

## **PROGRESSIVE REPORT OF THE BI-PARTISAN TALANOA SUB-COMMITTEE, MAY 22, 2003**

### *Introduction:*

Based on the meeting on April 25, 2003, in which the full subcommittee considered the three issues, namely, land, constitution, and CERD, identified by the two Leaders' Joint Statement and pursuant to land issues the Subcommittee recommended to invite the NLTB to brief them on the present NLTB position. A subsequent meeting on May 3, 2003 of the Bi-Partisan Talanoa Subcommittee attended by Hon Senator Koroi, Hon Pratap Chand, and Hon Krishna Datt to hear the presentation made by NLTB General Manager, Mr Kalivate Bakani. This was followed by a briefing about the latter meeting on May 5, 2003 given to Hon Tom Vuetilovoni and Hon Ro Teimumu Kepa who agreed that the Subcommittee was ready to make some recommendations, and was further agreed to by Hon Senator Koroi, Hon Pratap Chand, Hon Krishna Datt, that the focus of the Bi-Partisan Talanoa Subcommittee on Land was crucial, and it was agreed that the full Subcommittee should now formulate these ideas into recommendations to the two Leaders. In this connection Hon Senator Koroi, Hon Pratap Chand, and Hon Krishna Datt met on May 16, 2003, followed by a meeting of the full Talanoa Subcommittee on May 21, and the Subcommittee's discussion with NLTB General Manager Mr Kalivati Bakani and his senior staff Mr Mua on May 22. Our progressive report to date is as follows.

Two main areas identified to be made as recommendations to the Leaders include:

**1. Information needed to reassure the public of the work done on land.**

We recommend to the two Leaders to reassure the public on the following issues:

(a) The need to reaffirm to the public, with appreciation, the decision of NLTB to continue to renew the leases under ALTA until such time as a decision is made as to which legislation it will come under,

(b) The need to note with appreciation the promise received from NLTB that by end of July 2003, it will disclose the information on the leases that would be renewed, the ones that would not be renewed with the capital improvement values with respect to the Labasa District,

(c) The urgent need for the NLTB to provide similar information, as stated in (b), on leases in all other areas,

(d) The need to reassure the indigenous farmers that they would expeditiously receive the support required to ensure their effective participation in cane farming,

(f) The need to reaffirm the commitment to help the farmers who are moving out,

(g) The need to minimise uncertainty by putting in place processes, for the better coordination of decision-making of the landowners and the relevant government agencies, to provide the necessary assurance needed under which the tenants can complete the transition, obtaining the benefits due, and the removal of their personal fixed assets from the land,  
  
and

(h) The need for NLTB to give an undertaking to review its current process of determining the position of the landowners as to whether or not to renew the leases and to assure the outgoing tenants in light of what is stated in the preceding paragraph.

## **2. Legislation Issues & Approach**

Having being briefed by the NLTB General Manager, followed by the discussions, it appears that we are moving toward a point of convergence on the following issues:

- (a) Security of Tenure;
- (b) Fair and Equitable Rentals;
- (c) Rental Fixing Mechanisms;
- (d) Rental Assessment Mechanisms;
- (e) Premium Considerations;

- (f) Compensation on Improvements;
- (g) Arbitration on Disputes; and
- (h) Good Husbandry Conditions

2.1 Therefore we recommend to the two Leaders that they should refer legislations on land issues to a Select Committee of Parliament to:

- (a) Ascertain the practicality and suitability of ALTA and NLTA or consider a new legislation to incorporate the needs of landowners and tenants as currently safeguarded in ALTA and NLTA;
- (b) Recommend to the two Leaders that they commission a committee of legal experts to advise, through a report, on legislative options referred to in (a) above that the Select Committee of the House can examine as part of their agreed terms of reference, and
- (c) Propose suitable legislation or amendments to the House of Representatives.