billion to deliver the Commonwealth

Games. As a direct result of the Games we also leveraged funding to upgrade roads, duplicate train lines and build a new light rail system on the Gold Coast.

The construction and upgrades to 11 venues across the state has given Queensland and the Gold Coast everything we need to compete for more major events. We are already in the market, meeting with sports administrators about new opportunities for the Coast. Days after the Games ended, I attended *SportAccord* in Thailand – the world's largest sporting events conference – to speak about the success of the Games and what this means for Queensland moving forward.

In addition to the infrastructure we put in place, we supported more than 30,000 jobs and trained 15,000 volunteers to participate during the event. That's 45,000 people trained to host major events – an entire industry kick-started by the Commonwealth Games.

During the Games, around 1.1 million people spent \$870 million here in Queensland. We sold more than 1.2 million tickets – that's double the population of the Gold Coast.

While many sports fans were visiting Queensland, even more were watching from home – around 1.5 billion people across the globe tuned in to the 2018 Commonwealth Games.

In Australia, close to 16 million viewers tuned in to the Games as *Channel 7* dominated the ratings.

The GC2018 website attracted

around 113 million page-views, of which 68 million were unique. Our social media channels had around 733,600 followers and more than 108.3 million impressions.

Meanwhile, *Channel 7*'s live broadcast app as well as the Official GC2018 app were the two most downloaded applications in early April. The Official GC2018 app was downloaded more than 416,000 times.

Everyone knows Queensland is beautiful one day and perfect the next. We are leveraging the unrivalled exposure we received as a result of the Games to bring more visitors to our state. This is working. Our projections show that over the next nine years, around half a million extra visitors will touch down in Queensland thanks to the Commonwealth Games.

On top of our strategy to use the Games to strengthen our tourism sector, trade has also been a focus for the Queensland Government. Through our Trade 2018 program we held more than 30 events throughout Queensland and brought some of the world's leading investors and business identities to our state to mentor and work with locals.

More than 2,500 people participated in Commonwealth Games trade and investment events. We attracted 38 international delegations from 26 countries to the events and activities during the Games as a result of a year-long international engagement campaign off the back of the Queen's Baton Relay. We had delegates join us from countries including England, India,

Canada, Hong Kong, Pakistan, Singapore, New Zealand and Papua New Guinea.

Early feedback from a survey of participants indicates more than 80% of attendees identified business opportunities through participation in the Trade 2018 program, while more than 85% said they had made new contacts or strengthened existing networks. Impressively, nearly 80% said they had improved capability to expand their business, which is a fantastic result for all involved. Over the next decade, we expect an extra \$488 million in foreign direct investment and exports as a result of the Games.

However, what can't be measured is the way the Commonwealth Games has enriched our communities. Since day one, we've been committed to ensuring Aboriginal and Torres Strait Islander people benefit from the Commonwealth Games. The 2018 Commonwealth Games will be the first Games to incorporate a Reconciliation Action Plan (RAP) to use the largest event in Queensland's history to close the gap on Indigenous disadvantage and deliver real and meaningful reconciliation. That's why we set a target and put together a strategy to award millions of dollars in contracts to Indigenous businesses.

As a result, close to \$8 million in contracts resulted from the RAP, along with 200 jobs and hundreds of training positions. The contributions by Aboriginal and Torres Strait Islander people were instrumental in the success of GC2018, from the hard-working volunteers, unforgettable Indigenous elements of the Opening Ceremony, through to the GC2018 medal design and the Queen's Baton that was celebrated on many shores across the globe.

Queensland schools also shared in \$200,000 worth of grants to fund classes, programs and initiatives that promoted reconciliation, cultural



understanding and build relationships with Aboriginal and Torres Strait Islander communities under the Reconciliation in Queensland Schools program.

The local Yugambah elders wanted us to make the most of the opportunity to generate exposure for the local Indigenous language and culture. That's how our Games mascot came to be named '*Borobi*' – the Yugambah name for 'koala'. The Yugambah culture was also integrated into our Commonwealth Games arts and culture program, Festival 2018. The largest festival ever to be staged in this state was designed to leave a strong legacy for Queenslanders. More than 1.1 million spectators in total enjoyed Festival 2018 across the state. And out of the 3,893 performers who took part in Festival 2018, more than 2,600 – 65% – were Queenslanders. For these people, a chance to perform in the largest arts and culture festival in Queensland's history was a once-in-a-lifetime opportunity.

And already we've heard some great feedback from Queenslanders who have already been booked for additional acts thanks to the exposure they received during the Games.

The Queensland Government's

Embracing 2018 Legacy Program is ensuring lasting benefits continue to be realised from the Gold Coast 2018 Commonwealth Games.

The program aimed to build active, engaged and inclusive communities by motivating people to move more, value their health, and be active for life. From fitness in local parks and halls and grass roots clubs to elite sporting bodies, our legacy initiatives are supporting Queenslanders from all walks of life and abilities to find ways to be physically active and embrace a healthy lifestyle.

A once-in-a-generation opportunity was made available to Queensland sport and community organisations through the gifting of GC2018 Sports Assets post Games, strengthening their capability and capacity to deliver better programs for all Queenslanders. Under the Sports Assets Legacy Program, more than 20,000 pieces of sports equipment from GC2018 were allocated across the state, benefitting all Queenslanders, leading to healthier lifestyles.

But when we first set out to host the Commonwealth Games we wanted to prove that Queensland is a world leader when it comes to major events. As a result, we made legacy our focus and recorded a number of 'firsts'

Above: The Carrara Stadium (known commercially as Metricon Stadium) is a sporting venue on the Gold Coast in Queensland, Australia and was one of the main venues for the 2018 Commonwealth Games.

that will set a new benchmark for the Commonwealth Games and all multi-sport events in the future.

These include an equal number of men's and women's medals, a fully integrated para-sport program, five countries medalling for the first time, nine world records, 83 Commonwealth Games records, a Reconciliation Action Plan to empower the First Nations people, the longest ever Queen's Baton Relay to leverage exposure of the Gold Coast as a destination, and the first time Beach Volleyball was featured in a Commonwealth Games.

The Queensland Government is committed to investing in our major events sector and making it as easy as possible to host high-quality sporting events in Queensland. Our message to the people of the world is simple. We have the destination, we have the infrastructure. And we have the runs on the board when it comes to hosting major sporting events.



THE MALALA DEBATE: A VIEW FROM PAKISTAN



Meraj Hamayun Khan, MPA is a Member of the Legislature and Chairperson of the Women's Parliamentary Caucus in the Khyber Pakhtunkhwa Assembly in Pakistan. Starting her political career in 1996 by joining the newly created Tehrik-i-Insaf as the provincial president of its women's wing, she later joined the Qaumi Watan Party and was elected on reserved seats for women. Elected as the Chairperson of the Women's Parliamentary Caucus in May 2016, since then she has worked tirelessly to make it an effective forum. Known for her innovative social projects for women and children, she is the founder of the NGO, De Laas Gul.

Let it be clear from the outset that I do not want to get into the controversy of what, why and how of the Malala saga. I write about her because for me she is a symbol of innocence, grit and determination, love and sacrifice. A happy, innocent child, with wishes and hopes, spending her days with family and friends in pursuit of knowledge to learn and become a better human being in service of Allah and humanity for that is what education is all about.

It is a process of deepening the senses and polishing a person's talents. It is the path leading to the understanding of Allah's creations in every form and our own place in this complex universe, and the tool of learning is the Book which commences with the order, "Read in the name of Allah!"

Malala Yousafzai had set out on this journey in search of knowledge and mental training to prepare herself to navigate the world around her, a world which was getting more and more complex and violent with each passing day. This was not to be. Instead of enlightenment

she was violently thrown into a deep abyss of physical pain and emotional breakdown.

After her ordeal, though, Malala did not break down and go into a depression, nor did she hide herself in her home as a recluse bemoaning her deep facial scars and disfigurement and the distortion of her personality. No one heard her grumble, complain and curse the perpetrators of the crime. She recovered gradually and steadfastly she pursued her goal of learning.

Her new surroundings with an unfamiliar culture, language and people did not scare her. With typical young Pakhtun valour and optimism she rebounded with renewed vigour to understand and integrate into her new environment but preserving her own identity at the same time. It was her simplicity that caught the attention of the international media and human rights organisations and their united efforts swept her up into a whirlpool of good wishes and universal acclaim.

Her message to all the youth is to be ready for all eventualities and not be

"It was her simplicity that caught the attention of the international media and human rights organisations and their united efforts swept her up into a whirlpool of good wishes and universal acclaim. Her message to all the youth is to be ready for all eventualities and not be defeated by adversity and unpredictable challenges even giving up one's home and all that is familiar."



defeated by adversity and unpredictable challenges even giving up one's home and all that is familiar. At that stage in life when a person is forced to abandon all that one lives for, especially we semi urban maids, we cannot ever dream of severing our relationship with an environment that we are born into.

The air, the land, the mountains and the rivers are woven tightly into the core of our existence, our very being. Malala did not shriek when her 'being' was torn apart and she was being reduced to a shadow of her former self. She held on tightly to her dream and her hopes and it is no surprise that she was resurrected into a form with more force as well as charm.

One painful incident matured her and saddled her with serious responsibilities meant for experienced adults. She became a woman, a teacher, a student, a role model, a hero and an international icon of courage.

This status may be considered enviable by some but for her tender age, her physical, mental and emotional state it was an additional burden on her weak shoulders and a formidable challenge to face. All eyes were on her; there were whispers and there were strange allegations mixed with laudatory comments and encouraging remarks.

She was insouciant to all as she picked up the torn threads of her life and bravely forged ahead to tackle her new responsibility as a role model for

other young girls and students in impoverished communities especially those in Pakistan.

Born on 12 July 1997, Malala's name now defines education, child protection and women's empowerment, three critical goals which Pakistan's development planners must adopt and pursue wholeheartedly.

Education is a basic right of every child and the government ensured access to all by establishing schools with proper facilities and well trained teachers. However, parents will refuse to hand over their children to institutions if there is no security within the institutions or on the routes leading to them.

Girls especially are made the scapegoats when parents decide

Above: A protester at the Women's March 2017 in Los Angeles, USA holds up a sign that says; "If one man can destroy everything, why can't one girl change it." a quote by Malala Yousafzai.

about the future of their children. They are denied education for multiple reasons but in recent years, it has been more due to the physical turbulence caused by the war on terror. Malala is the emblem of a Pakistan that has proved its resilience on several fronts and is well on its way to development in all sectors despite hardships.

TACKLING MODERN SLAVERY IN THE COMMONWEALTH



Rt Hon. David Hanson, MP is a Member of the UK House of Commons and has represented the constituency of Delyn in North Wales since 1992. He has served as a Government Minister for the Home Office, Justice and Northern Ireland and as a Shadow Minister for Foreign and Commonwealth Affairs. He is a Member of the Intelligence and Security Committee of Parliament and of the House of Commons Justice Select Committee.

During the week of the Commonwealth Heads of Government Meeting (CHOGM), many announcements and reports were released on everything from the Queen's successor to advancements in climate innovation. One you may have missed was the announcement of a new United Kingdom package of support which will help eradicate modern slavery, human trafficking and child exploitation in the Commonwealth.

The Commonwealth is home to 2.4 billion citizens and represents a diverse global community. There are many challenges this family of nations face, including modern slavery, human trafficking and forced labour. Recently, the scale of this problem has become increasingly evident. We have witnessed Nigerians trafficked into slavery through Libya; children forced into the fishing industry in Ghana; tech industries using debt bondage to entrap people in Malaysia; and here in the UK modern slavery has been exposed in cannabis farms, in nail bars and in car washes. It is a crime that is without borders and is indiscriminate of race, religion or wealth.

A Commonwealth commitment

There is a growing commitment within the Commonwealth to take action to help victims of modern slavery-related crimes and bring perpetrators to justice. This growing commitment is reflected in the Modern Slavery Project,

overseen by the UK Branch of the Commonwealth Parliamentary Association (CPA UK). The project aims to contribute to the global effort to eradicate modern slavery-related crimes by strengthening legislation and parliamentary scrutiny and oversight in the Commonwealth.

The project, which has recently been granted funding for a second phase as part of the announced package of support, has engaged with over 70 Parliamentarians and officials from 14 countries including Ghana, Uganda, Nigeria and Pakistan. As Chair of the project, I have been privileged to share some of my experiences from working on and scrutinising the UK's response to modern slavery, but have also gained insights and new perspectives from other Commonwealth countries that are seeking to tackle these issues.

Parliamentary scrutiny

I first became interested in the campaign to end modern slavery following my appointment to the Shadow Home Office team. The Modern Slavery Bill, introduced in 2014 in the UK Houses of Parliament, received cross-party support and many Members of Parliament worked tirelessly to implement it. The legislation consolidated and simplified existing laws in the UK on slavery and trafficking and also enforced transparency in the supply chains of businesses in an effort to specifically combat forced labour

and exploitation in the production process of goods.

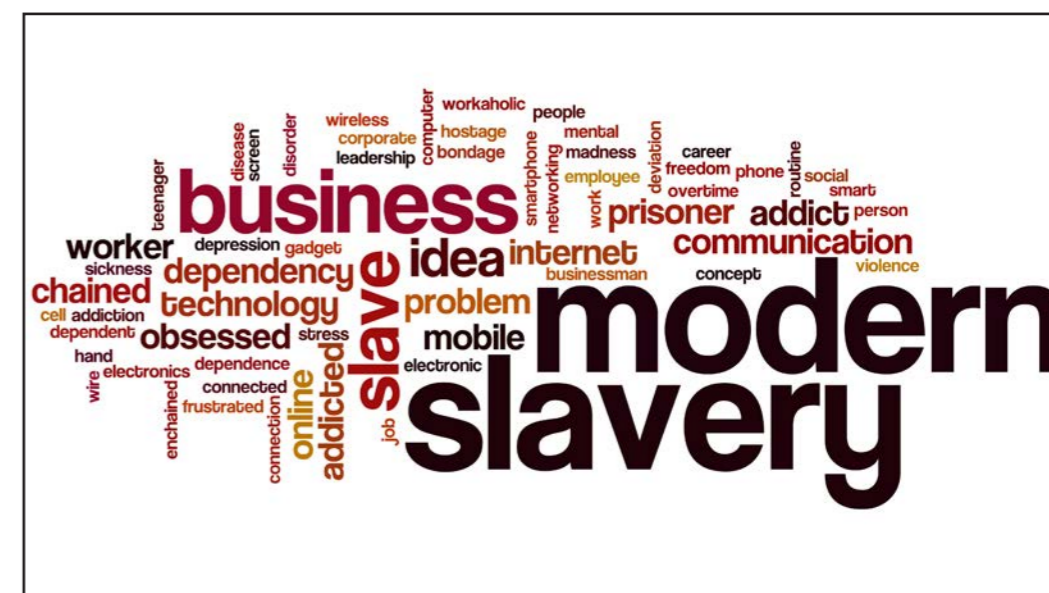
As the lead within the opposition team, I was responsible for ensuring that the Bill met our high standards and during the process I learned of many examples of slavery that were hidden or simply not tackled. Despite consensus on many areas, the opposition put forward a large number of amendments to try and tighten rules around supply chains and domestic servitude in particular. A number of our amendments were not accepted showing that there is still so much more for us to do. This is an issue that is constantly evolving and needing the scrutiny of Parliament.

Modern Slavery Project

Phase I of CPA UK's Modern Slavery Project included two regional workshops for Parliamentarians and officials from Africa and Asia-Pacific. This was an opportunity to raise awareness and begin the discussion about what the challenges and opportunities are in addressing these crimes. Parliamentarians and legislative drafters were then invited to Westminster for an intensive seminar on effective and robust legislation. While most countries have legislation that addresses modern slavery-related crimes in some form, this was an opportunity to explore where there might be gaps and how legislation could be consolidated and strengthened.

Through engaging with the project, Parliamentarians from Nigeria have begun the process of reviewing and strengthening laws. Hon. Samuel Okon Ikon, MNA - who attended both the Africa Regional Workshop and the Legislative Drafting Seminar at Westminster - recently presented a successful motion to the House of Representatives in Nigeria to investigate cases of modern slavery, human trafficking, domestic servitude and forced labour involving Nigerians at home and abroad and to proffer solutions. There have been similar stories coming out of Pakistan and Ghana where Parliamentarians are leading the fight for effective oversight and scrutiny.

Recognising that the UK's Modern Slavery Act is by no means a finished article, the project has also presented areas in which we – as UK Parliamentarians – can improve our laws. At a recent CHOGM side event, we heard from Senator Linda Reynolds from Australia, another Parliamentarian who has been actively involved in the project. She raised the issue of '*orphanage trafficking*' which will soon be included in Australian legislation but is currently not addressed directly in UK law.



Online Portal and e-Handbook

Building on this network of motivated Parliamentarians, something I've been particularly excited about is the recent launch of the Modern Slavery Project Online Portal. This is a secure member-only platform for Commonwealth Parliamentarians and officials to share good practice and exchange ideas with regards to combatting modern slavery-related crimes. The portal uses technology to advance communication between international parliamentary colleagues. It includes a database of experts working across the Commonwealth who are available to give advice

and assistance as well as a legislative landscape, which gives an overview of current global legislation. I would encourage you to join the community at www.msproject-portal.com.

Another exciting resource as part of the project is an e-Handbook. The e-Handbook is an innovative and interactive tool for supporting Commonwealth Parliamentarians and officials to legislate effectively against modern slavery-related crimes. With over 70 expert contributors to the e-Handbook, representing civil society, parliament, the judiciary and law enforcement, this is a comprehensive, insightful and practical guide through understanding and legislating against these heinous crimes.

Looking ahead

With the Modern Slavery Project now entering its second phase, there is huge potential for it to reach even further across the Commonwealth. There are plans to build on relationships with Parliamentarians and officials in Malawi, Namibia, Kenya, Bangladesh and Sri Lanka. There will be further regional workshops and seminars as well as bilateral work to help increase the knowledge and capacity of Commonwealth Parliamentarians and bring an end to a crime many of us believed was left behind in the 19th century.

I particularly look forward to engaging with my Commonwealth parliamentary colleagues and hearing what they are doing to address this global scourge. Drawing on this unique network is a valuable tool for sharing good practice approaches and will assist us as representatives to protect our constituents and promote the human dignity of our fellow citizens.

For more information about CPA
UK's Modern Slavery Project including
how you can access the Online
Portal and e-Handbook, contact
modernslaveryproject@parliament.uk.
For further information visit [www.
uk-cpa.org.uk/modernslavery](http://www.uk-cpa.org.uk/modernslavery).





POWER AND PRIVILEGE ON JUDICIAL MATTERS IN THE INDIA PARLIAMENT



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Assembly in India and
CPA Kerala Branch
Secretary.

"The parliamentary system of work requires not only stout opposition, not only forcible expression of opinions and views, but an essential basis of co-operation between the three constitutional pillars such as parliament, executive and judiciary, not in regard to any particular matter, but the whole basis of approach is after all a co-operative basis to achieve the constitutional goals, and in so far as we succeed in doing that, we succeed in laying the foundation of parliamentary democracy firmly." - Jawaharlal Nehru - the first Prime Minister of India.

The Constitution of India, republican and federal in structure, embodies the salient features of the Parliamentary system. It provides for a Parliament for the Union consisting of the President and the two houses, namely, the Rajya Sabha (Council of States) and the Lok Sabha (House of the People), in which Lok Sabha has supremacy in financial matters.

There is a Union Executive, drawn from both of the Houses of Parliament and collectively responsible to the Lok Sabha, ensuring thereby an intimate

relationship between the Union Executive and Parliament. The Head of State is the President of India, acting on the aid and advice of the Union Council of Ministers and a number of States that have basic provisions, parallel to those of the Union in respect of the Executive and Legislature of each State. For preserving the Rule of Law, there is an independent judiciary and a civil service.

The Parliament of India is not a sovereign body with uncontrolled and unlimited powers in the same sense as that of the British Parliament. It functions within the bounds of a written Constitution. Its legislative power is hedged in by limitations in a two-fold manner, by the distribution of powers between the Union and the States and by the incorporation of a code of justiciable fundamental rights in the Constitution.

There is also provision for judicial review which means that all laws passed by Parliament and State assemblies must be in conformity with the provisions of the Constitution and liable to be tested for constitutionality by an independent judiciary. Nevertheless, Parliament occupies a pivotal position in the

present-day Indian polity and the Constitutional limitations on its sovereign authority are therefore, to be understood with important qualifications.

Such powers as Parliament possesses under the Constitution are immense and they fulfil the role which a sovereign legislature does in any other independent country. The width and depth of its powers becomes evident on an analysis of the extent of jurisdiction it has under the scheme of the distribution of powers, its relationship *vis-a-vis* the judiciary, the executive, the State legislatures and other authorities under the Constitution.

However, the focus in this paper confirms the areas where the parliamentary power extends in the matter of *sub-judice* or judicial matters.

Parliament and the Judiciary

Parliament, the executive and the judiciary are the three main pillars of the Indian democratic edifice. The Constitution of India defines powers, delimits jurisdictions and demarcates the responsibilities of each organ.

As regards the relationship between parliament and

"Such powers as Parliament possesses under the Constitution are immense and they fulfil the role which a sovereign legislature does in any other independent country. The width and depth of its powers becomes evident on an analysis of the extent of jurisdiction it has under the scheme of the distribution of powers, its relationship vis-a-vis the judiciary, the executive, the State legislatures and other authorities under the Constitution."

the judiciary, both are under constitutional obligation not to encroach upon each other's jurisdiction.

Article 121 of the Indian Constitution provides that the conduct of a Judge of the Supreme Court of India or the High Court of a State cannot be discussed in parliament except upon a motion, for presenting to the President, requesting the



Above: The Parliament of India.

removal of such a Judge. Also, matters which are *sub-judice* cannot be discussed in Parliament.

Article 122 provides that the judiciary too cannot question the validity of any proceedings of parliament on the grounds of any alleged irregularity of procedure.

The Constitution also accords an important place to the judiciary, with the Supreme Court at the apex of the judicial system. The Supreme Court, in addition to being the final court of appeal, has exclusive original jurisdiction in disputes between the Union and the States, and between two or more States *inter se*.

The Supreme Court is the ultimate arbiter in all matters involving the interpretation of the Constitution. It has also extensive jurisdiction for the enforcement of fundamental rights and an advisory jurisdiction on any question of law or fact referred to it by the President. The power of judicial review conferred upon the Supreme Court and the State High Courts ensures that both the legislature and the executive

act in their respective spheres of jurisdiction and also they do not act in defiance of the Constitution.

The Supreme Court also guards, protects and enforces the fundamental rights guaranteed to the citizens by the Constitution. The Supreme Court has indeed declared judicial review to be one of the basic structures of the Constitution which is to be regarded as sacrosanct. Thus, as per the Constitutional Scheme, both parliament and the judiciary are supreme in their respective spheres.

Various constitutional provisions do not leave any scope for confrontation between the two important organs of the State. Indeed, the harmonization of the principles of parliamentary sovereignty and judicial review is a unique feature of India's Constitution.

Relationship between Parliament and the Courts

While the Constitution has not recognized the doctrine of separation of powers in its

absolute rigidity, the functions of the three organs of State, viz. the legislature, the judiciary and the executive, have been sufficiently demarcated. Both parliament and State legislatures are sovereign within the limits assigned to them by the Constitution. The supremacy of the legislature under a written Constitution, as observed by the Supreme Court, is only within what is in its power, but what is within its power and what is not, when any specific Act is challenged, it is for the courts to say.¹

The scope of judicial review is limited to determine whether the legislation impugned falls within the periphery of the power conferred and whether it is in contravention of the fundamental rights guaranteed by the Constitution or of any mandatory provision of the Constitution. The courts are concerned only with interpreting the law and are not to





Above: The High Court in Mumbai is one of oldest High Courts of India.

enter upon a discussion as to what the law should be.²

Further, under Article 368 of the Constitution, parliament has been empowered to amend the Constitution by way of addition, variation or repeal of any provisions according to the procedure laid down therein. But, this Constituent power is subject to the 'doctrine of basic structure of the Constitution' as propounded by the Supreme Court in its judgement '*Kesavananda Bharati Sripadagalvaru Vs. State of Kerala*' which has been reiterated in a number of subsequent cases.³

Can the courts enquire into the proceedings of parliament?

The parliament and the State legislatures can regulate their own procedures subject to the

provisions of the Constitution. The validity of any proceedings in either house of parliament or any State legislature cannot be questioned before a court of law on the grounds of any alleged irregularity of procedures.⁴

The courts have no jurisdiction to issue writs, directions or orders relating to a matter in respect of what is done in the house or which affects the internal affairs of the house. Similarly, the presiding officer is also not subject to the jurisdiction of any court for failure to exercise his/her power to regulate the proceedings of the house.

The Constitution guarantees immunity from proceedings in any court in respect of '*anything*' said in the house or any Committee thereof and '*anything*' has been held to be equivalent to '*everything*'.⁵

Parliament's power and privilege on sub-judice matters

It is the absolute privilege of the legislatures and Members to discuss and deliberate upon all matters pertaining to the governance of the country and its people. Freedom of speech on the floor of the house is the essence of parliamentary democracy. Certain restrictions on this freedom have, to a limited degree, been self-imposed. One such restriction is that the discussion on matters pending adjudication before courts of law should be avoided on the floor of the house, so that the courts function uninfluenced by anything said outside the ambit of trial in dealing with such matters.

While applying the restrictions regarding the rule of *sub-judice*, it has to be ensured that the primary right of freedom of speech is not unduly impaired to the prejudice of the legislature. It has been held

that a matter is not subjudice until legal proceedings have actually started.

The question of whether a particular matter is *sub-judice*, is decided by the Speaker on the merits of each case. Under the parliamentary practices and procedures, any matter which is under adjudication by a court of law having jurisdiction in any part of India cannot be raised in the house in any form, such as questions, adjournment motions, resolutions and cut-motions.

At the Conference of Presiding Officers held in New Delhi in 1967, a Committee was constituted to examine *inter alia* as to the exact scope of the rule of *sub-judice*, namely, whether a matter while under adjudication by a court of law, should not be brought before the house by a motion or otherwise (except by means of a Bill) in relation to parliamentary proceedings. The Committee felt that it would be

“Nevertheless, parliamentary democracy is the only forum where people can voice their hopes and aspirations in a representative manner. If the three sublime institutions of the Constitution are functioning within their sphere, never interfering upon the area or jurisdiction of the other, then democracy would achieve its goals in a commendable manner. If it encroaches upon the area or jurisdiction of the other to establish its supremacy, then chaos would be the ultimate result.”

useful to the Presiding Officers if some guidelines were framed and they formulated the following guidelines:

1. Freedom of speech is a primary right, whereas, the rule of *sub-judice* is a self-imposed restriction; so wherever it is



necessary the latter must give way to the former.

2. The rule of *sub-judice* has no application in privilege matters.
3. The rule of *sub-judice* does not apply to legislation.
4. The rule of *sub-judice* shall apply to proceedings before civil and criminal courts and courts martial in any part of India and not ordinarily to other quasi-judicial bodies such as tribunals etc. which are generally fact finding bodies.
5. The rule of *sub-judice* applies to questions, statements, motions, resolutions and other debates (excluding motions in respect of leave to introduce Bills, to take a Bill into consideration, to refer a Bill to a Select/Joint Committee, to circulate a Bill for eliciting opinion thereof, to pass a Bill).
6. The rule of *sub-judice* applies only in regard to the specific issues before a court.
7. In the case of linked matters, parts of which are *sub-judice* and part are not *sub-judice*, debate can be allowed on the matters which are not *sub-judice*.

The rule of *sub-judice* has application only during the period when the matter is under active

consideration of a court of law or court martial. It would mean as follows:

- a) In criminal cases, from the date of framing court charge till the judgment.
- b) In a court martial, from the date of charge preferred till the charge is confirmed.
- c) In a civil case, from the date of framing issue till the judgment.
- d) In a writ petition, from the date of admission till order.
- e) In injunction petition, from the date of petition till order.
- f) In appeals, from the date of the appeal till the judgment.

Conclusion

The Parliament of India, being the political nerve-centre of the country, plays a predominant role in keeping the system of governance vibrant. It is in this supreme representative institution that the resilience of today's polity and concern for people's welfare, commitment to democracy, rule of law, political unity and national integration are nurtured.

In Winston Churchill's wise observation that parliamentary democracy may be a bad form of governance, for other forms are worse than it, may be true to a certain extent.

Nevertheless, parliamentary democracy is the only forum where people can voice their

hopes and aspirations in a representative manner. If the three sublime institutions of the Constitution are functioning within their sphere, never interfering or encroaching upon the area or jurisdiction of the other, then democracy would achieve its goals in a commendable manner. If it encroaches upon the area or jurisdiction of the other to establish its supremacy, then chaos would be the ultimate result. It will only tend to destroy the democratic principles enshrined in the Constitution. It eventually destroys the Constitution. It is worthwhile to remember the wise words of Jesus Christ which reminds us of the separation of powers in a poetic manner. "*Render to Caesar's, and to God the things that are God's.*"

References:

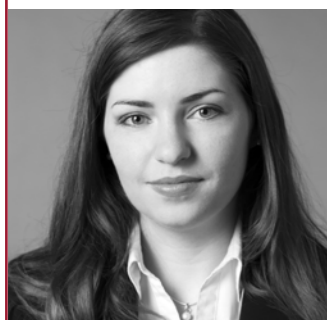
- ¹ *R.C. Cooper Vs. Union of India* (AIR 1970 Supreme Court 1318).
- ² *Purushothaman Govindji Italia Vs. B.M. Desai* (AIR 1956 Supreme Court 20).
- ³ *Kesavananda Bharati Sripadagalvaru Vs. State of Kerala* (AIR 1973 Supreme Court- 1961).
- ⁴ *M.S.M. Sharma Vs. Shri Krishna Sinha* (AIR 1960 Supreme Court 1186).
- ⁵ *Tej Kiran Jain Vs. N. Sanjiva Reddy* (AIR 1970 Supreme Court 1573).



SELF-ASSESSMENT AGAINST THE CPA'S RECOMMENDED BENCHMARKS FOR DEMOCRATIC LEGISLATURES: A REPORT FROM THE PARLIAMENT OF QUEENSLAND



Amanda Honeyman is the First Clerk Assistant (Procedure) and Manager Education and Communication Services. She has over 11 years' experience with the Queensland Parliament.



Ciara Furlong is an Assistant Committee Secretary in the Queensland Parliament and currently works with the Ethics Committee and the Committee of the Legislative Assembly.

Parliaments within Australia are responsible for their procedural and democratic standards. Benchmarking amongst other national and international Parliaments can provide evidence of verifiable quality standards.

The CPA's *Recommended Benchmarks for Democratic Legislatures*¹ are intended to be a model for Parliaments to be able to assess themselves against a Commonwealth standard designed to help legislatures identify ways in which to improve their democratic performance. This article is based on the Queensland Parliament's 2017 report on its self-assessment against the CPA benchmarks.

Parliament of Queensland

Under sections 1 and 2 of *Queensland's Constitution Act 1867*, the State's legislative power is vested in the monarch (via Her Majesty's representative in Queensland, the Governor) and the Legislative Assembly. The Queensland Parliament is unique among Australian states in that it was the only colonial Parliament (pre-1901) to commence with two chambers and is now the only unicameral state parliament, following the abolition of the Legislative Council in 1922.

The Legislative Assembly is comprised of 93 members each representing a single-member electorate. The *Constitution of Queensland 2001 (Qld)* (the Constitution) was recently amended to introduce fixed four-year parliamentary terms from the previous flexible three-year terms.

As a representative assembly, the Legislative Assembly is

responsible for a number of functions which overlap and interact. The Legislative Assembly:

- provides, after each general election or on occasions during a term, the State Government from the political party or coalition of parties which has obtained a majority of the seats in the Legislative Assembly or at least has the confidence of and can obtain the supply (financial support) from the majority of the Members of the Assembly,
- passes Bills, which, after Assent by the Governor, become statutes which constitute the State's laws as well as often providing the basis for Government activity (the legislative function),
- has a financial responsibility of overseeing and granting the Government's requested appropriations of revenue and expenditure (the financial function),
- provides a forum to scrutinise the Executive Government's activities and action through a variety of parliamentary procedures including Question Time, Private Members Motions, Bill debates and parliamentary Committee activities (the scrutiny function),
- is a representative institution for all of the State's citizens via their elected Members (the representative function), and
- provides a forum for matters of public interest and concern to be debated and addressed through parliamentary procedures such as

Petitions, Matters of Public Interest, Private Members' Bills, Private Members' Statements, Adjournment Debates, Grievance Debates, Address-in-Reply debates and Bill debates (debate and grievance)²

There are a range of instruments which guide and support the Legislative Assembly and its Members in relation to the areas covered by the benchmarks. These include but are not limited to the: Code of Ethical Standards for Members, Media Guidelines, Member's Remuneration Handbook, the *Constitution*, *Parliament of Queensland Act 2001*, (POQA) *Parliamentary Service Act 1988*, Queensland Parliamentary Procedures Handbook, Sessional Orders and Standing Rules and Orders.

Benchmarks and the Queensland Parliament's performance

The Queensland Parliament meets the majority of the CPA's *Recommended Benchmarks for Democratic Legislatures*.³

As part of its self-assessment, the Queensland Parliament rated its performance against each benchmark using a five-star rating system, as outlined below:

- 5 Stars – Complies with the benchmark and is included in constitutional legislation, and can only be set aside with considerable difficulty, for example, via a referendum or legislative amendment requiring an absolute majority,
- 4 Stars – Complies with the benchmark via legislation,

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Above: The Parliament of Queensland in Brisbane, Australia.

- but may be set aside through legislative amendment,
 - 3 Stars – Complies with the benchmark, but can be set aside with relative ease, for example, in Standing Orders or statute but can be set-aside or suspended by a simple majority,
 - 2 Stars – Substantially complies with the benchmark,
 - 1 Star – Partially complies with the benchmark,
 - 0 Stars – Does not comply, and
 - N/A – Not applicable to the Queensland Parliament.
- Each star is worth one point. The results of the self-assessment, separated into the four categories identified by the CPA (general, organisation of the Legislature, functions of the legislature, and values of the legislature) are discussed below.

General

These benchmarks cover general aspects of the parliament, including:

- elections
- candidate eligibility

- incompatibility of office
 - immunity
 - remuneration and benefits
 - resignation, and
 - infrastructure
- Of the fifteen General benchmarks, the Queensland Parliament did not score less than 4 stars, with a total of 60 points out of a potential 65 points. Two benchmarks were not applicable (3.2.2 regarding special measures to encourage the political participation of marginalized groups and 3.3.2 regarding bicameral legislatures).

Elections and candidates: The Queensland Parliament scored highly with respect to elections. Elections are held regularly, and suffrage is governed by the *Electoral Act 1992 (Qld)* (Electoral Act) with reference to the eligibility criteria stipulated in the *Commonwealth Electoral Act 1918*. Section 93 of the latter Act provides that all persons who have attained 18 years of age and are Australian citizens shall be entitled to enrol to vote. Exceptions to this universal suffrage exist in the case of persons who are of

unsound mind, who have been convicted of treason or treachery and have not been pardoned, or are currently serving a sentence of imprisonment of 3 years or longer. Recent amendments to the Constitution introduced fixed four-year parliamentary terms. Elections are undertaken by the Electoral Commission of Queensland (ECQ), an independent statutory body established under legislation. The purpose of the ECQ is to support democratic electoral process by preparing for, conducting and reporting on elections in Queensland.

Eligibility of candidates and elected representatives is not based on religion, gender, ethnicity, race or disability. However, pre-selection of candidates is determined by political parties so there is potential for the selection of the candidate by the party to be impacted by these factors. Members may take an oath or



SELF-ASSESSMENT AGAINST THE CPA'S RECOMMENDED BENCHMARKS FOR DEMOCRATIC LEGISLATURES

make an affirmation in order to take their seat in the Legislative Assembly – this is included in constitutional legislation and can only be set aside through legislative amendment requiring an absolute majority.

Immunity: Members of the Queensland Parliament have immunity for things said during proceedings of the Legislature. The powers, rights and immunities of the Legislative Assembly and its Committees is defined in the Constitution and the POQA provides that the freedom of speech and debates or proceedings in the Assembly cannot be impeached or questioned in any court or place out of the Assembly.

To remove any doubt, it is declared that this is intended to have the same effect as article 9 of the Bill of Rights (1688). Parliamentary immunity (privilege) attaches to proceedings of the Assembly, rather than to an individual and so remains despite the end of a Member's term. Section 9 of the POQA provides that proceedings in the Assembly include all words spoken and acts done in the course of, or for the purposes of or incidental to, transacting business of the Assembly or a Committee and cannot be waived.

Whilst there is the theoretical potential for a change to be made to legislation governing a number of these benchmarks, changes that diminish provisions relating to elections, candidates and Members' immunity and remuneration are highly unlikely.

Organisation of the Legislature

This section of the benchmarks covers the organisation of the legislature, including:

- procedure and sessions
- committees
- political parties, party groups and cross-party groups, and
- parliamentary staff

The Queensland Parliament meets the majority of the forty-one

benchmarks that make up this section, with a total of 150 of 205 potential points.

Procedures and sessions:

Notably, the Parliament meets the majority of benchmarks for procedures and sessions. There is scope to improve in some areas, for example voting. While voting is in public, members of the public may attend and watch the proceedings in the gallery or via the internet broadcast of the proceedings, the procedures around voting are contained in the Standing Orders and may be set aside by a simple majority. Also, under the Standing Orders, the names of Members voting will not be recorded where there are fewer than five Members voting in a particular way, only the result of the vote is recorded.

The Leader of the House (a Member of the Government) sets the sitting dates each year and also sets the agenda for debate. General business notices of motion placed on the Notice Paper lapse after 30 days. Generally, these notices of motion are Private Members motions, where the Leader of the House does not agree to allocate time to move the motion for debate, the motion lapses. Hence, while there is an opportunity for the motions to be placed on the Notice Paper, there is also the possibility that they might not be brought on for debate and therefore lapse.

Committees: The Queensland Parliament scored well with respect to the benchmarks around Committees. The Constitution provides that the Legislative Assembly must, at the commencement of every session, establish a minimum of six portfolio Committees with areas of responsibility that collectively cover all areas of government activity. In practice there are usually between 7 and 8 portfolio Committees established under the POQA and the Standing Orders. There are also three special purpose Committees

regularly established pursuant to legislation; the Committee of the Legislative Assembly and the Ethics Committee are established under the POQA, and the *Crime and Corruption Act 2001* (CCA) establishes the Parliamentary Crime and Corruption Committee (PCCC). Membership of Committees reflects the composition of the Assembly; Members, including the Chairs, are nominated by the Leader of the House and Leader of the Opposition and are appointed and discharged by the House.

The CPA benchmarks state that Committee hearings and votes of Committees shall be in public and that any exception to this shall be clearly defined and provided for in the rules of procedure. The Queensland Parliament partially complies with this standard. Standing Orders require Committees to deliberate in private however, each Committee may resolve to publish its proceedings. While Committee hearings are generally in public and broadcast, this is at the discretion of the Committee.

The Queensland Parliament meets all of the benchmarks in relation to political parties, party groups and cross-party groups but it should be noted that the Parliamentary Service's ability to provide adequate resources and facilities for party groups is constrained by the budget determined by the Speaker, and ultimately, the Executive.

Functions of the Legislature

The Parliament scored a total of 66 points out of a potential 85 points. Section 8 of the Constitution provides law-making powers for the Legislative Assembly. The Standing Orders provide for the introduction, consideration and passing of both Government Bills and Private Member Bills and the Sessional Orders set aside time for the debate of government business, including Government Bills, and a separate time for the

introduction and debate of Private Members' Bills. Most Bills are referred to a portfolio Committee for examination and report. Any Bills not referred to a Committee, or referred for a period of less than six weeks must be declared urgent by the House.

In the current government majority, the reality is that, despite all Members having an opportunity to introduce legislation and amendments, Private Members' Bills will only pass their Second and Third Reading stages if there is some government support for them; it is more likely that the Government would introduce a similar Bill which would pass in lieu of the Private Members' Bill.

All Members have the right to offer amendments to proposed legislation (Bills) in the consideration in detail stage of the Bill. There is no provision for the Committee to move its recommended amendments to a Bill in the House. It is usually the Executive that decides if it will introduce amendments in accordance with Committee recommendations. As with Bills, it is unlikely that Private Members' amendments to Bills will be incorporated into legislation during the consideration in detail stage of the legislative process. Amendments moved during the consideration in detail stage can significantly alter the legislation and are not subject to any level of scrutiny by the House or a Committee.

Whilst the Parliament meets the majority of the applicable benchmarks in relation to legislative function, there are limitations on public input in Queensland. For example, Bills declared urgent may not be subject to Committee scrutiny, or provide opportunity for public input and afford little time for legislators to consider the Bill before they are to vote on whether it should pass or not. Also, following a Committee consideration of a Bill, the government may introduce amendments which are not subject to Committee scrutiny.

There are also limitations to the benchmarks on financial and budget oversight by Committees. Ultimately, the executive of the day determines the budget of the Auditor-General, the Ombudsman and the Information Commissioner thereby exercising executive control over them to some degree, despite a requirement to consult with Committees. The Committee can only report its dissatisfaction to the House, it cannot change the budget.

Values of the Legislature

On this section, the Queensland Parliament scored 28 points out of a possible 40. In relation to accessibility, the Legislative Assembly is open to citizens and to the media, which is non-partisan, is given access to the proceedings. The Parliament has an Education and Communications Services which promotes the work of and the public's understanding of the Parliament.

In relation to ethical governance, the Parliament has

a pecuniary interest register, published twice yearly, code of ethical standards for Members (other than Members in their capacity as Ministers), to assist and educate Members in terms of their obligations. The Ethics Committee investigates alleged breaches against the Code of Ethical Standards and contempts of Parliament. The POQA defines and provides examples of contempts and the Standing Orders addresses the powers, rights and immunities of legislators, including contempts. The Integrity Commissioner, an independent statutory officer, provides written advice to Members on ethical or integrity issues as requested.

Conclusion

Overall, the Queensland Parliament performs well against the benchmarks though, as in any modern parliamentary system, we acknowledge there is room for improvement.

One of the more obvious challenges to improving against the benchmarks is Executive dominance. However, as Queensland is a unicameral parliament dominated by two major parties, it is not anticipated that this situation will change in the near future.

That said, the Queensland Parliament has undertaken significant reform in recent years, for example the introduction of the current portfolio based Committee system in 2011, which has seen the jurisdiction improve markedly against the benchmarks.

Also, it should be noted that, while many benchmarks were rated with three or four out of a possible five stars in accordance with the ease with which the benchmark can be set aside, it is unlikely in most, if not all, cases that the Legislative Assembly would attempt to do so. Following the Fitzgerald Inquiry⁴ in the 1980s, it would not be in the political interest of either or the

major parties to be seen to remove or significantly alter current governance arrangements.

The Queensland Parliament will continue to strengthen its performance against the democratic benchmarks and keep astride of advances in parliamentary practices and procedures.

References:

¹ Commonwealth Parliamentary Association, *Recommended Benchmarks for Democratic Legislatures*, 2016.

² www.parliament.qld.gov.au/explore/about-us/parliament-overview/role-of-parliament.

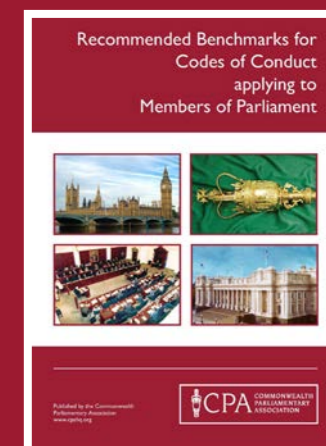
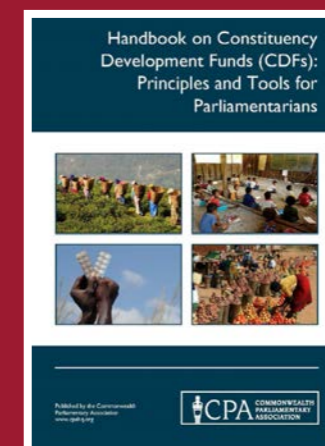
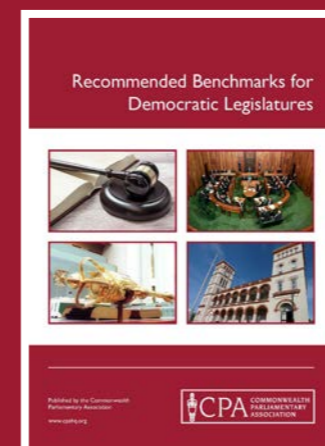
³ Commonwealth Parliamentary Association – Queensland Branch, Results of the Assessment of the Parliament of Queensland using the Commonwealth Parliamentary Association's *Benchmarks for Democratic Legislatures*, October 2017

⁴ GE Fitzgerald, *Report of a Commission of Inquiry Pursuant to Orders in Council*, 1989.



SELF-ASSESSMENT AGAINST THE CPA'S RECOMMENDED BENCHMARKS FOR DEMOCRATIC LEGISLATURES

The Commonwealth Parliamentary Association (CPA) produces a number of guides and toolkits for Commonwealth Parliamentarians and Parliamentary staff including the CPA *Recommended Benchmarks for Democratic Legislatures; the Recommended Benchmarks for Codes of Conduct for Members of Parliament* and the *Handbook on Constituency Development Funds (CDFs): Principles and Tools for Parliamentarians*.



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CELEBRATING A DECADE OF DEDICATION FOR PARLIAMENTARY EXCELLENCE IN PAKISTAN

Pakistan Institute for Parliamentary Services (2008-2018)



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Every pillar within the trichotomy of power requires a special set of skills and in-depth professional knowledge. However the concept of parliamentary development, training and research institutes is a comparatively new phenomenon.

Whereas the tradition of civil service academies for the executive, judicial academies for the judiciary and military academies for the citizens in uniform are pretty old.

Pakistan is no exception; it joined the bandwagon as late as many other emerging and evolving democracies did in the 21st century by establishing a full-fledged parliamentary institute. Within a short span of time such institutes are offering a wide range of services and are proving their efficacy.

In 2008, Pakistanis reclaimed their democracy after experiencing the fourth hybrid-military regime (1999-2008) and one of the first pieces of legislation that the Parliament unanimously adopted that year was to create the Pakistan Institute for Parliamentary Services (PIPS) as an independent and autonomous statutory body. It was a multi-party consensus

piloted through a Private Members' Bill - a rare practice in the fragile but ever-evolving democratic tradition in Pakistan.

Respecting the constitutional soul and spirit of the 'Federal Republic', the founders of the Institute came-up with a unique institutional design to intellectually and functionally link all parliamentary institutions at the federal and provincial levels through a high power 22-member multi party Board of Governors (BOG) chaired by the Speaker of the National Assembly and the Chairman of the Senate of Pakistan on a 3-year rotation term. All the four Speakers of the Provincial Assemblies, the Federal Minister for parliamentary affairs, eight Members of the National Assembly and four Senators along with the Secretaries of both Federal Houses are members of the BOG. The Executive Director of the Institute serves as the ex-officio secretary to the BOG.

Since its creation, the PIPS has been ably guided, aptly supported and generously funded by the both Houses of the Parliament, the Senate



“Respecting the constitutional soul and spirit of the ‘Federal Republic’ the founders of the Institute came-up with a unique institutional design to intellectually and functionally link all parliamentary institutions at the federal and provincial levels through a 22-member multi party Board of Governors (BOG) chaired by the Speaker of the National Assembly and the Chairman of the Senate of Pakistan.”



of Pakistan and the National Assembly. Perhaps PIPS is the only federal institution in the country that is willingly supported by all the four Provincial Assemblies of the federating units as well. This commitment reflects Pakistani democracy's unwavering trust, especially the Parliament that is a democratic repository of the citizen's will, in futuristic investment to make the country's parliamentary institutions work well and meet the expectations of the citizenry.

The story of the PIPS also epitomizes that how 'democracy support' by donors can be embedded within the indigenous democratic culture and effectively sustained institutionally for long.

The green campus (run on solar energy) of the Institute was constructed by the USAID through its Legislative Strengthening Project on the land provided by the National Assembly of Pakistan in 2012. Since then this permanent seat of parliamentary learning equipped with state of the art technologies is solely funded by the Senate of Pakistan (one third) and the National Assembly of Pakistan (two-thirds). The four Provincial Assemblies also contribute financially besides hosting PIPS satellite offices in their precincts.

Since its optimal operationalization, the Institute is providing research support and technical assistance to 1,174

individual MPs at the federal and provincial levels for their valuable work in the parliamentary chambers.

The Institute also provides technical assistance to dozens of interested Standing Committees. Over the years the Institute has expanded its radius to cater to the emerging needs of the Legislative Assemblies of Azad Jammu and Kashmir and Gilgit-Baltistan. Various parliamentary institutions in Pakistan have also established and strengthened their own in-house research departments.

Responding to the changing culture, the Institute has established a Joint Research Forum to share each other's experiences and explore the

Above: The state of the art campus of the Pakistan Institute for Parliamentary Services (PIPS).

ways and mean to take the parliamentary research support to the next level in terms of diversification of services and innovative knowledge products, vital for informed parliamentary inputs.

In this regard, the PIPS has specifically focused on improvements of the quality of parliamentary documentation and their easy accessibility to the interested citizens.

Here it is worth mentioning that almost every parliament in the world is one hundred percent documented through its well preserved Hansard, which becomes one of the most valuable sources for research and understanding the evolution and sociology of the parliamentary institutions. The PIPS has made best use of this amazing possibility and linked various academic institutions to promote scholarships and to develop research-based knowledge products about the Parliament.

Left: The Parliamentary SDG taskforce launching the Pakistan Institute for Parliamentary Services publication on the SDGs.





Above: Youth engagement is an important aspect of PIPS work.

Courtesy of its federal character, the Institute often comes up with indigenized parliamentary bench-marking among various Houses, innovations for the harmonization of the Rules of Procedure and Conduct of Business in the legislative institutions and deepening understanding about imitable best practices through its interactive learning and training

events in a federal setting both for the MPs and over 5,000 parliamentary officials in the country. With the journey towards fully-fledged parliamentary services in Pakistan, the Institute has been assigned a role to conduct specially tailored courses and exams that are mandatory for merit based promotions. As a result, the average training calendar at the Institute is always triple than the normal Gregorian calendar.

Facilitating the legislators in drafting their Private Members

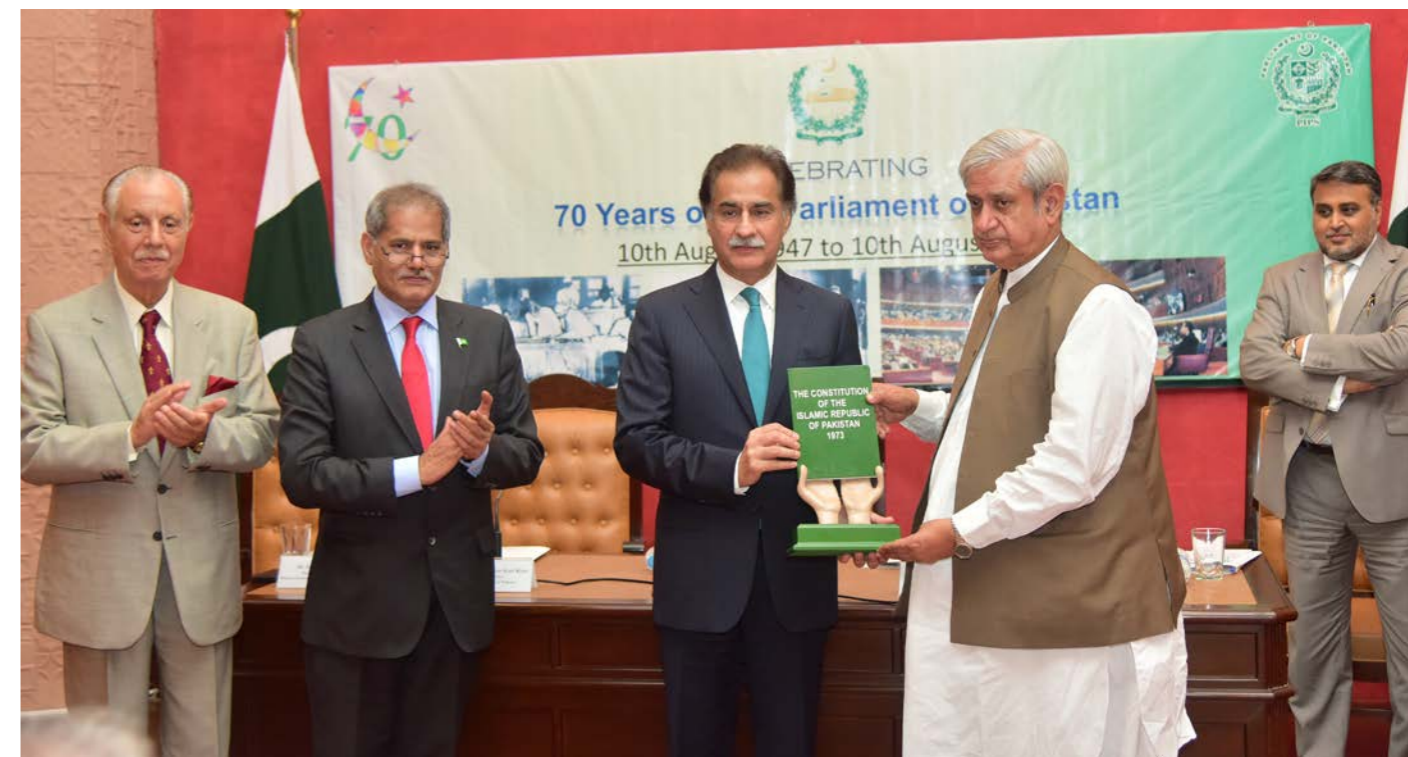
Bills, undertaking legislative research, conducting public hearings among stakeholders on various legislative proposals and arranging legal socialization sessions on laws enacted by the Parliament constitute a significant part of the Institute's work. The Institute has quite meticulously collected all primary laws on the federal statute book as a part of its extensive research project *Parliament @ 70*. The research undertaken in this context has provided authentic knowledge base for future research.

The Institute provides intellectual support, space and secretarial services to parliamentary forums like the Women's Parliamentary Caucus, Young Parliamentarians' Forum, Sustainable Development Goals Parliamentary Taskforce and the Senate Policy Reforms Forum. The Institute also facilitates occasional inter-provincial and federal-provincial parliamentary exchange programs for MPs and parliamentary officials for sharing experiences and the parliamentary innovations worthy of emulation.

The Institute serves as a bridge between the representative democratic institutions and the citizenry at large through its outreach activities. In a society that is plagued by constitutional and parliamentary illiteracy - the civic education endeavors of the Institute are important. The Institute under the leadership of the Speaker of the National



Left: A delegation from the CPA UK Branch on a recent visit to PIPS.



Above: The Speaker of the National Assembly of Pakistan and the President of the Pakistan Institute for Parliamentary Services Board of Governors celebrate the 70th anniversary of the Parliament of Pakistan.

“The Institute has done effective networking with similar kinds of institutions in other parliamentary democracies. This networking is an important feature of parliamentary cooperation that can help author a new chapter of mutually beneficial relations with various countries.”

Assembly and the President of PIPS BOG, Hon. Sardar Ayaz Sadiq, launched a Parliamentary Studies discipline at twenty-two public and private universities alongside arranging series of seminars, workshops, conferences and public events.

The Institute annually offers internships to interested students and recruits a cohort of young graduates and provides them with on-job training in parliamentary services.

These acquaintances with the parliamentary institutions and processes at a young age help to create a critical mass that understands the constitutional software and parliamentary architecture of the State that enjoys centrality in the polity in terms of representation, legislation, fiscal appropriations and oversight. The Institute also liaises with donors working in the domain of parliamentary support.

All this reflects that unlike similar institutions in other countries, the PIPS is a unique institution that simultaneously serves the federal and provincial legislative institutions. At a federal level, it has its own campus

outside the Parliament House and a Parliamentary Resource Centre in the Parliament Lodges (i.e. in close proximity to the MPs residences) and at the provincial levels, its satellite offices are housed within the parliamentary precincts.

Secondly in terms of its scope, scale and services the Institute effectively internalizes the multi-functional paradigm of the Parliament. Meaning thereby, the Institute remains open to innovations in any aspect of ancillary work to serve the parliament in a befitting manner. The Institutes' efforts avoid duplications by bringing new ideas and innovations to support parliamentary institutions.

Thirdly, the Institute has done effective networking with similar kinds of institutions in other parliamentary democracies. This networking is an important feature of parliamentary cooperation that can help author a new chapter of mutually beneficial relations with various countries.

While celebrating the first decade of its existence, the PIPS has undertaken a review of its

human resources and overall institutional approach. One of the significant lessons learned through the dynamic existence of the PIPS, is that while democracy is always a work in progress and the parliamentary institutions are ever-evolving, therefore, it is prudent and futuristic to invest time, energy and resources in such kinds of institutions as they are bound to yield the dividends that are well aligned with broader national democratic dreams, aspirations and desired outcomes and expectations from the parliamentary institutions.

The story of the PIPS amply testify that such an investment is positively co-related to the authentic democratic dividend for the state and the society.

Website: www.pips.gov.pk



9TH COMMONWEALTH YOUTH PARLIAMENT INSPIRES FUTURE YOUNG LEADERS FROM ACROSS THE COMMONWEALTH

9th Commonwealth Youth Parliament took place from 25 February to 1 March 2018, hosted by the Jersey States Assembly in St Helier.



Commonwealth youth delegates aged 18 to 29 met for the 9th Commonwealth Youth Parliament (9th CYP) from 25 February to 1 March 2018, hosted by the Commonwealth Parliamentary Association (CPA) and the Jersey States Assembly in St Helier, Jersey. The 49 delegates at the 9th CYP came from fifteen countries, ranging from the largest (India) to the smallest (Niue), and from 35 CPA Branches* across eight out of nine CPA Regions.

The five days of the Commonwealth Youth Parliament provided a key development opportunity for young people from the Commonwealth with ambitions of public office and introduced these potential young Parliamentarians to the fundamentals behind the processes of Parliament.

Youth delegate, Elsie Harry (St Kitts and Nevis) said: "From taking part in this Commonwealth Youth Parliament, I've learnt that the challenges that different regions face are specifically related to their geographical situation and historical context and within the Commonwealth we always have to bear this in mind when making decisions."

Talha Haroon (Pakistan) said: "The biggest thing that we can take from this Commonwealth Youth Parliament is what we have learnt from each other. We all come from diverse places across the Commonwealth yet we can each take home new experiences



and a shared understanding of tolerance, acceptance and working with each other that will help us in our future lives."

Pierre de Garis (Guernsey) said: "You can't ignore the fact that this Commonwealth Youth Parliament which brings together such a diverse group of people with different cultures and histories had challenges. However it is testament to the Commonwealth that the demonstrable values we all share have allowed us to come together and find consensus and common ground."

At the closing of the 9th CYP, the Chief Minister of Jersey, Senator Ian Gorst said: "To be a leader is an honour and to lead is to serve. The Commonwealth brings together people for global and local benefit. I am extremely proud of our young people at the Commonwealth Youth Parliament and I have an overwhelming

sense that our future is bright and can be successful."

In addressing the 9th CYP delegates at the start of their programme, the Secretary-General of the Commonwealth Parliamentary Association (CPA), Mr Akbar Khan, said: "Together, this week we are a fantastically diverse group serving as a microcosm of Commonwealth youth. Please learn from each other, network and seize the opportunity to forge lasting friendships. I encourage you to pursue your ambitions, political or otherwise."

At the end of the 9th CYP, he observed,

"Mission accomplished."

Mr Mark Egan, Greffier of the States Assembly added: "We were delighted to welcome so many young people from across the Commonwealth to Jersey for this exciting and unique opportunity. The Commonwealth Youth Parliament gives young people the opportunity to develop their leadership skills and experience



our historic Parliament, as well as empowers them to make a positive difference in shaping the future of their own communities."

The CYP gave participants a Pan-Commonwealth experience and a hugely valuable networking opportunity including with current young Members of Parliament from the Commonwealth - Hon. Temard Butterfield, MHA (Turks and Caicos); Deputy Sam Mezec (Jersey); Hon. Jermaine Figueira, MP (Guyana); Hon. John Paul Mwirigi, MP (Kenya) - who acted as mentors throughout the week.

In a notable departure from previous years, the 9th CYP, in recognition of the non-party system in the States Assembly in Jersey, saw youth participants acting as the Government, Opposition and independents sitting together, allowing for a wider sharing of opinions and engagement in debates. Participants experienced parliament in a real-life situation in the legislative chamber. The programme also included taking part in parliamentary procedures, debating legislation and motions

in relation to the fictional 'Commonwealthland'.

Many of the sessions were presided over by CPA Jersey Chairperson, Connetable Len Norman from the States Assembly of Jersey and the States Assembly staff ensured the smooth running of parliamentary procedures. The CYP delegates also faced the media in a 'mock' press conference with questions from local journalists including Andy Sibcy of the *Jersey Evening Post* and Clare Burton from *ITV Channel Islands News*. Delegates at the CYP9 were entertained at a dinner hosted by Highlands College, a leading Further Education College in Jersey, with chef and hospitality students and lecturers providing the excellent food and service.

The 9th CYP was originally to have been hosted by the House of Assembly of the British Virgin Islands in October 2017, but that was made impossible by the devastating effects of hurricanes Irma and Maria.

NEW CEREMONIAL MACE PRESENTED TO THE COMMONWEALTH YOUTH PARLIAMENT

A new ceremonial mace for the Commonwealth Youth Parliament (CYP) was inaugurated at the 9th CYP in Jersey. The new mace was presented to the Commonwealth Youth Parliament by youth delegate, Artour Sogomonian from British Columbia, Canada on behalf of the former Speaker of the Legislative Assembly of British Columbia, Hon. Linda Reid, MLA, who hosted the 8th CYP in November 2016.

Hon. Linda Reid said: "The Commonwealth Youth Parliament mace is a British Columbia Aboriginal art piece which can be used at the Opening and

Closing Ceremonies of future Commonwealth Youth Parliaments. I see it as a Speaker's legacy which can be passed from one Commonwealth Youth Parliament to the next. The piece I selected is a yellow cedar paddle, carved by Ross Henderson of the Kwakwaka'wakw First Nation in Alert Bay, British Columbia. Gifts and offerings to spirits and animals of the Undersea World are often offered from the blade of a paddle. Paddles represent transportation, the sea, and life's journey. These descriptors also apply to our young Parliamentarians."

The new CYP ceremonial mace was held by the States



Images: CPA Jersey Branch/CPA Headquarters Secretariat

*The full list of CPA Branches being represented at the 9th Commonwealth Youth Parliament were: Australia

Capital Territory; Barbados; Belize; British Columbia; Cayman Islands; Cook Islands; Falkland Islands; Ghana; Gibraltar; Guernsey; Guyana; Isle of Man; Jamaica; Jersey; Kenya; Kerala; Montserrat; Nevis Island; New South Wales; New Zealand; Niue; Northern Territory; North West Territories; Ontario; Pakistan; Saint Kitts and Nevis; Scotland; South Australia; Sri Lanka; St

Helena; Tonga; Turks and Caicos; United Kingdom; Wales; Zambia.

9th Commonwealth Youth Parliament images available at: www.cpahq.org/cpahq/flickr.

To view the closing ceremony of the 9th Commonwealth Youth Parliament please visit: https://statesassembly.public-i.tv/core/portal/webcast_interactive/339808.

Assembly of Jersey and CPA Jersey Branch as they hosted the 9th CYP and it was then passed onto the Parliament of India (Lok Sabha) on behalf of the CPA India Region as the future hosts of the 10th CYP. The Commonwealth Youth Parliament (CYP) is one of the CPA's most

popular programmes and brings together participants aged 18-29 representing the nine CPA Regions – Africa; Asia; Australia; British Islands and Mediterranean; Caribbean, Americas and Atlantic; Canada; India; Pacific; South East Asia. The host of the CYP rotates through the regions alphabetically.





MY EXPERIENCE AT THE 9TH COMMONWEALTH YOUTH PARLIAMENT: THE JAMAICA YOUTH PARTICIPANT'S PERSPECTIVE

Jevon Khalfani Reid, National Youth Parliamentarian from Jamaica

The Commonwealth Youth Parliament represents a sustained effort by the CPA at youth involvement. This is commendable as the world over, there has been a recent wave of interest in youth political participation, which signals a crucial new opening for debates and proposals to enhance the inclusion of youth and our perspectives in the political process.

Critical to this point is the astonishing fact that the Commonwealth is a youthful organisation with 60% of the population being youth under 30 years old. A more in depth look at youth involvement reveals that only about 1.7% of Parliamentarians around the world are in their 20s and 11.9% are in their 30s.

Over 50 Commonwealth youth delegates aged 18 to 29 convened from 24 February to 1 March 2018 for the 9th Commonwealth Youth Parliament (9th CYP) hosted by the Commonwealth Parliamentary Association (CPA) and the States Assembly in St Helier, Jersey. Participants were provided with the experience of participatory democracy as we acted as government, opposition and independents and debated propositions in the Legislative Assembly of 'Commonwealthland' and voted

on amendments before voting to make same proposition into a Bill.

The exercise has further steeped my interest in public affairs and will manifest itself in me being a more active Jamaican citizen.

Based on the interaction with Parliamentarians at the CYP, it is evident that they have benefited immensely and are more empowered to step beyond the confines of their local youth groups and engage in more youth-led advocacy at the level of civil society. This I believe will contribute further to democratization and developing a more positive image of youth and politics.

The experience was made unique and remarkable, as the Commonwealth Youth Parliamentarians also had the opportunity to interact with young Members of Parliament or Members of a Legislative Assembly in their own country.

It was a huge pleasure to engage with them on different levels; whether it was finding out about their political philosophies or ways to manipulate or expedite the procedures of the assembly/parliamentary sitting to posit views in a way to get favorable outcomes which will enhance service to constituents. Most importantly, I enjoyed learning of their ascension and how they managed to bolster the support and ultimately win the vote of confidence of party vanguards.



Above: Jamaica Youth Parliamentarian, Jevon Khalfani Reid (third from left) at the 9th Commonwealth Youth Parliament in Jersey together with (left to right) Hon. Temard Butterfield, MHA (Turks and Caicos); Hon. Jermain Figueira, MP (Guyana); and Hon. John Paul Mwirigi, MP (Kenya) - who acted as mentors to youth participants.

While the Commonwealth continues to grow and invest in its youth, it is clear that so long as there is increased youth involvement; its future remains promising.

This experience has provided me with many insights to share with the National Youth Parliament of Jamaica of which I am a member. Some of these include:

- Advocating for the adoption of a youth quota which will serve to promote the inclusion of young people in national politics (at the party level or in parliament).
- Raising an awareness of the need for youth involvement in politics and assuring youth that there are methods and means of resolving our challenges through less-traditional political venues. (e.g. Democracy for Millennials)
- Suggest that the same structure of operation which includes: debates, question time and voting on

amendments be applied in the execution of the Jamaica National Youth Parliament. I believe that this will give the Parliament autonomy as a group which debates youth related issues and makes solutions which the youth ministry will consider in service to the nation's youth.

I humbly seize the opportunity to thank the Branch of the CPA in Jamaica for recognizing how important this event is and for choosing me as their delegate. I consider myself privileged to have been selected and would enthusiastically promote this opportunity to others in the years to come.

"This world demands the qualities of youth: not a time of life but a state of mind, a temper of the will, a quality of imagination, a predominance of courage over timidity, of the appetite for adventure over the love of ease." - Robert Kennedy.



MY EXPERIENCE AT THE 9TH COMMONWEALTH YOUTH PARLIAMENT: THE UNITED KINGDOM YOUTH PARTICIPANT'S PERSPECTIVE



Khadijah Khatun 9th Commonwealth Youth Parliamentarian from the United Kingdom

Late last year, I was selected to represent the UK at the 9th Commonwealth Youth Parliament (CYP9). This opportunity was made even more special as it was set to be held in the British Virgin Islands. However, due to the sad devastation caused by Hurricane Irma to the Island and its nation, the CYP9 was relocated in February to the small but hospitable British Crown dependency of Jersey. What we had anticipated on being a warm and exotic backdrop to our programme, was in reality a snowy and chilly one. This by no means made the experience any

less special and delightful thanks to our Jersey hosts.

Admittedly, up until CYP9, I had reservations about the Commonwealth, its history, its place in the 21st century and its future. As a history graduate and as a member of the South Asian diaspora, I had coupled the Commonwealth alongside the traumatic history of empire. Whilst the origins of the Commonwealth and its creation are important to remember, I was able to develop an understanding of what the Commonwealth means today.

Over the course of the programme, which was planned to meticulous detail by the CPA Headquarters Secretariat team, I grew to understand that this vibrant network works to help its respective nations navigate through challenging times and bring about global development. Commonwealth values of honest government, the protection of human rights, peace and order, and equal representation irrespective of race, gender, religion – these are all to be celebrated and sought by all Governments and Parliaments.



After an evening of meeting our CPA hosts and fellow young people, we later separated into Government and opposition parties of 'Commonwealthland', whilst a small number acted as independent members. Later, a new breakaway group formed, 'The Voyagers'. This was an exciting development in the politics of Commonwealthland. In our respective groups we spent evenings and late nights in caucus meetings, pouring ourselves over the policies and characteristics of this nation whilst preparing arguments, questions and amendments for debates. This was all overseen by the CPA team, Members of Parliament from across the Commonwealth and experts on

hand from the Jersey States Assembly. Days spent in the Jersey States chamber were lengthy but fascinating. Whilst many of us were daunted by the prospect of public debating, others revelled in the opportunity. It was then that I realised I was undoubtedly sitting amongst future leaders.

Over the course of the programme, I was most impressed by the feeling of collective unity I felt whilst amongst fellow young people – students, researchers, activists, government workers, future world changers. I didn't feel any divisions despite our varying backgrounds, perspectives and homes. I felt more connected than anything.

With more than 60% of the Commonwealth's population made up of those under 30, I am optimistic that the youth of the Commonwealth will help influence and implement the necessary changes needed to ensure that each and every member of the Commonwealth is valued and celebrated. Some of the valuable connections made at CYP9, I hope will be at the forefront of this necessary change, and for this, I am grateful.





Commonwealth Women Parliamentarians highlight gender equality and women's representation in Parliaments to mark International Women's Day 2018

New CWP video launched to mark International Women's Day 2018

Commonwealth Women Parliamentarians (CWP) marked International Women's Day 2018 by highlighting gender equality and increasing women's representation in Parliaments. International Women's Day (8th March) is a global day celebrating the social, economic, cultural and political achievements of women. The day also marks a call to action for accelerating gender parity, with the theme of International Women's Day 2018 calling for 'Progress for Women and the Vote in the Commonwealth'.

To mark the occasion, the CWP launched a new video in which the CWP Chairperson and women Parliamentarians from across the Commonwealth speak about the CWP's work in gender equality and their own experiences of being in Parliament. The video also highlights the importance of reaching the Commonwealth target of 30% female representation in Commonwealth legislatures and the vital role of networks such as the CWP to achieve change.

The CWP video features interviews with: the CWP Chairperson, Hon. Dr Noraini Ahmad, MP (Malaysia); CWP President – Hon. Sagufta Yasmin, MP (Bangladesh); CWP Africa Region – Hon. Thoko Didiza, MP (South Africa); CWP Australia Region – Hon. Jennifer Aitchison, MP (New South Wales); CWP British Islands and Mediterranean Region – Hon. Samantha Sacramento, MP (Gibraltar); CWP Caribbean, Americas and Atlantic Region – Hon. Shirley Osborne, MLA (Montserrat); CWP Canada Region – Hon. Yasmin Ratansi, MP (Canada); CWP South East Asia Region – Hon. Datuk Hajah Normala binti Abdul Samad, MP (Malaysia); CWP Pacific Region – Hon. Poto Williams, MP (New Zealand).

To view the video interviews with the Commonwealth Women Parliamentarians please visit www.cpahq.org/cpahq/iwd.

International Women's Day 2018 celebrated across the Commonwealth

Commonwealth Women Parliamentarians across the nine regions of the Commonwealth Parliamentary Association celebrated International Women's Day 2018 with a wide range of events and activities.

To mark International Women's Day 2018 in London, Commonwealth Women Parliamentarians attended a high-level panel discussion hosted by the Commonwealth Secretariat at Marlborough House in London, UK at which the Commonwealth Secretary-General Patricia Scotland spoke about gender equality in the Commonwealth.



In Canada, the CPA Canada Federal Branch Chairperson, Hon. Yasmin Ratansi, MP attended a number of International Women's Day events including a community panel debate and an event with Equal Voices Canada.

The Legislative Assembly of the Northwest Territories in Canada celebrated International Women's Day 2018 with Members' statements to the House focusing on the IWD theme and a motion titled 'Increasing women's participation in the Legislative Assembly' was also proposed by Ms. Julie Green, MLA. During the sitting, the Clerks-at-the-Table in the chamber were all female for the session.

In New South Wales, Australia, Hon. Jenny Aitchison, MP, Chair of the CWP New South Wales attended a UN Women International Women's Day Breakfast in Sydney where she heard from inspiring speaker, Janelle Weissman, Executive Director of UN Women Australia. The event was attended by many school students. The CWP New South Wales also gathered women Members at Parliament House in Sydney and many attended the International Women's Day March through the streets of Sydney to campaign for an end to all violence and harassment towards women.

International Women's Day 2018 marked in the Parliament of India

On 8 March 2018, the Presiding Officers of both the Houses of the India Parliament made references to International Women's Day during some impassioned interventions in the chamber. The Vice-President of India and the Chairman, Rajya Sabha, Shri M. Venkaiah Naidu said the International Women's Day is a day to celebrate and honour the untiring commitment and determination of ordinary women in India and throughout the world to achieve equality, justice and economic development.



Above: On International Women's Day 2018, the Clerks-at-the-Table in the Northwest Territories Legislative Assembly were all female for the session.

constituting 50% of our population, the social, economic and political empowerment of women, including providing reservation of seats for women in Parliament and State Legislatures, has to be accorded top priority for the country to achieve rapid progress, emphasized the Rajya Sabha Chairman.

The Minister of External Affairs, Smt. Sushma Swaraj said women have become President, Prime Minister, Speakers, Chief Minister of many States and Presidents of many national parties in

Two issues that need renewed focus on this day are gender equality and women's safety. Gender-sensitization should start in every household, neighbourhood, school, institutions and community and mindset to respect girls and women should be promoted at home and in schools, public areas, public transport and at every place and every stage. With women

India. While these achievements enable Indians to raise their heads high, the injustice and pain of women make their heads hang in shame. International Women's Day is a day to resolve not to tolerate the kind of injustice and pain being experienced by women.

Minister Shri Vijay Goel said it is not that changes have not come about in the conditions of women. But this transformation should reach throughout the country wherever women are not getting complete rights and respect.

Many Members of the India Parliament spoke in favour of the Women Reservation Bill and supported the reservation of seats for women in India State Assemblies and in Lok Sabha.

In the Lok Sabha, the Speaker, Smt. Sumitra Mahajan congratulated the women of India and of the whole world on the occasion of International Women's Day. She said women always carry their children and their culture together. Smt. Mahajan asked women to be positive, live with confidence and self-respect and contribute to nation building.

To read the full parliamentary report of International Women's Day in the India Parliament please turn to page 154.

Many more activities were held across the Commonwealth to mark International Women's Day. Please send any news stories and images to editor@cpahq.org.

CWP New Zealand meet with visiting UK delegation to discuss gender equality initiatives

Members of the Commonwealth Women Parliamentarians (CWP) New Zealand group, co-chaired by Jo Hayes, MP (National) and Louisa Wall, MP (Labour) held a meeting with UK Parliamentarians, Baroness Redfern and Diana Johnson, MP, part of a visiting CPA UK delegation. The agenda included discussion of conducting a survey of women MPs (and potentially male MPs) on their experience of sexual violence, abuse and harassment. Both the UK

and New Zealand Members noted that social media has increased the visibility and frequency of threats to MPs and their families, but the #Metoo movement has also been bringing this into the light. The CWP New Zealand Members are continuing to progress its work to end forced and underaged marriage and are looking at its cross-party legislative agenda for this term.

CWP Members also discussed a campaign to ensure all women MPs are up to date with cervical smears and intend to highlight this on social media to demonstrate that Members are good role models for their staff, families and constituencies. CWP Members also agreed to hold their annual pink ribbon breakfast to raise funds for Breast Cancer research and awareness in May.

During the same week, the Parliament of New Zealand also had a number of visiting women MPs and women clerks from the Pacific Region's legislatures for a regional workshop. CWP Pacific Steering Committee Chair, Anahila Kanonga'ata-Suisiiki, MP met with the workshop delegates to talk about the challenges and opportunities facing the CPA Pacific Region and enhancing women in leadership was a key theme of the discussions.





First statue of woman unveiled in UK's Parliament Square to commemorate 100 years of women's vote

The first statue of a woman has been unveiled in Parliament Square opposite the United Kingdom Parliament. The statue commemorates the life of the suffragist, Dame Millicent Fawcett, who campaigned for women's right to vote in the United Kingdom during the late 19th and early 20th centuries and is seen as one of the most influential feminists of the past 100 years.

The bronze casting, which has been created by the artist Gillian Wearing, features Millicent Fawcett holding a banner reading 'courage calls to courage everywhere'. The UK Prime Minister, Rt Hon. Theresa May, MP, spoke at the statue's unveiling together with the Mayor of London, Sadiq Khan. The UK Prime Minister said the

work would serve as a reminder of Dame Millicent's extraordinary life and legacy. The statue was commissioned as part of the centenary of the 1918 Representation of the People Act - which gave some women over the age of 30 the right to vote in the UK.

The statue unveiling has followed a long campaign by the feminist writer and activist Caroline Criado Perez, who also led a successful campaign last year for the writer Jane Austen to appear on the UK



Images: CPA Headquarters Secretariat



ten-pound note. She said she came up with the idea for the statue when she was out running on International Women's Day in 2016 and realised the only historical figures commemorated in the UK's Parliament Square were men. The eleven existing statues include Winston Churchill, Nelson Mandela, Abraham Lincoln, William Gladstone and Mahatma Gandhi.

Dame Millicent Fawcett formed the National Union of Women's Suffrage Societies in 1897. The organisation used peaceful tactics to campaign, including non-violent demonstrations, petitions and the lobbying of MPs. They shared the same aims, but had different methods, to the suffragettes - the more radical group led by Emmeline Pankhurst. Dame Millicent died in 1929, a year after women were granted the vote on equal terms to men.

Commonwealth Women Parliamentarians British Islands and Mediterranean Regional Conference held in London

The United Kingdom Parliament and CPA UK Branch hosted the annual British Islands and Mediterranean (BIM) Regional Conference for Commonwealth Women Parliamentarians (CWP) on 26 and 27 April 2018. The theme of the conference was 'Women in Parliament: Past, Present and Future' and it was attended by over 25 Commonwealth Women Parliamentarians from across the region. The conference focused on the centenary of the UK Parliament passing the 1918 Representation of the People Act, alongside topical issues such as sexual harassment and online abuse.

UK Parliamentarian, Hon. Meg Hillier, MP delivered the keynote address and spoke about her role as Chair of the UK House of



Commons Public Accounts Committee and the importance of gender representation on Parliamentary Committees.

Rt. Hon. Maria Miller, MP spoke about her work as Chair of the UK House of Commons Women and Equalities Select Committee and conference delegates also heard from the CWP BIM Regional Chairperson, Joyce Watson, AM (Wales). States of Alderney Member, Norma Paris spoke about being the only woman Member in her legislature, one of the smallest in the Commonwealth.

The CWP Regional Conference partnered with a number of youth organisations such as *The Girls Network* to hear about the issues affecting young women. Members heard from London school girls about their experiences of social media and also examined how to engage young women and girls in politics.



Images: CPA UK Twitter

Parliamentary Report

NEWS AND LEGISLATION FROM COMMONWEALTH PARLIAMENTS



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INDIA

National Legislators Conference on Development takes place

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With thanks to our *Parliamentary Report* and *Third Reading* contributors: Stephen Boyd (Federal Parliament of Australia); Ravindra Garimella (Parliament of India); Dr Jayadev Sahu (Parliament of India); Erin Virgint (Federal Parliament of Canada); Luke Harris (Parliament of New Zealand); Karan Riarh (British Columbia Legislative Assembly); Neil Iddawala (Parliament of Sri Lanka).

CANADA FEDERAL BUDGET AND NEW LEGISLATION

2018 Budget

On 27 February 2018, the Minister of Finance, **Hon. Bill Morneau, MP**, introduced the 2018 federal budget, entitled *Equality and Growth for a Strong Middle Class*. Among the many spending priorities announced, the budget offered a variety of programs geared to helping women in the workforce through new parental supports, gender equality and anti-harassment initiatives, as well as measures to promote pay equity. On another note, the budget also earmarked \$3.8-billion over five years for scientific research, the single largest investment for scientific research by the federal government.

Legislation

Since Parliament resumed sitting on 29 January, a number of bills received royal assent, including:

- *Bill C-70, Cree Nation of Eeyou Istchee Governance Agreement Act*, which gives effect to the Agreement on Cree Nation Governance between the Crees of Eeyou Istchee and the Government of Canada to reduce the administrative burden related to the internal governance of the Naskapi.
- *Bill C-25, Act to amend the Canada Business Corporations Act, the Canada Cooperatives Act, the Canada Not-for-profit Corporations Act, and the Competition Act*, which reforms some aspects of the process for electing directors of certain corporations and cooperatives and modernizes communications between corporations or

cooperatives and their shareholders or members.

- *Senate Public Bill S-232, An Act respecting Canadian Jewish Heritage Month*, which designates May as Jewish Heritage Month.
- *Private Members' Bill C-311, An Act to amend the Holidays Act (Remembrance Day)*, amends the *Holidays Act* to make Remembrance Day a legal holiday.
- *S-2, Strengthening Motor Vehicle Safety for Canadians Act*, which gives the Minister of Transport vehicle recall powers (prior, manufacturers decided whether to issue a vehicle recall), requires manufacturers to fix defective or non-compliant vehicles and equipment at their expense before the vehicles are sold, and imposes fines on manufacturers up to \$200,000 per day, per violation, for any actions that contravene the *Motor Vehicle Safety Act*.

Furthermore, a number of Bills were introduced by the government, including:

- On 20 March, **Hon. Ralph Goodale, MP**, Minister of Public Safety and Emergency Preparedness, introduced *Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms*. Among a number of reforms, the Bill would require gun retailers to keep records of inventory and sales for at least 20 years. Furthermore, C-71 expands the scope of background checks on those who wish to purchase a firearm from five years preceding a

license application, to person's entire lifetime.

- On 2 May, **Hon. Karina Gould, MP**, Minister of Democratic Institutions, tabled *Bill C-76, the Elections Modernization Act*. Among a number of reforms, C-76 aims to curb foreign interference in Canadian elections, introduces a "pre-writ" period with spending limits and disclosure rules for political parties, increases the amount of child care expenses during a campaign for which qualifying candidates can be reimbursed from 60% to 90%, caps the length of an election period at 50 days or less, allows at-home voting for people with disabilities, and allows Canadian citizens permanently living abroad to vote.
- On 10 May, **Hon. Harjit S. Sajjan, MP**, Minister of National Defence, introduced *Bill C-77, An Act to amend the National Defence Act*. The Bill amends a number of provisions governing the military justice system. Namely, it specifies that victims of service offences have a right to information, protection, participation and restitution.

Committee Hearings and Reports

Amid ongoing conversations about the #MeToo movement on Parliament Hill, on 23 April, the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities presented its

aims to combat harassment in federal workplaces, including Parliament. The Committee suggested a number of amendments, including the addition of clear definitions of what constitutes harassment, broadening how complaints can be made and requiring employers and employees to receive anti-harassment training.

In the Senate, a number of Committees were studying elements of *C-45, the Cannabis Act*. Introduced in April 2017, the Bill has been in the Senate since it was passed by the House in November 2017. On 1 May 2018, the Senate's Aboriginal Peoples Committee recommended delaying implementation of the Bill by up to a year, so that the federal government can consult with Indigenous peoples on excise tax collection, education, regulation, and health and social services. On 2 May, the Senate Committee on Legal and Constitutional Affairs recommended a ban on home cultivation.

In addition, a number of reports were tabled by House Committees, including:

- Protecting Canadians' Privacy at the U.S. Border (Standing Committee on Access to Information, Privacy and Ethics);
- Building an Inclusive Canada: Bringing the Immigration and Refugee Protection Act in Step with Modern Values (Standing Committee on Citizenship and Immigration);
- Reaching Canadians with Effective Government Advertising (Standing Committee on Government Operations and Estimates);
- Comparative Study on Services to Veterans in Other Jurisdictions



- (Standing Committee on Veterans Affairs);
- A Food Policy for Canada (Standing Committee on Agriculture and Agri-food); and
- Ensuring Justice is Done in Both Official Languages (Standing Committee on Official Languages).

Request for a Papal Apology

On 1 May, the House of Commons passed a motion, sponsored by **Charlie Angus, MP**, requesting a papal apology for the Catholic Church's role in the abuses of the Indigenous residential school system. In March 2018, Pope Francis had issued a statement that he could not personally respond to the Truth and Reconciliation Commission's request for an apology.

Changes in the Senate

On 16 February 2018, the Prime Minister, **Rt. Hon. Justin Trudeau, MP**, announced the appointment of two Senators

based on the advice of the Independent Advisory Board on Senate Appointments to fill vacancies in Ontario. The new Senators are:

- **Hon. Martha Deacon**, former educator, coach, chef de mission for the 2010 Commonwealth Games. When she was appointed, she was serving as a director of the Canadian Olympic Committee and for Commonwealth Games Canada.
- **Hon. Robert Black**, a long-time leader in the agricultural community and former Chief Executive Officer of the Rural Ontario Institute. On 15 March, another vacancy in Ontario was filled with the appointment of:
- **Hon. Yvonne Boyer**, academic, lawyer and long-time advocate for Indigenous health care. Senator Boyer is the first the first Indigenous person

appointed to an Ontario Senate seat.

On 11 May, Conservative Senator **Hon. Nancy Greene Raine**, who served nine years, retired after upon reaching the mandatory retirement age of 75. As of 11 May, party standings in the Senate were: Independent Senators Group 43; Conservative Party 32; Liberal Party 11; non-affiliated 6; vacancies 13. Currently, 45% of Senators are women.

Changes in the House of Commons

On 1 March, seven of the Bloc Quebecois's ten MPs quit the party over internal divisions. On 9 May, **Rhéal Fortin, MP**, announced the name of their new federal party, *Quebec Debout*. He said the party will no longer promote Quebec separatism at the federal level, and instead focus on representing Quebec's interest in Parliament.

On 2 May, Conservative Member, **Gord Brown, MP**, died suddenly of a heart attack

in his office on Parliament Hill. First elected in 2004, Mr. Brown had served as chief opposition whip and Chair of the Standing Committee on Canadian Heritage.

On 3 May, New Democratic Party (NDP) Leader **Jagmeet Singh**, announced that **Erin Weir, MP**, had been removed from the party's caucus, following an independent investigation into allegations of sexual harassment. Furthermore, on 8 May 2018, Mr Singh announced that the NDP had appointed an independent investigator to examine allegations of inappropriate conduct made against **Christine Moore, MP**. During the investigation, Ms Moore's caucus duties, including participation on parliamentary committees, were suspended.

On 10 May, NDP member **Kennedy Stewart, MP**, announced his resignation in order to run for mayor of Vancouver, British Columbia.

THIRD READING: BRITISH COLUMBIA, CANADA

Employment Standards Amendment Act, 2018

On 12 April 2018, the Legislative Assembly of British Columbia passed *Bill 6, the Employment Standards Amendment Act, 2018*. The purpose of the amendments is to enhance job-protected leave provisions. Unpaid maternity leave may begin 13 weeks before the expected birth date (up from 11 weeks), while entitlements for parental leave increased to 61 consecutive weeks and compassionate care leave increased to 27 weeks. In addition, Bill 6 introduces new, unpaid job-protected leaves for the parent of a child who disappears as the result of a crime (up to 52 weeks), and for the parent of a child who dies (up to 104 weeks).

During a Second Reading debate, **Hon. Harry Bains**, Minister of Labour, explained that the amendments update employment standards to reflect the changing nature of workplaces in British Columbia. He also noted that the amendments to maternity leave, parental leave and compassionate care leave align with changes made to federal employment insurance benefits in 2016 and 2017.

The Official Opposition critic for Labour, **John Martin, MLA**, expressed his support for the Bill, particularly the changes proposed for individuals to deal with the loss of a child. At Committee stage, he asked questions concerning the length of job-protected leave for the parent of a child who died.

The Leader of the Third Party, **Andrew Weaver, MLA**, inquired whether this new provision covered cases of stillbirths and late-

term miscarriages. In response, the Minister of Labour stated that these circumstances were not included in the amending Bill, however, further legislative changes are pending, once a review of the Employment Standards Act by the B.C. Law Institute concludes.

Workers Compensation Amendment Act, 2018

The Legislative Assembly of British Columbia passed *Bill 9, Workers Compensation Amendment Act, 2018*, on 17 April 2018. One amendment provides for a new mental-disorder presumption for correctional officers, emergency medical assistants (paramedics), firefighters, police officers and sheriffs. If one of these workers develops a mental disorder, such as post-traumatic stress disorder, it will be presumed to be due to the nature of their occupation; the worker will then be eligible for workers compensation benefits without having to prove the disorder is job-related. *Bill 9* also extends the existing presumption of cancer as an occupational disease for a municipal firefighter to a firefighter employed by the government of Canada on a military base in the province.

During a Second Reading debate, **Hon. Harry Bains**, Minister of Labour, described the legislative changes as being about fairness and support for workers who experience traumatic events as part of their job. He also pointed out that the amendments represent a first step towards providing more support to other workers who experience occupational stress disorders.

The amending legislation received support

from all sides of the House. The Leader of the Third Party, **Andrew Weaver, MLA**, also encouraged government to extend presumptions to all workers. He pointed to 911 dispatchers and call receivers, nurses, and teachers as examples of other workers who experience traumatic events as a result of their occupation, and further noted the impact systemic harassment, bullying and abusive work environments have on workers as well.

The B.C. Nurses' Union, attending the union's annual convention in Vancouver, organized a march on 3 May to demand that nursing be included as an eligible occupation. In response, the Labour Minister clarified that the legislation was crafted in such a way that other categories can be added through a simple regulatory change, rather than additional legislative amendments.

Public Service Amendment Act, 2018

On 17 April 2018, the Legislative Assembly of British Columbia passed *Bill 13* to amend the *Public Service Act* to implement recommendation 27 of the Ombudsperson's April 2017 report, *Misfire: The 2012 Ministry of Health Employment Terminations and Related Matters*. That recommendation called for the Merit Commissioner, an independent officer of the legislature responsible for monitoring the application of the principle of merit-based hiring, to assume a new responsibility for the review of just-cause dismissals in the public service.

During a Second Reading debate, **Hon. Carole James**, Minister of Finance, explained that *Bill 13* will give the Merit Commissioner the responsibility to: provide oversight of public service termination policies and practices; conduct independent reviews of just-cause termination processes; and report publicly on the results of these reviews. She stated that this will help ensure adherence to the appropriate policies, practices and standards, as well as identify any systemic issues.

In response, the Official Opposition critic for Finance, **Shirley Bond, MLA**, commended the government for implementing the Ombudsperson's recommendation 27, stating that the additional level of oversight is to the benefit of the public service; however, she had questions about additional resources for the Office of the Merit Commissioner to manage this new responsibility.

Treasury Laws Amendment (Banking Executive Accountability and Related Measures) Act 2018

The legislation establishes the Banking Executive Accountability Regime (BEAR). The BEAR will introduce a rigorous and transparent accountability regime applying to executives working in authorised deposit taking institutions (ADIs). This was called for in the wake of the scandal prone Australian banking and financial sector which has been rocked by systemic misconduct and poor treatment of customers.

The Treasurer, **Hon. Scott Morrison, MP**, commented that it was essential to have a financial system that was not just unquestionably strong but also one that operates with the utmost integrity. Mr Morrison stated that "over recent years, the system has not always met these expectations. Time and time again we've seen scandals demonstrate that some in the system are more invested in their own interests than those of their customers and the community they are supposed to serve."

The Australian Prudential Regulation Authority (APRA) will be provided with more powers to ensure that bank directors and executives are held to an especially high standard of accountability. The Treasurer explained that "ADIs will be required to register their accountable persons with APRA and clearly allocate responsibilities to accountable persons via accountability statements and accountability maps. These steps will provide clarity of responsibilities and ensure that APRA has greater visibility of the most senior persons in ADI groups in order to more easily assign accountability should there be a breach of the BEAR obligations."

Mr Morrison noted that where an accountable executive does not meet their obligations then "ADIs will be required to defer minimum amounts of their accountable persons' variable remuneration for a period of four years. The amount to be deferred will vary with the size of the ADI, so that smaller ADIs will not be disproportionately impacted in their ability to attract senior talent."

In addition, "APRA will be able to disqualify an accountable person directly, without needing to apply to the Federal Court. Importantly, given the significance of such a decision for an individual's career and livelihood, accountable persons will be able to seek merits review and judicial review of APRA's decisions, which is

THIRD READING: AUSTRALIA

appropriate. These new powers will ensure APRA can more easily respond where an accountable person has failed to comply with their accountability obligations, while ensuring appropriate external oversight."

For ADIs, the legislation introduces substantial new civil penalties, of up to \$210 million for large ADIs, \$52.5 million for medium-sized ADIs and \$10.5 million for small ADIs, where an institution breaches any requirements of the BEAR that relate to prudential matters.

Senator Hon. Doug Cameron (Australian Labor Party) noted that while Labor was supportive of the legislation it was highly critical of the government for resisting calls for a Royal Commission into the banking and financial sector. Senator Cameron stated that "the government fought Labor's calls for a Royal Commission for over 600 days. They threw up all sorts of distractions. They ignored the stories of Australians being wronged. They ignored victims. They ignored whistleblowers and they ignored bank staff. Instead, this government offered a confected and piecemeal response to problems in the banks. Then, as we all know, on 30 November last year, in one of the biggest backflips of all, the Prime Minister and the Treasurer begrudgingly capitulated. Labor is pleased that the Prime Minister finally bowed to pressure from Labor on a Royal Commission. And I note, while I'm at it, the work that was done by the National Party, especially by a Senator across the way there who said a banking Royal Commission was needed. Senator Williams was so important in this approach, and I'm glad, Senator Williams, that you've finally - along with Labor - forced your Prime Minister to do the right thing."

Senator Peter Wish-Wilson (Australian Greens) commented that "if this legislation before us today is to hold senior executives

at the big banks to account, to make their decisions transparent and to put in place a punitive measures regime to actually see that they follow through with that accountability, then it really is nothing but a fig leaf. I will admit that it is the opening of a door - a crack in the edifice of the neoliberalism of the coalition. It's only slight, and it's not going to fix the cultural issues that we see at the big banks, that many Senators know all too well and that Greg Medcraft, the ex-head of ASIC, the Australian Securities and Investments Commission, talked about ad nauseam in his time at ASIC. It's not going to fix the cultural problems, but it is the opening of a door that we can exploit today in this chamber in this Parliament to take a big step in fixing the problems."

Treasury Laws Amendment (Putting Consumers First—Establishment of the Australian Financial Complaints Authority) Act 2018

The legislation introduces a new external dispute resolution scheme, known as the Australian Financial Complaints Authority (AFCA), to resolve disputes with products and services provided by financial firms.

The Assistant Minister to the Prime Minister, **Senator Hon. James McGrath**, commented that the new one-stop dispute resolution



body, AFCA, will “ensure that consumers and small businesses have access to free, fast and binding dispute resolution.” Senator McGrath noted that the initiative “forms part of the Government’s broader commitment to ensuring that the banks and other financial institutions are held to account when they fail to meet community expectations.”

Senator McGrath stated that “external dispute resolution (EDR) plays a critical role in providing consumers and small businesses with access to an alternative, out-of-court, dispute resolution service, to hear and determine their complaints about financial firms. The Government is committed to having a world class financial dispute resolution system.” Senator McGrath advised that “AFCA will replace the Financial Ombudsman Service (FOS), the Credit and Investments Ombudsman (CIO) and the Superannuation Complaints Tribunal (SCT), and will reduce the unnecessary duplication and consumer confusion that has been characteristic of the current framework.”

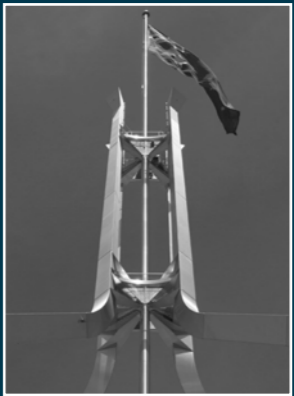
Importantly for consumers, “AFCA will have higher monetary limits and compensation caps than those of FOS and CIO, and will maintain the SCT’s unlimited monetary jurisdiction for superannuation complaints. The new monetary limits and compensation caps are double and, in the case of small business credit facility disputes, almost triple the limits and caps currently in place.”

Senator McGrath noted that “AFCA will be a not-for-profit company governed by a board comprised of an independent chair and equal numbers of directors with industry and

consumer backgrounds. It will be funded by industry.”

The Shadow Assistant Minister for Treasury, **Hon. Matt Thistlethwaite, MP**, commented that while Labor supports the proposal it is “another reform from the government that was aimed at avoiding a Royal Commission into the banking and financial services sector in Australia.”

Mr Thistlethwaite noted that the legislation purports to apply the powers of the SCT into AFCA. Mr Thistlethwaite stated, however, that this “will result in reduced consumer protections for superannuation disputes, and that’s the issue Labor has with the government’s proposal. The SCT was a specialised tribunal with specialised members who were able to hear complaints regarding superannuation issues from members and others who work in this area, in a timely fashion with expert advice, ensuring that resolutions could be reached. We believe it’s disingenuous for the government to try and shut down this SCT scheme because of delays in the resolution of its complaints when we know that the government has cut funding and has cut staff to the SCT, leaving it in a precarious position in terms of the effectiveness and efficiency of its work. These changes risk losing some of that expertise that currently exists in the SCT.”



On 8 May, the Treasurer, **Hon. Scott Morrison, MP**, delivered a budget designed to shore up the government ahead of the next federal election due sometime in the next 12 months. The key measure, designed to generate support, is the phasing in of a series of tax cuts from 2018-19 through to longer term cuts by 2024-25 designed to deal with bracket creep. The first phase of the tax cuts will be targeted at low to middle income earners. Those earning up to \$37,000 will have their tax reduced by up to \$200 in the first year. For 4.4 million tax payers with an income between \$48,000 and \$90,000, they will receive the maximum tax relief of \$530 which amounts to about \$10 a week. For those earning above \$90,000 the tax relief reduces to zero at just over \$125,000.

Australia has a progressive personal taxation system comprising five tax brackets. During the next five years, the plan is to increase the levels at which tax cuts in. In particular, the 37% bracket will be abolished completely so that Australians earning more than \$41,000 all the way to \$200,000 will pay 32.5 cents in the dollar. This measure will take effect from 2024-25.

The Treasurer stated that “under the Turnbull Government’s personal tax plan most working Australians earning above \$41,000 are likely to never face a higher marginal tax rate through their entire working life. Bracket creep will be no more for them. The top tax threshold will be adjusted to \$200,000, to account for inflation and expected wage movements over the next seven years. The plan is affordable and it is funded. The total revenue impact on the Budget and forward estimates is \$13.4 billion. The

overwhelming majority of this cost commences in 2019-20, the same year the Budget is forecast to return to balance.”

The cost of the tax cuts over the next seven years is \$140 billion. This is in addition to the government’s proposal to reduce the company tax rate from 30% to 25% at a cost of \$80 billion. However, there is not wide public support for the company tax cuts and, so far, the government has not been able to get support in the Senate to pass the necessary legislation. It is a clear point of difference with the Labor Opposition which opposes the company tax cuts.

The government has been able to offer taxation relief because of an overall improvement in the state of the Budget because of higher than expected revenue. The Treasurer noted that in “2017-18, the Budget deficit will be \$18.2 billion, less than half what it was just two years ago. This will be the best budget outcome since the Howard Government’s last budget a decade ago. The deficit will fall again to \$14.5 billion in 2018-19.”

In particular, Mr Morrison commented that “the Budget is forecast to return to a modest balance of \$2.2 billion in 2019-20 and to projected surpluses of \$11.0 billion in 2020-21 and \$16.6 billion in 2021-22.”

The Budget has been in deficit for almost ten years which has resulted in significant debt. The Treasurer advised that “with the budget returning to balance we will start paying down debt. We have reached the turning point on debt. Net debt will now peak at 18.6% of GDP this year, in 2017-18, and will fall by around \$30 billion over the forward estimates. Over the medium-term net debt will fall to 3.8% of GDP by 2028-29 - more than \$230 billion.”

TREASURER DELIVERS ELECTION BUDGET

In response to the Budget, the Leader of the Opposition, **Hon. Bill Shorten, MP**, commented that “we can do better than this, the people of Australia deserve better than this and a Labor government will deliver better than this - better than 10 years of cuts to schools and hospitals in exchange for \$10 a week. Ten dollars a week! That’s all that the Liberals think it will take for you to forgive and forget. They think that for \$10 you’ll forget they tried to put up your taxes last year, that for \$10 you won’t care about the cuts to your child’s school, that for \$10 you’ll forgive waiting for elective surgery at Australia’s hospitals and that for \$10 you won’t mind if your Internet’s no good or your local TAFE is closing or your daughter can’t find a place at uni. They think that, if you get \$10 a week, you won’t notice

that you’re losing \$70 in penalty rates from your Sunday pay. This Prime Minister is so out of touch. He thinks that, if you get \$10 a week, you’ll be fine with the banks getting a \$17 billion giveaway.”

The Labor Opposition had previously announced a series of tax reforms that would save about \$220 billion which would mean that it could better the government’s tax plan and it did just that. Mr Shorten stated that “our plan begins with a better and fairer tax system. After years of flat wages, rising power bills and increasing health costs under the government, it is a time for a fair dinkum tax cut for middle-class and working-class Australians. I’ve already said that Labor will support the government’s modest tax cuts, starting on 1 July this

year. But tonight, I’m pleased to announce that a Labor government will go further and do better on tax cuts for working-class and middle-class Australians. Tonight, I’m pleased to advise that in our first budget we will deliver a bigger, better and fairer tax cut for 10 million working Australians - almost double, in fact, what the government offered on Tuesday. This is our pledge to 10 million working Australians: under Labor you will pay less income tax because I think that you are more important than multinationals, big banks and big business.”

Mr Shorten explained that Labor could afford this because “we are not giving \$80 billion to big business and the big four banks and because we have already made hard choices for budget repair: creating a level playing field for first home buyers by reforming negative gearing and capital gains; cracking down on tax minimisation by eliminating income splitting in discretionary trusts, without affecting our farmers; and ending unsustainable tax refunds for people who currently pay no income tax, while protecting pensioners and charities. At the next election there will be a very clear choice on tax: 10 million Australians will pay less income tax under Labor, and we can afford to cut the taxes of 10 million Australians without cutting services, because unlike the Liberals we are not wasting \$80 billion on a discredited corporate tax giveaway to the top end of town.”

In relation to the government’s proposal to abolish the 37.5% tax bracket, Mr Shorten stated that “how on earth can it be fair for a

nurse on \$40,000 to pay the same tax rate as a doctor on \$200,000 or for a cleaner to pay the same tax rate as a CEO? How can it be fair that, under this tax experiment, the doctor earns five times as much as the nurse but his tax cut is 16 times bigger? Today, new research has revealed that, under this plan, \$6 in every \$10 will go to the wealthiest 20% of Australians. Very quickly, this is looking like another mates’ rates tax plan from the Liberal Party.”

The Leader of the Australian Greens, **Senator Richard Di Natale** stated that “rarely do budgets give us such stark choices about what kind of future we want for our country, but this one surely does. We have a clear choice between the Liberals’ selfish, dog-eat-dog worldview or a more caring society where we look after each other. Under the Government’s radical US-style tax plan, a hedge fund manager on \$200,000 gets 10 times the tax cut as the person who trims the hedges around his mansion. We have a progressive tax system in Australia but now we have a fight ahead of us to keep it. This Government has spent five years looking after the needs of big corporations, and now they’re looking after the executives who run them. A few extra bucks in your pocket at tax time are not enough to offset decades of privatisation and the harsh cuts to services this Government has already made. This budget proves once and for all that large corporations and the super-rich have rigged the rules for themselves. And while they are profiting from our community and our environment, the rest of us pay for it.”



Food Safety Law Reform Bill

The Third Reading of the Food Safety Law Reform Bill was moved on 20 February by the Leader of the House, **Hon. Chris Hipkins, MP** (Labour), on behalf of his colleague the Minister for Food Safety, **Hon. Damien O'Connor, MP** (Labour). The Leader of the House's speech, having been interrupted within its first minute, was subsequently completed on 22 February by the Minister himself.

Opposition Members raised a point of order to seek clarification on the unusual procedure, with Assistant Speaker, **Ms Poto Williams, MP** (Labour) ruling that Mr O'Connor could complete the speech started by Mr Hipkins on his behalf, given that *"The Minister in charge of a Bill must move a motion in relation to the Bill and may speak in support of the motion. Because this must happen in order for a Bill to be debated, it is permissible for another Member to act on behalf of an absent Member."*

The Food Safety Law Reform Bill had been introduced and advanced to the Committee of the Whole House stage by the previous National Government and was reinstated by the new Labour–New Zealand First coalition government. Mr O'Connor explained that the omnibus Bill *"amends the Food Act, the Animal Products Act and the Wine Act to address the remaining issues raised by the whey protein concentrate - WPC, it was known as - inquiry."* He further noted that *"the previous Government committed to implement all thirty-eight recommendations of the WPC inquiry, which was set up after the Fonterra botulism false alarm of 2013. Most of the recommendations have already been addressed ... The Bill sits alongside these and other multiple operational actions taken since the WPC80 inquiry."*

Mr Mark Patterson, MP (New Zealand First) said the Select Committee process had *"had a very big impact on that Bill and the shaping of this regulation and some of the stuff going forward. So I think it does show that this House and this Parliament are working as we would hope for such an important piece of legislation, that all views were taken into account and reflected."*

Hon. Nathan Guy, MP (National) also commended the Select Committee process: *"I acknowledge everyone that submitted: that was the big end of industry in New Zealand and a lot of small, niche producers as well. This Bill, and the regulations that follow, actually combine a huge amount of work that underpins a lot of investment and us as a producing nation of food."*

Mr Gareth Hughes, MP (Green) raised the issue of country-of-origin labelling, saying that *"while it was ruled out of scope of the legislation, I would point out that almost half of the total submissions were calling for this."*

Mr Ian McKelvie, MP (National) explained the importance of the Bill, noting that *"Of course, food contamination is absolutely the most important factor that affects New Zealand's ability to export to the world. So this Bill is hugely important, and while it might seem at times a little pedantic, there's a very good reason for that."*

Mr Rino Tirikatene, MP (Labour) said of the botulism scare that prompted the introduction of the Bill: *"It was a major scare that not only rippled all the way through, obviously, initially, the dairy industry but had wider implications, of course, across our whole food sector and our food industries, which are major exporters ..."*

The Minister of Customs, **Hon. Meka Whaitiri, MP** (Labour), added that the Bill *"makes the obligation in the Act to have traceability systems more explicit."*

The Bill passed its Third Reading on a voice vote on 22 February 2018.

The Taxation (Annual Rates for 2017-18, Employment and Investment Income, and Remedial Matters) Bill

The Taxation (Annual Rates for 2017-18, Employment and Investment Income, and Remedial Matters) Bill passed its Third Reading on 27 March 2018. As well as including the annual provision setting the rates of income tax, this omnibus Bill made a number of substantive adjustments to taxation legislation.

The Minister of Revenue, **Hon. Stuart Nash, MP** (Labour), outlined that *"The*

centrepiece of the Bill ... is a set of measures designed to make the process of interacting with the tax system as simple as possible."

This aspect, initiated during the previous parliamentary term, was supported on both sides of the House. **Hon. Judith Collins MP** (National) said, *"this was ... an extremely good Bill, based ... around the fabulous Business Transformation project that the National-led Government approved of, funded, and worked with the Inland Revenue Department on so that the whole collection of tax would become far more modern and in keeping with the way in which most people conduct their businesses, and far more suitable for the 21st century."*

Following consideration by the Finance and Expenditure Select Committee, the Labour–New Zealand First Government released two papers proposing amendments to the Bill, or Supplementary Order Papers (SOPs). One of these SOPs met no opposition. **Hon. Amy Adams, MP** (National) said, *"The Minister's SOP 16, I regard as largely a technical Supplementary Order Paper and again, while there'll be questions for the Minister to answer in respect of that, we are broadly supportive."*

The other SOP made changes to the brightline test for the taxation of residential land, proposing to extend the period of that test from two to five years. Mr Nash explained that the Government *"just did not feel that two years was enough to stop speculators gaining untapped capital gains."*

Opposition Members opposed the second SOP on two primary grounds. Ms Adams argued that the form was inappropriate for such a change: *"a Supplementary Order Paper is something that is tabled in the House*

in front of us, often at the last minute ... it is intended to be something that corrects errors, adjusts drafting, and picks up little tidy-ups that haven't been picked up through the course of legislation. What it's not intended to be is a significant change in the taxation settings that affect New Zealanders." Members protested the lost opportunity for consideration and consultation by the Select Committee.

Hon. Paul Goldsmith, MP (National) commented: *"One of the advantages we have as a small developed nation is that because of our compact nature and the closeness of our democracy, we have the opportunity to actually engage effectively with the industries which we regulate through Parliament."*

Mr Nash argued that consultation had already occurred: *"So this isn't something we've just sprung on the people of New Zealand. We went to the election with it. We also debated it at Select Committee. So when the Member says this hasn't had a proper hearing from the New Zealand people, it actually has."*

The second argument put forward by Opposition Members was that the five-year threshold would reach a range of transactions that were unlikely to have the same intention. Ms Adams said: *"At two years, there is a body of evidence that suggests the likelihood that people buying and selling within two years are more likely than not to be speculating. After two years, there is a far less likelihood that that is the case ..."* Ms Collins added, *"We already have a provision in the Income Tax Act that allows, in the sale of a property, for a tax on any gain in the value of that property if the purpose was, in fact, to buy the property for gain."*

Mr David Seymour, MP (Leader, ACT) differed from other Opposition Members and argued against the brightline test in any form: *"Let's not listen to the braying from the National Party who find themselves in this absurd position of arguing that a two-year brightline test is not a capital gains test but a five-year brightline test somehow is ... If you don't like oak trees, then don't plant acorns, because taxes are like acorns: they grow."*

Mr Fletcher Tabuteau, MP (Deputy Leader, New Zealand First) said: *"It wasn't a capital gains tax then. No, no, when they [the previous National Government] introduced it, it was a brightline test, and they vehemently denied any argument that this was a capital gains tax."*

THIRD READING: NEW ZEALAND

The Bill passed its Third Reading with 63 votes to 57.

Criminal Records (Expungement of Convictions for Historical Homosexual Offences) Bill

The Criminal Records (Expungement of Convictions for Historical Homosexual Offences) Bill passed its Third Reading on 3 April 2018 with unanimous support in the House. The Bill sought to implement a process for the expungement of historical homosexual offences, the effect of expungement being that the convicted person would no longer be required to disclose the offence to any person for any reason. The Bill came about following a petition created by Mr Wiremu Demchick and signed by 2,111 others calling for both an apology to those convicted of such offences prior to 1986 and for a process by which those convictions could be overturned. Parliament made its apology on 6 July 2017, delivered by the then Minister of Justice, **Hon. Amy Adams, MP** (National).

Moving the Third Reading of the Bill on 3 April 2018, the Minister in charge of the Bill, the Minister of Justice, **Hon. Andrew Little, MP** (Labour) stated: *"The Bill sends a clear signal that discrimination against homosexual people is no longer acceptable and that we are committed to putting right the wrongs from the past."*

In subsequent speeches, Members reflected on these past wrongs, with **Ms Jan Logie, MP** (Green) explaining, *"It was the parliaments of the early 1900s that introduced or legalised homophobia in this country. Those laws overrode indigenous laws which held that both same-sex attraction and diverse gender identities and expressions were natural. That was the status quo before the Government introduced legislation to legalise homophobia and hatred, so it is our job to remove the harm from the laws that were created by this place and to apologise, because it was harm that we created from this House."*

Mr Chris Bishop, MP (National) commented: *"It's thirty-two years since homosexual law reform ... it's hard for people of my age and generation to get their heads around the vitriol and the hate and the anger and the sense of controversy at the time."* He added, *"New Zealand has come a long way since 1986."* Regarding the issue of compensation, which

a number of submitters on the Bill called for, Mr Little noted that *"this would go beyond the purpose of the scheme, which is to prevent further negative effects from the stigma of conviction. There's no general principle that a person who's convicted of a repealed offence is entitled to compensation on the repeal of the offence."* He also added that *"the Committee acknowledged that it was too complex a task to not only set up a process where every individual has their personal circumstances considered in the process of achieving an expungement but then to consider whether compensation ought to be payable and, if so, how much."*

However, **Mr Raymond Huo, MP** (Labour) pointed out that *"Clause 22 of the Bill does not limit other measures under the New Zealand Bill of Rights Act 1990, which protects the individual's right to issue civil proceedings against the Crown."*

Hon. Grant Robertson, MP (Labour) spoke on a more personal level: *"I say 'I'm sorry' as a man who has been able to live my life relatively freely as a homosexual male, a person who's able to come to this Parliament and get heckled and abused by the National Party because I'm the Finance Minister, not because I'm a gay man."* He also mentioned that more work is yet to be done: *"Not every school in our country is a safe place if you are gay or lesbian or bisexual or transgender or intersex. Not every community in New Zealand is a safe place."*

This was echoed by **Hon. Maggie Barry, MP** (National), who said *"we've still got a long way to go to build a more tolerant and accepting society."*

Several Members commented on the length of time it took for this legislation to arrive, with **Mr Darroch Ball, MP** (New Zealand First) noting, *"I think it's one of those Bills where it has been somewhat unfortunate that it has taken so long to ride its natural course, even before its consideration, with the petition being presented some thirty-odd years after the law decriminalising homosexuality."*

However, all Members praised the collaborative, bipartisan spirit in which the Bill was progressed through the House, with **Mr Andrew Bayly, MP** (National) stating, *"Tonight is one of those rare opportunities where we in Parliament come together to right a wrong."*

The Bill received Royal Assent on 9 April 2018.



THIRD READING: SRI LANKA

International Convention for the Protection of All Persons from Enforced Disappearance Bill

This Bill was introduced in the Sri Lanka Parliament on 7 March 2017 by the Prime Minister, **Hon. Ranil Wickremasinghe**. The purpose of the Bill is to give effect to the International Convention for the Protection of All Persons from Enforced Disappearance to which Sri Lanka became a signatory in 2015. The Second Reading of the Bill was held on 7 March 2018.

Hon. Tilak Marapana, MP, the Minister of Foreign Affairs started the Second Reading debate and stated that this Bill was drafted in conformity with the international obligation to enact a municipal law as the Sri Lankan Government had ratified the convention and signed it.

He pointed out that any public officer who does the following:

- arrests or detains any person
- refuses to acknowledge the arrest
- conceals such an arrest or detention
- fails to disclose information about such arrest or detention

Any such person shall be guilty of the offence of enforced disappearance. They could be punished with imprisonment for a term not exceeding twenty years and also be liable to pay a fine not exceeding one million rupees. Such public officer shall also be liable to pay compensation not less than five hundred thousand rupees to any victim.

He further stated that if any person, who is not a government official, illegally abducts or confines any person or fails to disclose information of such a person shall also be liable for the same fine and imprisonment.

The Minister stressed that the provisions of the Bill do not have retrospective effect and the enactment of this Act shows that Sri Lanka is a civilized nation.

Hon. M. A. Sumanthiran, MP (ITAK) while appreciating the Government for this legislation expressed his disappointment over the statement of the Minister, **Hon. Tilak Marapana** who stated that the Bill does not have retrospective effect which ensures that the past offenders of enforced disappearance will not be punished. He also stated that the nature of disappearance is worse than murder

as the next of kin of the disappeared persons lives in constant anxiety without knowing the fate of the disappeared person. Sri Lanka would become a law-abiding country in the world if it was able to effectively punish the offenders involved in past disappearances and to ensure that there are no future disappearances in the country.

Hon. Ajith Mannapperuma, MP (UNP) stated that lots of people went missing during 1971, 1988 and 1989 due to civil conflicts including many journalists, and political activists. This had led to Sri Lanka having a bad reputation in the eyes of the world. He welcomed the legislation as it upholds many human rights principles though some are trying to portray that the legislation would punish the security forces and the political leaders of this country.

Hon. Vasudeva Nanayakkara, MP stated that the offences mentioned in this Act are already considered as offences under Penal Code. He suggested that the necessary amendments could be made to the Penal Code to include the new offences indicated in the Bill, such as 'not acknowledging the wrongful detention or kidnapping of a person or secretly detaining any person'. He also pointed out that this Bill does not clearly state that 'extradition' provisions do not apply to citizens of Sri Lanka and it is better to have a provision in this regard to remove the ambiguity.

Hon. Rajavaroatham Sampanthan, MP, Leader of the Opposition, stated that the law fills a vacuum that has existed in the Sri Lanka legal system for a long time. He also pointed out that some people had created a misinterpretation that the international community is interfering

unnecessarily in the affairs of Sri Lanka. He stated that this legislation does include the armed forces who fought in the war to eradicate the LTTE (Liberation Tigers of Tamil Eelam) in keeping with the policies of the government – however any persons who acted excessively against unarmed civilians or unarmed combatants have to be punished.

Hon. Karuanarathne Paranavitharana, MP, Deputy Minister of Skills Development and Vocational Training also stated that a wrong impression had been created by certain groups of people that the Bill is aimed at punishing the security forces who fought to defeat the civil war. He stated that, in fact, we have to consider this Act as an instrument to avoid the future occurrence of any civil war in Sri Lanka.

Hon. Wimal Weerawansa, MP (UPFA) criticised the legislation by stating that if the Bill is enacted as an Act in Sri Lanka then any court in any country, which is a signatory of the convention, could file a case against the armed forces of Sri Lanka.

Hon. Dr Jayampathi Wickramaratne, MP (UNP) commended the Bill and stated that since Sri Lanka is a dualist country it has to enact municipal laws in order to implement the International conventions for which the country is a signatory. He also stated that this Bill provides not only for penalties but covers vast areas which cannot be incorporated into the Penal Code.

The Bill was passed on the 7 March 2018 and the Speaker endorsed his certificate on 21 March 2018. The Act came into effect from the date of the certificate of the Speaker (i.e. from 21 March 2018).



SRI LANKA PRESIDENT ADDRESSES CEREMONIAL OPENING OF PARLIAMENT

President Maithripala Sirisena presided over the ceremonial sitting of Parliament for opening of the second session of the 8th Parliament of the Democratic Socialist Republic of Sri Lanka on 8 May 2018.

The Secretary-General of Parliament read out the proclamations issued by the President proroguing Parliament and summoning the meeting and the President subsequently addressed the Members of Parliament.

Commencing his address, the President, Maithripala Sirisena told the Sri Lanka Parliament that the last three years demonstrated that the country is still lacking in political and social maturity needed to realise the objectives of a coalition government.

Making his policy statement, lasting thirty-five minutes, at the inauguration of the new session of Parliament, the President said the power struggle in government and in political parties in the last three years had driven people to despair. Even though consensus governance is adopted in many countries around the world, it is yet a foreign concept to Sri Lanka, President Sirisena observed. He pointed out that the country is not in a situation to fall prey to power politics, but that it is in a position where a collective effort to overcome its challenges have become mandatory.

"If we are to overcome the challenges faced by the country, the power struggle between the two main parties in the coalition government must cease. The competition for power between the Opposition

and the ruling party must also cease. Any kind of power struggle will only cause the people despair," President Sirisena pointed out.

He also said that the role of the Opposition as well as the approaches of the political allies in the coalition government should undergo change.

In his statement, President Sirisena called for a social friendly, people-oriented economy instead of 'crony capitalism'. He also urged for a political vision that recognizes the political heartbeat of the public. *"This political vision should uphold our values, culture and our inheritance"*, President Sirisena pointed out.

At the start of his speech, the President briefed MPs on the key pieces of legislation and achievements recorded by the government in the last three years. He made these observations with reference to criticisms levelled against the efficiency of the government.

President Sirisena observed that 18 economic related Bills were passed during the last three years that mainly focus on managing the enormous debts heaped on the shoulders of the present government by the previous regime. The President noted that the public should not be exposed to the direct impact of these heavy debts and urged for the adoption of a strategic debt management approach.

The President further added that *"scholars and intellectuals of the country have pointed out a long time ago, that a new political culture should be introduced in our country. I must recall that I came into power in January 2015 in keeping with that pledge. I am committed to create a new*

political culture with political leaders with good values, good personality, a good image as well as discipline. These are the qualities an exemplary political leader must have. Now that we have laid the foundation for the new political culture in our country which the general public and local scholars and intellectuals, as well as those who are abroad anticipated. I request Sri Lankan intellectuals dispersed around the country and abroad to use your expertise and skills to develop the motherland in this consensual political environment. My Government will establish a special bureau under my directive to coordinate the expatriate Sri Lankans who wish to return to the motherland and we will offer a red carpet welcome to them. I would like remind them that now it is time for us to work in unity for the betterment of the country, casting side political differences."

Finally, the President emphasised on one

issue. "Since we gained independence, this country has been ruled by the two major political parties. From that a one party ruled this country for 35 years. The other main political party ruled this country for 32 years. I would kindly request all of you to give me your assistance in my determined effort to build consensus among political parties instead of blaming each other for their particular doings during their respective regimes and increasing political rivalry. From now on, keeping with this consensual politics as the foundation between the two main political parties, I request from all the political parties represented in the Parliament and all the people's representatives in Parliament, to pay their attention to find the ways and means as to how we could use this consensus among all political groups and the present emerging good political culture for the betterment and progress of our country."



INTERNATIONAL WOMEN’S DAY 2018 MARKED IN THE PARLIAMENT OF INDIA

International Women’s Day 2018 marked in the Parliament of India

On 8 March 2018, the Presiding Officers of both the Houses of the India Parliament made references to International Women’s Day. The Vice-President of India and the Chairman, Rajya Sabha, **Shri M. Venkaiah Naidu** making a reference in the Rajya Sabha said the International Women’s Day is a day to celebrate and honour the untiring commitment and determination of ordinary women in India and throughout the world to achieve equality, justice and economic development. Two issues that need renewed focus on this day are gender equality and women’s safety. Gender-sensitization should start in every household, neighbourhood, school, institutions and community and mindset to respect girls and women should be promoted at home and in schools, public areas, public transport and at every place and every stage.

The problem of lower female literacy rate has to be addressed on a war-footing to educate and empower women. As far as curbing crimes against women is concerned, visible policing and patrolling has to be increased, particularly in desolate areas and during nights. The change should begin at home and parents should ensure that there is no discrimination between a boy and a girl. Boys should be made to treat girls with respect and affection, while girls should not be made to feel inferior in any way. There cannot be two opinions on the need to eliminate even the remotest

possibility of discrimination against the girl child.

Time and again, women have proved that they are not only second to none in any field, but better than men in multi-tasking. Women have made outstanding contributions in various fields in the country. Be it politics, poetry, sports or business, women have excelled whenever they had an opportunity. With women constituting about 50% of our population, the social, economic and political empowerment of women, including providing reservation of seats for women in Parliament and State Legislatures, has to be accorded top priority for the country to achieve rapid progress, emphasized the Rajya Sabha Chairman.

Smt. Ambika Soni (INC) suggested the passing of a resolution reiterating commitment towards providing reservation of seats for women in Union and State Legislatures.

Smt. Renuka Chowdhury (INC) observed even after seventy years of Independence, India is still struggling to provide true independence to its women and the country is losing one per cent of GDP because of non-inclusion of women on level-playing fields in work places.

Kumari Selja (INC) asked for the passing of a resolution supporting the Bill providing for reservation of seats for women in Lok Sabha and State Legislative Assemblies. She wanted the Government to set up an Equal Opportunities Commission for Women as women are lagging behind in all walks of life.

Smt. Rajani Patil (INC) requested the Government to take steps to pass the Women Reservation Bill.

Smt. Sampatiya Uikey (BJP) said providing reservations for women in three-tier local self government bodies has helped women in taking up higher responsibilities in society.

Smt. Chhaya Verma (INC) said there should be reservation of seats for women in State Legislatures and Parliament and measures should be taken to prevent sexual violence against women. **Smt. Wansuk Syiem** (INC) reiterated the demand for providing 33% reservation of seats for women and to end atrocities against them.

Smt. Viplove Thakur (INC) pointing out the absence of woman on the ‘Panel of Vice-Chairmen’ asked for passing the Women Reservation Bill at the earliest. **Smt. Kanimozhi** (DMK) said women want to find their identity, their individuality and pursue their dreams and don’t want to be celebrated for their sacrifices. She also requested the government to pass the Women Reservation Bill.

Smt. Thota Seetharama Lakshmi (TDP) said wherever women are respected, that land will be prosperous. **Ms Anu Aga** (Nominated) requested all men to treat women with respect and offer them opportunities. **Smt. Roopa Ganguly** (BJP) pleaded for the empowering of women.

The Leader of the Opposition, **Shri Ghulam Nabi Azad** (INC) was confident that the government and the opposition would come together to build an atmosphere where women are safe and educated. He also

supported reservation of seats for women in State Assemblies and Lok Sabha.

Shri Derek O’Brien (AITC) informed that women MPs of his party constitute 34%. **Shri D. Raja** (CPI) wanted the Women Reservation Bill to be passed as early as possible.

Dr V. Maitreyan (AIADMK), supporting the Women’s Reservation Bill, suggested electing a woman Deputy Chairman for the House when the vacancy arises in July 2018.

Shri T.K. Rangarajan (CPI-M) asked for the strict enforcing of the law to prevent the harassment of women at workplace. **Shri Satish Chandra Misra** (BSP) said there must be a lady in the Panel of Vice Chairman.

Shri Majeed Memon (NCP) said the law-makers have a great responsibility to ensure equal treatment for men and women. **Dr Subramanian Swamy** (BJP) said the tradition in the country is not to discriminate against women or ill-treat them and there should be emphasis on their empowerment.

Shri V. Vijayasai Reddy (YSRCP) requested the government to consider and amend the Hindu Succession Act and also other relevant immoveable property Acts conferring the right over property to the women.

Shri K.T.S. Tulsi (Nominated) quoting his mother said woman is not the property of man. **Shri Tiruchi Siva** (DMK) wanted the government to exempt sanitary napkins from the GST net.

Shri Dilip Kumar Tirkey (BJD) said women have contributed a lot for the country in all the sectors.

Shri Dharmapuri Srinivas (TRS), supporting the Women

Reservation Bill, asked every man to support the women to come up.

Shri Sanjay Singh (AAP) called for a change in the mindset towards women.

Shri Harivansh (JD-U) wanted strict law to prevent rape against women.

The Minister of External Affairs, **Smt. Sushma Swaraj** said women have become President, Prime Minister, Speakers, Chief Minister of many States and Presidents of many national parties in India. While these achievements enable Indians to raise their heads high, the injustice and pain of women make their heads hang in shame. The International Women’s Day is a day to resolve not to tolerate the kind of injustice and pain being experienced by women.

The Minister of State in the Ministry of Parliamentary Affairs and the Minister of State of the Ministry of Statistics and Programme Implementation, **Shri Vijay Goel** said it is not that changes have not come about in the conditions of women. But this transformation should reach throughout the country wherever

women are not getting complete rights and respect.

In the Lok Sabha, Speaker, **Smt. Sumitra Mahajan** congratulated the women of India and of the whole world on the occasion of International Women’s Day. She said women always carry their children and their culture together. **Smt. Mahajan** asked women to be positive, live with confidence and self respect and contribute to nation building.

National Legislators Conference on Development

During the Budget Session at the Parliament of India, a National Conference on the theme ‘*We for Development*’ was organized on 10 and 11 March 2018. The Conference, an initiative of the Lok Sabha Speaker, **Smt. Sumitra Mahajan**, aimed to provide a platform to MPs, MLCs and MLAs from across the country to share their experiences, to learn from each other’s success stories, and to develop a perspective on developmental issues in the light of the SDGs. The

Conference offered special opportunity to those Delegates whose constituencies have greater possibilities and aspirations of development.

The Prime Minister, **Shri Narendra Modi** digitally inaugurated the Conference on 10 March in the Central Hall of Parliament House. Lok Sabha Speaker, **Smt. Sumitra Mahajan**; Union Minister of Parliamentary Affairs **Shri Ananth Kumar**; Lok Sabha Deputy Speaker, **Dr M. Thambi Durai**; Union Cabinet Ministers, Chief Ministers, Union Ministers of State, Presiding Officers of State Legislatures, Members of Parliament, Members of State Legislatures and many other dignitaries were present on the occasion.

Speaking on the occasion, Prime Minister, **Shri Narendra Modi** observed there are several districts which are lagging behind in development. He said that their problem lies not in the paucity of the available resources or budget outlays but in the governance, coordination and effective

implementation of policies and programmes. He further said that in every State there are a few districts where development parameters are strong. He called upon delegates to learn from them and work on weaker districts. He felt that public participation always helps and wherever officials have worked with people and involved them with the development process, the results have been transformative.

Earlier, welcoming the delegates to the Conference, **Smt. Sumitra Mahajan** said that the inspiration for organizing this unique Conference was drawn from the developmental vision of Prime Minister, **Shri Narendra Modi**. She said that though the world community had set the year 2030 for attaining the targets of Sustainable Development Goals (SDGs), yet the legislators should endeavour to realize the Prime Minister’s vision of achieving these targets in the 75th year of India’s independence in 2022 only to make India a strong and developed nation. **Smt. Mahajan** recalled that Parliament had already discussed the issue of SDGs on four different occasions. As such, it was high time that the State Legislatures also took a lead in proactively deliberating on this important matter for all round development.

The Conference deliberated on the theme “*We for Development*” in the Plenary Session. Making a presentation on aspirational districts to the delegates, **Shri Amitabh Kant**, CEO, *NITI Aayog* said that although our country has made significant progress in the economic sphere, yet India’s ranking at 131 in the Human Development Index (HDI) is a matter of great concern for the nation. He said that there are inequalities and inequities



Images: Parliament of India

between and within the States and districts. He highlighted that 115 aspirational districts have been identified in various States which are lagging behind in development and their transformation into developed districts will improve India's HDI ranking.

Speaking at the Plenary, **Shri Suresh Prabhu**, Union Minister of Commerce and Industry said that development requires both, human resources and natural resources which are plenty in our country. Shri Prabhu said that resource efficiency is the new mantra but in the coming years, we need to find resource alternative, resource mobilization and resource optimization. He further said that as legislators, we need to create awareness among people about acceptability of laws and resources and district based planning. Later in the day, the Conference took up discussions, in its Parallel Sessions, on the themes (i) Role of Legislators in Development Process, and (ii) Optimum Utilization of Resources in Development. The delegates, divided in four groups (North, South, East and West Zones), shared their concerns and problems relating to the development of their constituencies.

The delegates highlighted the need of participation of legislators at all levels, including grassroots level of development. Lok Sabha Speaker Smt. Sumitra Mahajan attended all the Sessions.

The Concluding Session of the Conference was addressed by the Union Minister of Road Transport and Highways, Shipping and Water Resources, River Development and Ganga Rejuvenation, **Shri Nitin Jairam Gadkari**. Addressing the gathering, he urged the legislators to have a strategy with a commitment

for the development of their constituency based on four key areas: innovation, technology, entrepreneurship and research. He called upon the delegates to learn new ways of finding solutions to the problems and to develop a model plan. Thereafter, the Reports of the Working Sessions prepared by the Rapporteurs were presented. These reports highlighted the issues, concerns and suggestions given by the delegates from the States in the North, South, East and West Zones. Subsequently, at the Valedictory Session, the Conference Resolution was adopted.

Addressing the delegates at the Valedictory Session, the Union Minister of Finance **Shri Arun Jaitley**, referred to GST as a successful example of Centre-State cooperation in matters of national importance. He also emphasized the need of exploring the feasibility of effective harmony between the Centre and State in other areas such as agriculture, social justice, etc.

The Vice-President and Chairperson, Rajya Sabha, **Shri M. Venkaiah Naidu** said that the Legislature is the central pillar of democratic governance. It is the voice of the people and articulates their hopes, aspirations and dreams through laws that govern their lives. As such, the legislatures are mandated with the task of catalyzing nation building by propelling socio-economic transformation.

Presenting the closing remarks, Lok Sabha Speaker Smt. Sumitra Mahajan said that development should be sustainable and we should have a continuous dialogue with all stakeholders, including at the grassroots level. She further said that we all have to be alert and create awareness among people about the Government schemes and policies so that benefits of development trickle down to every nook and corner of the country.

The following Resolution was adopted: **'WE, THE LEGISLATORS, assembled at the National Legislators**

Conference on the theme 'We for Development', held in New Delhi on 10 and 11 March 2018, do hereby:

- *Commit ourselves to the task of nation-building, and strive to bring in inclusive and sustainable development, and*
- *To inform and sensitize citizens about the developmental programmes, proactively monitor their implementation, delivery mechanisms and utilization of resources,*
- *To encourage people to actively participate in governance issues, development policies and programmes, and*
- *Affirm to work tirelessly to create a developed India where no region and section is left behind'.*

The Speaker, Lok Sabha, Smt. Sumitra Mahajan was also instrumental in organizing a two-day National Conference of Women Legislators on 5-6 March 2016 on the theme of **'Women Legislators: Building Resurgent India'**.



Images: Parliament of India.

THIRD READING: INDIA

The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2018

The salaries, allowances and pensions of the Judges of the Supreme Court and High Court were last revised with effect from 1 January 2006, as per the *High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2009*. The Seventh Central Pay Commission recommended revision in the salaries and pensionary benefits of the Central Government employees including the members of All India Services. The Government had accepted the majority of the recommendations of the Commission and issued orders. The revised pension rules had come into force on the 1st day of January 2016.

The need to increase the salaries, allowances and pension of the Judges of the Supreme Court and the High Courts had been necessitated because of the increase in the salaries, allowances and pensions of the Central Government employees on acceptance of the recommendations of the Seventh Central Pay Commission by the Government. It was, therefore, felt necessary to increase suitably the existing pension and maximum pension of the Judges of the High Courts and the Supreme Court.

Based on the recommendations of the Seventh Central Pay Commission, the Central Government had decided to grant additional quantum of pension and family pension with reference to the age of the Central Government pensioner and family pensioner.

On the same analogy, it had been decided to extend the similar benefit to all retired Judges.

Towards this end, the Government brought forward the *High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2018*. As per the provisions of the Amending Bill, the salaries of the Judges were sought to be revised with effect from 1 January 2016 as per following details: Chief Justice of India — from Rs. 1,00,000/- per month to Rs. 2,80,000/- per month; Judges of Supreme Court — from Rs. 90,000/- per month to Rs. 2,50,000/- per month; Chief Justice of High Court — from Rs. 90,000/- per month to Rs. 2,50,000/- per month; Judges of the High Court — from Rs. 80,000/- per month to Rs. 2,25,000/- per month.

It had also been proposed to revise the rates of House Rent Allowance with effect from 1 July 2017 and the rates of sumptuary allowance with effect from 22 September 2017.

Debate: During discussion on the Bill, proposals for enhancing salaries and allowances of Judges of Supreme Court and High Courts met with unanimous concurrence. Certain views/observations and suggestions put forth by Members were as follows:-

- There is special importance of judiciary in the country and everyone holds the judiciary in high esteem.
- There are several vacancies of judges which are lying vacant in High Courts which need to be filled. There is also need for setting up benches of some High Courts. Further, pendency of cases in various

courts has to be addressed urgently.

The Minister in-charge of the Bill replying to the debates stated at the outset that the judiciary plays a great role to strengthen democracy and the country takes pride on the manner in which the judiciary upheld human rights of people and of the underprivileged. The real authority of a judge in India is the moral authority. Insofar as backlog of vacancies in the judiciary, the Minister stated that the Government have enhanced the number of High Court judges and lower court judges. The Minister clarified that appointment in Subordinate judiciary is done by the concerned High Court or upon the recommendation by the Public Service Commission and neither the State Governments nor the Central Government have any power in this regard. The Minister also stated that the Government have been expediting the disposal of cases first which are pending for ten years. The judges had worked during vacations and had been working on Saturdays too. Finally, the Minister stated that good work of the judiciary needs to be appreciated.

The Bill was passed by Lok Sabha on 4 January 2018. As the Winter Session adjourned sine die on 5 January 2018, the Bill being categorized as Money Bill, it was deemed to have been passed by both Houses of Parliament on 20 January 2018 on expiration of 14 days of the transmission of Bill to Rajya Sabha, in terms of provisions of *article 109(5)* of the Constitution of India. The Bill was assented to by the President of India on 25 January 2018.



The Indian Forest (Amendment) Bill, 2017

The *Indian Forest Act, 1927* had been enacted to consolidate the law relating to forests, the transit of forest-produce and the duty leviable on timber and other forest-produce.

The said Act, *inter alia*, in clause (7) of section 2 defined “tree”, which includes palms, bamboos, stumps, brush-wood and canes. The bamboo, though taxonomically a grass is treated as tree for the purpose of the said Act, and therefore, attracts the requirement of a permit for transit under the said Act. Although, many States had exempted felling and transit of various species of bamboos within the States, the inter-State movement of bamboos required a permit when being in transit through other States. The farmers had been facing hardships in getting the permits for felling and transit of bamboos within the State and also for outside the State, which has been identified as major impediment of the cultivation of bamboos by farmers on their land.

It was, therefore, decided to amend clause (7) of section 2 of the said Act so as to omit the word “bamboos” from the definition of tree, in order to exempt bamboos grown on non-forest areas from the requirement of a permit for felling or transit under the said Act, and this would encourage bamboo plantations by farmers resulting in the enhancement of their income from agricultural fields.

Since, Parliament was not in session and immediate action was required to be taken, the *Indian Forest (Amendment) Ordinance, 2017* was promulgated by the President on the 23 November 2017.

Accordingly, the *Indian Forest (Amendment) Bill, 2017* seeking to replace the *Indian Forest (Amendment) Ordinance, 2017*, was brought forward by the Government.

The Amending legislation omitted the word “bamboo” in section 2, clause (7) of the parent Act.

Debate: The Minister in-charge of the Bill, while piloting the Amending legislation in Parliament *inter alia* stated that India’s National Forest Policy was formulated in 1988. The bamboo, however, had been kept under the definition of tree in the *Indian Forest Act, 1927*, though according to science and taxonomy it is a grass. Under the definition of a tree, bamboo invited several stringent laws for its cutting and its transit and it was not feasible to carry out its commercial business successfully. Through the Amending legislation the Government intended to

bring in its entire business, forest cover, the positive movements associated with it through an amendment in sub-section 7 under the section 2 of the parent Act.

The Minister further stated that bamboo is a versatile and fast-growing crop. It also contributed to strengthen household strategy and food security. The Minister further observed that it was also essential to make everything pertaining to bamboo growth in the non-forest areas easy for the people of the country to involve them, to give them employment and security.

During the discussion, Members *inter alia* observed that:-

- The amendment was necessary and the reason being was that bamboo is grown by the poor people and the tribal people. If bamboo is grown in such a way that can be easily grown, then it can be procured half its import price. The present amendment would serve as a bonanza for the farmers. This would protect the environment too. If bamboo is made economically viable, the cottage industries can be developed in rural areas.
- Bamboo is the most important non-wood forest product and bamboo in India, is a valuable raw material for the booming bamboo industry.
- Bamboo has great potential for economic and environmental development and also for international trade. The cultivation of bamboo on private land has to be encouraged.
- This step would go a long way in enhancing the agricultural income of farmers and tribals.

Some Members had reservations on the Amending Bill for following reasons:-

- The ordinance need not have been promulgated in the first place.
- It was felt that taking out of bamboo from the purview of definition of tree, was not in the interest of tribals. It was also felt that it would tend to lead to privatization of the growing of bamboo trees.
- Further, concerns were expressed over the fact that the amendment provides that deregulation does not apply to bamboo grown on forest land or non-forest land. Allowing differentiations can impact forest dwellers who eat bamboo shoots as a regular dietary supplement.
- A suggestion also came up that as

bamboo is such a resilient species of grass that it could be used as disaster risk reduction resources. Hence, there is a need to take a very holistic approach to actually redefine bamboo.

The Minister while replying to the debate at the outset explained the circumstances which necessitated promulgation of the Ordinance. Elaborating, the Minister stated that there were problems which were being faced from all quarters. Everybody was supposed to take permission for felling and transit of bamboo trees. It was often found that neighbouring states had a different set of rules, which make the problem of transit of bamboo much more complex. There was a need for some sort of harmony in the transit and harvesting mechanism. Hence, the need for promulgation of the Ordinance.

Dwelling upon the benefits of the amendment made in this Amending Bill, the Minister *inter alia* stated that it would promote the cultivation of bamboo trees on forest land increasing the income of farmers; it would accrue ecological benefits; lead to promotion of bamboo based handicrafts; would save valuable foreign exchange; and would ultimately reduce gap between bamboo rich and bamboo deficient areas and make the transit easier. The Minister also assuaged concerns over privatization of bamboo growing and that requisite advisories had been issued to protect the interest of tribals, marginalized sections and farmers.

The Bill was passed by Lok Sabha on 20 December 2017 and by Rajya Sabha on 27 December 2017. The Bill as passed by both Houses of Parliament was assented to by the President of India on 5 January 2018.

The Payment of Gratuity (Amendment) Bill, 2017

The *Payment of Gratuity Act, 1972* (the Act) was enacted to provide for a scheme for the payment of gratuity to employees engaged in factories, mines, oilfields, plantations, ports, railway companies, shops or other establishments who had rendered a minimum five years of continuous service with the establishment employing ten or more persons. The calculation of gratuity amount is based on a formula, which is fifteen days of wages for each year of completed service, subject to a ceiling. The present ceiling, as provided under section 4 of the Act is rupees ten lakhs which was fixed in the year 2010.

The period of twelve weeks of maximum maternity leave presently provided in section 2A of the Act for the purpose of calculating continuous service under the Act is on the basis of the period of maximum maternity leave as provided in the *Maternity Benefit Act, 1961*. The maximum maternity leave under the *Maternity Benefit Act, 1961* had been enhanced from twelve weeks to twenty-six weeks by the *Maternity Benefit (Amendment) Act, 2017*. It was, therefore, proposed to empower the Central Government to enhance the period of existing twelve weeks to such period as may be notified by it.

The provisions contained in the *Central Civil Services (Pension) Rules, 1972* for Central Government employees with regard to gratuity are similar to the provisions contained in the Act. After implementation of the 7th Central Pay Commission, in India the ceiling of gratuity for Central Government employees had been enhanced from rupees ten lakhs to rupees twenty lakhs. In the past, the ceiling for the amount of gratuity under the Act had followed the Central Pay Commission recommendations. Therefore, considering the inflation and wage increase even in the case of employees engaged in private and public sector, the entitlement of gratuity was also required to be revised for employees who are covered under the Act. It had also been proposed to empower the Central Government to notify the ceiling proposed, instead of amending the said Act, so that the limit can be revised from time to time keeping in view the increase in wage and inflation, and future Pay Commissions.

The Government accordingly brought forward the *Payment of Gratuity (Amendment) Bill, 2017* amending the legislation in section 2A of the parent Act which empowered the Central Government to notify the period of maternity leave in case of female employees as deemed to be in continuous service in place of existing twelve weeks. Further, in section 4 of the parent Act the words “ten lakh rupees” had been substituted with the words “such amount as may be notified by the Central Government from time to time.”

The Bill got unanimous support from all sections of the Members of both Houses of Parliament.

The Bill was passed by Lok Sabha on 15 March 2018 and by Rajya Sabha on 22 March 2018. The Bill as passed by both Houses of Parliament was assented to by the President of India on 28 March 2018.



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