



LIPOTI MO LE FONO AOAQ FAITULAFONO

**“Tulafono Tau Faaofi o Teuteuga o le Tulafono o
Tamaiti 2015”**

**Komiti o Mataupu Tau Faamasinoga,
Leoleo ma Falepuipui
ma Faamasinoga o Fanua ma Suafa**

1. **FAUTUAGA**

Ua fautuaina e le Komiti o Faamasinoga, Leoleo & Falepuipui, ma Faamasinoga o Fanua ma Suafa le Fono Aoao ina ia faautagia lana Lipoti.

2. **TULAFONO TAU FAAOFI NA ILOILOINA.**

(Tuuina atu 30/6/2015)

Tulafono Tau Faaofi o Teuteuga o le Tulafono o Tamaiti 2015.

Na iloiloina e le Komiti o Mataupu Tau Faamasinoga, Leoleo & Falepuipui ma Faamasinoga o Fanua ma Suafa¹ le Tulafono Tau Faaofi o Teuteuga o le Tulafono o Tamaiti 2015, e tusa ai ma le Faatonuga na tuuina mai e le Fono Aoao i le aso 30 Iuni 2015.

3. **TAUALUMAGA**

Na valaauina e le Komiti le mamalu o le atunuu e ala i se faasalalauga faalauaitele i luga o le Televisi (S.Q.B. TV 1) ma le leitio faasalalau a le Faalapotopotoga o Faasalalauga (2AP) mo ni finagalo faaalua po o ni finagalo tusitusia e faatatau i lenei Tulafono Tau Faaofi. Peitai e leai lava se isi na faaalua sona finagalo pe tuuina mai se finagalo tusitusia e faatatau i lenei Tulafono Tau Faaofi.

Na tapa foi e le Komiti le fesoasoani a i latou nei a o faagasolo ana iloiloiga.

FESOASOANI (T.T.156)

Matagaluega o Faamasinoga ma Pulega Tau Faamasinoga:

Masinalupe Tusipa Masinalupe	-	<i>Ofisa Sili o Pulega</i>
Li'o Heinrich W Siemsen	-	<i>Ofisa Sili Lagolago</i>

¹ Tulafono Tumau 173, TUISA Tasi Patea, AFOAFOUVALE John Moors, LAFAITELE Patrick Leiataualesa, LENATAI Victor Faafoi Tamapua, PAPALII Li'o Taeu Faavaivaiomanu Masipau, LEFAU Harry Schuster, TAPUAI Toese Ah Sam.

Ofisa o le Loia Sili:

Aumua Tuatagaloa Ming C Leung Wai	-	<i>Loia Sili</i>
Siovia Lui	-	<i>Loia a le Malo</i>

4. SAILILIGA:

O lenei Tulafono Tau Faaofi o lo o teuteuina ai le Tulafono o Tamaiti 1961, ma o le faamoemoe ma le sini autu o lenei teuteuga ina ia faamalamalamaina ai le vaega tonu e aafia ai talosaga mo le vaetamaina o se tamaitiiti e ni tagata se toalua, ae o se tasi o i laua o se tagatanuu. E pei ona faamanino mai e le Tulafono Tau Faaofi, o sea talosaga ua faatinoina e tagata se toalua, ae o se tasi o i laua o se tagatanuu o Samoa, e lē tatau ona tagofiaina lea talosaga e avea o se “vaegatama i atunuu i fafo”

Na matauina e le Komiti, o lenei teuteuga o le a taumafai ai e toe faasa’o nisi o faafitauli na tulai mai i tausaga ua tuanai i le mau vaegatama na faia e le toatele o ulugalii papalagi mai atunuu i fafo. Na matauina ai foi nisi o teuteuga na faia i lea taimi e pei ona tuuvaevaeina ai loa, o le faaupuga, “o vaegatama i atunuu i fafo”, lea e aafia ai sitiseni i fafo. Na maua e le Komiti, o le faagasologa o galuega i soo se talosaga e aafia i lalo o le vaegatama i atunuu i fafo, e umi ma tele tapenaga o le a feagai ma se ulugalii (o i laua uma o sitiseni mai fafo) o lo o talosaga.

Peitai, o lea ua faamaoti mai i lenei teuteuga o le Tulafono Tau Faaofi, afai o se tasi o mātua o le tagatanuu Samoa, ona faapea lea, o le a lē toe aafia sea talosaga i lalo o le vasega lea, o “vaegatama i atunuu i fafo”. E talitonu le Komiti, o se naunautaiga lelei lea tulaga ua folasia e le Tulafono Tau Faaofi, ina ia tau tapu’e mai ai le soona vaetamaina o alo ma fanau a le atunuu e ulugalii mai fafo, ma ia faafaigata ai foi ona latou toe faatinoina lea tulaga. E le gata foi i lea, o se teuteuga o le a faafaigofieina ai le faatinoina o se talosaga e mātua o se tasi o i laua o se tagatanuu Samoa; aemaise o le faamaninoina o le lē toe aafia o lea vaegatama i lalo o vaegatama i atunuu i fafo.

5. **ILOILOGA AUILIILI O LE TULAFONO TAU FAAOFI:**

I le iloiloaina auiliili o lenei Tulafono Tau Faaofi i ona Fuaiupu taitasi, ua faamalieina le Komiti ma o lo o talafeagai aiaiga uma e pei ona faatulaga mai.

6. **IUGAFONO:**

I le maea ai o iloiloga auiliili, na faaiugafonoina ai e le Komiti;

Ina ia faagasolo le Tulafono Tau Faaofi o Teuteuga o le Tulafono o Tamaiti 2015 e aunoa ma se teuteuga.

SUI O LE KOMITI:

Tofa TUISA Tasi Patea
TAITAIFONO

Susuga PAPALII Lio F T Masipau
SUI USUFONO

Afioga AFOAFOUVALE John Moors
SUI TAITAIFONO

Tofa TAPUAI Toese Ah Sam
SUI USUFONO

Tofa LENATAI Victor Faafoi Tamapua
SUI USUFONO

Tofa LEFAU Harry Schuster
SUI USUFONO

Afioga LAFAITELE Patrick Leiataualesa
SUI USUFONO



REPORT TO THE LEGISLATIVE ASSEMBLY

“Infants Amendment Bill 2015”

Justice, Police and Prisons, Lands and Titles Committee

1. **RECOMMENDATION:**

The Justice, Police and Prisons, Lands and Titles Committee recommends that the Assembly takes note of its Report.

2. **BILL CONSIDERED:**

(Referred 30/6/2015)

Infants Amendment Bill 2015.

The Justice, Police and Prisons, Land and Titles Committee² considered the Infants Amendment Bill 2015, in accordance with instructions by the Legislative Assembly on 30th June 2015.

3. **PROCEEDINGS:**

The Committee called for public submissions through advertisements broadcast on the Samoa Quality Broadcasting (TV1) and 2AP radio. However, no oral or written submissions were put forth on the Bill.

The Committee sought assistance from the following officials during the course of its deliberations.

ASSISTANCE (S.O.156)

Ministry of Police:

Masinalupe Tusipa Masinalupe	-	<i>Chief Executive Officer</i>
Li'o Heinrich W Siemsen	-	<i>Acting Chief Executive Officer</i>

Office of the Attorney General:

Aumua Tuatagaloa Ming C Leung Wai	-	<i>Attorney General</i>
Siovia Lui	-	<i>State Solicitor</i>

² Standing Order 173, TUISA Tasi Patea, AFOAFOUVALE John Moors, LAFATELE Patrick Leiataualesa, LENATAI Victor Faafoi Tamapua, PAPALII Li'o Taeu Faavaivaomanu Masipau, LEFAU Harry Schuster and TAPUAI Toese Ah Sam.

4. FINDINGS:

This bill seeks to amend the Infants Ordinance 1961. The objective of the amendment is to clarify the category of an adoption application by two applicants where one of the applicants is a citizen. As emphasized within the bill, such an application should not be treated as an “overseas adoption”.

The Committee noted that these amendments will attempt to address issues that occurred in previous years due to the numerous adoptions that were carried out by non-Samoan couples from overseas. It also noted that some of the amendments made during that period resulted in the definition of the term “overseas adoption” referring to overseas citizens. Furthermore, the Committee found that the process for lodging an application for a couple (both overseas citizens) is a lengthy process and requires several preparations.

However, the amendment bill emphasizes that if one of the couples is a Samoan citizen, then the application shall not be under the category of “overseas adoption”. The Committee believes, that the initiative as proposed by the bill is good in order to prevent constant adoption of the countries infants by overseas couples and to make the adoption process difficult. In addition, these amendments will simplify the application process for couples when one of them is a Samoan citizen and clarify that this would not be categorised as an overseas adoption.

5. CONSIDERATION IN DETAIL OF THE BILL:

The Committee noted during its consideration in detail of the Bill that the provisions therein are sufficient.

6. RESOLUTION:

At the conclusion of its consideration in detail, the Committee resolved that;

The Infants Amendment Bill 2015 progress without amendments.

MEMBERS OF THE COMMITTEE

Tofa TUISA Tasi Patea
CHAIRPERSON

Susuga PAPALII Li'o F T Masipau
MEMBER

Afioga AFOAFOUVALE John Moors
DEPUTY CHAIRPERSON

Tofa TAPUAI Toese Ah Sam
MEMBER

Tofa LENATAI Victor Faafoi Tamapua
MEMBER

Tofa LEFAU Harry Schuster
MEMBER

Afioga LAFAITELE Patrick Leiataualesa
MEMBER