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This Infosheet is the first in a series produced by the OCLA to explain the work of the Legislative Assembly of Samoa

Infosheets in this series include

1 Legislative Assembly of Samoa

2 Legislation

3 Committees

4 Parliamentary words and expressions

5 Parliamentary Debate

Infosheets on a range of topics will be added to this series in the future

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1 LEGISLATIVE ASSEMBLY OF SAMOA

WHERE DOES THE ASSEMBLY FIT IN THE SAMOAN SYSTEM?



Fono Faavae in-front of the Old Maota Fono.(1961)

The Legislative Assembly is at the centre of Samoa's system of the roles of Head of State (O le Ao o le Malo), the Executive Government (to propose and implement laws), the Parliament (the Head of State and the Legislative Assembly which decides whether to pass laws), and the Judiciary (to interpret laws). The Executive—the Prime Minister, Ministers and Associate Ministers—are elected Members of Parliament and so are accountable to Parliament and the people. This Infosheet describes the role of the Legislative Assembly, its people and its home, the *Maota*.

WHAT ARE THE ROLES AND POWERS OF THE ASSEMBLY?

The Constitution confers on the Assembly its representative nature by setting out eligibility requirements for Members, and its power to make laws for the whole or any part of Samoa. The Assembly's 49 Members of Parliament (MPs) are elected for five-year terms.

WHAT WORK DOES THE ASSEMBLY DO?

The Assembly meets regularly to carry out its work. In some ways its meetings are like those of any large group: they are guided by rules and customs



Current Parliament Building at Mulinu'u.

and formalities. But the results of these meetings are different. They are especially important for the people of Samoa.

A core function of the Assembly is to make laws for Samoa. Draft laws (bills) are usually proposed by Government to address needs or problems that have been identified. The Assembly has established formal processes for bills to pass through before they become laws. *These are discussed in detail in Infosheet 2: Legislation.*

Another core function of the Assembly—and of any parliament—is to monitor and challenge the work of the Government. Although the Government is responsible for managing Samoa’s affairs and finances it needs the Assembly’s agreement to pass laws to spend public money and impose taxes. Debates on bills, Questions in the Chamber, and the investigatory work of Assembly Committees enable Members to scrutinise Government policies and decisions. An effective Opposition (the largest group of MPs from the non-government party) is essential to this role.

The Legislative Assembly is a unique forum for debate by Samoa’s elected representatives on matters of national and international importance.

WHO ARE THE ‘KEY’ PEOPLE IN THE ASSEMBLY AND WHAT ARE THEIR ROLES?

HEAD OF STATE, SPEAKER, DEPUTY SPEAKER, PARLIAMENTARY OFFICIALS

The Constitution provides that the Parliament of Samoa comprises the Head of State, O le Ao o le Malo, and the Legislative Assembly. The Constitution also establishes the role of the Head of State: in performing his functions, the Head of State acts on the advice of Cabinet, the Prime Minister, or appropriate Minister. The Head of State is His Highness Tui Atua Tupua Tamasese Efi.



Head of State: His Highness Tui Atua
Tui Atua Tamasese Efi

The Assembly’s Presiding Officer is the Speaker, who is elected by other Members. The Speaker’s role is one of impartiality when he takes the Chair during proceedings, interpreting and enforcing the standing orders and maintaining order. The Speaker is the Hon. Laauli Leuatea Polataivao Fosi Schmidt. The Deputy Speaker is also elected by other Members and may perform the Speaker’s role when the Speaker is

absent. Otherwise, the Deputy Speaker assists the Speaker, including taking the Chair during Assembly proceedings, as necessary.



Speaker, Clerk and Deputy Clerk during
Parliament sitting.

Parliamentary officials (referring here to the Clerk, Sergeant-at-Arms and Chamber officers) often have formal, public roles when the Assembly meets, as well as administrative duties at other times. The Clerk’s duties include chairing the election of the Speaker in a

new parliament, preparing and circulating the Order Paper (agenda) for each sitting day, managing the official record of Assembly proceedings, and advising the Speaker and other Members on matters of procedure. The Clerk also manages the Assembly secretariat, the professional support staff of the Assembly. The Sergeant-at-Arms, a member of the secretariat staff, also has a distinctive formal role, carrying the Mace (the Assembly's symbol of authority) and escorting the Speaker to and from sittings. The Sergeant's role includes monitoring the behaviour of participants and observers of sittings. During sittings, Chamber officers give secretariat support to the Speaker, Members and the Clerk.

WHERE DOES THE ASSEMBLY MEET?

THE MAOTA, ITS CHAMBER AND GALLERIES

The Assembly meets in Tiafau, Mulinuu, in the *Maota*. Formal proceedings are conducted in the Chamber, a large circular room. Reflecting his role, the Speaker's Chair is in a raised, central position, with curved rows of seats for Government Members placed to the right of the Chair, and for the Opposition and other Members to the left. The Prime Minister's chair is closest to the Speaker's right and the Leader of the Opposition's chair is closest to the Speaker's left.

The Clerk and Deputy Clerk sit at a table in front of the Speaker. In front of them is a table on which the Mace is placed by the Sergeant. When documents are 'tabled' or presented to the Assembly by Members, this is the table on which they are placed—and so become public.

Assembly proceedings are public. They are broadcast on radio and members of the media can observe from the rear of the Chamber. Members of the public are welcome to attend and observe proceedings from the galleries at the rear of the Chamber.



Legislative Assembly at work.

MORE INFORMATION:

The Constitution of the Independent State of Samoa
The Standing Orders of the Legislative Assembly of Samoa, 2010
Parliamentary Practice and Procedure Manual 2012, Legislative Assembly of Samoa
Legislative Assembly of Samoa website: www.parliament.gov.ws