



26th July 2011

Burness v Fiji National Provident Fund, the Republic of Fiji and the Attorney General

PRESS STATEMENT

Lawyer for David Burness, Dr Shaista Shameem said that she and her client, David Burness were relieved that their application for human rights redress on behalf of David Burness was not struck out by court today, as the FNPF and Government wanted. FNPF and Government's application for a strike out was unsuccessful due to the national significance of the application, the Court said.

However, in the absence of legal procedures for human rights redress, the Court has given the applicant 21 days to amend its application according to the High Court rules. The Court has also requested that the applicant David Burness provide details of how the FNPF proposed changes will affect his rights.

Dr Shameem said that she will be writing to the FNPF to provide her with a copy of the Report of the Promontory Financial Services Group Australasia and other reports that have not been disclosed to the beneficiaries so that the Court has all the information it needs to make an informed decision on the human rights implications of the proposed reforms on the applicant and others in the same position.

David Burness is claiming that the FNPF review which is intended to cut his pension by 64% is a breach of his right to live in old age with dignity as well as discrimination on the ground of age.

Dr Shaista Shameem

Legal Counsel

ShameemLaw