

FRIDAY, 18 MARCH 2011

1. MEMBERS PRESENT:

SPEAKER

Hon Tolofuaivalelei Falemoe Leiataua.

CABINET

Susuga Hon Tuilaepa Sailele Malielegaoi, Afioga Hon Misa Telefoni, Afioga Hon Fiamé Naomi Mataafa, Afioga Hon Safuneituuga Paaga Neri, Afioga Hon Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Afioga Hon Toomata Alapati Poese Toomata, Hon Lee Hang Niko, Tofa Hon Taua Tavaga Kitiona Seuala, Afioga Hon Unasa Mesi Galo, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow.

MEMBERS

Afioga Hon Vaai Papu Vailupe, Tofa Toluono Feti, Tofa Taua Falaimo, Afioga Tuia Pua Fuatogi Letoa, Susuga Mulipola Oliva, Afioga Levaopolo Talatonu, Afioga Muagututia Siasia S. Meredith, Afioga Hon Palusalua Faapo II, Afioga Fuimaono Naoia Tei, Afioga Hon Aeau Peniamina, Afioga Hon Le Mamea Ropati, Susuga Papalii Samuelu Petaia, Afioga Vui Tupe Ioane, Afioga Vaeolenofaia Tapasu, Tofa Solamalemalo Keneti Sio, Tofa Tuiloa Anitelea, Tofa Ale Vena Ale, Afioga Muagututagata Peter Ah Him, Afioga Lafaitale Patrick Leiataualesa, Afioga Galuvao Viliamu, Afioga Anauli Pofitu Fesili, Afioga Sala Fata Lisati Pinati, Afioga Tapuai Sepulona Moananu, Tofa Moefaaau Lulilufi, Tofa Tiata Pulufana Saunoa, Afioga Aiono Tile Gafa, Afioga Patu Ativalu Togi II, Tofa Fonotoe Pierre Lauofo, Hon Keil Hans Joachim, Tofa Hon Tuiloma Lameko, Susuga Laauli Leuatea Polataivao.

2. MEMBERS ABSENT:

Afioga Motupuaa Uifagasa Aisoli, Afioga Patauave Etuale.

3. The Legislative Assembly met at 9:10am.

4. Mr. Speaker took the Chair and said the Prayers.

5. **MESSAGE FROM THE HEAD OF STATE**

The Clerk communicated the Summons from His Highness, O le Ao o le Malo and read out the Warrants of Appointments of Members of Parliament.

“For:

Elected Members of Parliament.

IN PURSUANCE to the powers vested in me by the Constitution and the Standing Orders of Parliament, **I, TUI ATUA TUPUA TAMASESE EFI** Le Ao o le Malo, in issuing the Warrants of Appointments, I hereby request that you choose a proper and fit person to the Office of Speaker and present that person to me in accordance for the execution of the provisions of Part III of the Standing Orders of Parliament and I do hereby declare the 18th day of March year two thousand and eleven at 9.00 o'clock in the forenoon and the Maota Fono of Parliament as the place of such meeting.

GIVEN under my Hand on this 15th day of March 2011.

(Signed): Tui Atua Tupua Tamasese Efi
HEAD OF STATE.

WARRANT OF APPOINTMENT

IN ACCORDANCE with Part 54 of the Electoral Act 1963, **I, TUI ATUA TUPUA TAMASESE EFI**, Ao o le Malo, hereby declare that:

TUILAIPA Lupesoliai Sailele Malielegaoi.
FONOTOE Nuafesili Pierre Lauofo.

as been duly elected as Members of this Parliament.

GIVEN under my Hand at Apia this 21st day of February 2011.

(Signed): Tui Atua Tupua Tamasese Efi
HEAD OF STATE

WARRANTS OF APPOINTMENT

IN ACCORDANCE with the provisions of Part 80 of the Electoral Act 1963, I, TUI ATUA TUPUA TAMASESE EFI, Le Ao o le Malo, issue this warrant of appointment to those whose names appear below who have been duly elected to be Members of the XVth Parliament of the Independent State of Samoa.

AEAU Peniamina Leavaiseeta.
AFOAFOUVALE John Moors.
AFUALO Wood Uti Salele.
AGAFILI Patisela Eteuati Tolovaa.
ALAIASA Filipino Schwarts Hunt.
AVEAU Nikotemo Palamo.
FAAMOETAULOA ULAITINO Faale Tumaalii/.
FAUMUINA Tiatia Liuga.
FIAME Naomi Filisi.
GATOLOAIFAANA Amataga Alesana Gidlow.
IFOPO Matia Filisi.
LAAULI Leuatea Polataivao Fosi.
LAFATELE Patrick Leaitaualesa.
LEALAILEPULE Rimoni Aiafi.
LEAUPEPE Toleafoa Apulu Faafisi.
LEFAU Harry Schuster.
LE MAMEA Ropati.
LENATAI Victor Faafoi Tamapua.
LEVAOPOLO Talatonu.
MAGELE Mauiliu.
MANUALESAGALALA Enokati Posala.
MAUALAIVAO Pat Ah Him.
MOTUOPUAA Aisoli Vaai.
MUAGUTUTAGATA Auimatagi Peter Ah Him.
PALUSALUE Faapo II.
PAPALII Lio Faavaivaionau Taeu Masepau.
PAPALIITELE Niko Lee Hang.
PESETA Vaifou Tevaga.
SALA Fata Pinati.
SEUALA Taua Tavaga Kitona Seuala.
SOOALO Mene.
TAEFU Lemi.
TAFUA Maluelue Tafua.
TAPUAI Toese Ah Sam.
TAVUI Tiafau Tafu Salevao.
TIALAVEA Fea Tionisio Seigafolava.
TOEOLESULUSULU Cedric Pose Salesa Schuster.
TOLOFUAIVALELEI Falemoe Leaitaua.
TUILEUTU Alavaa Voi.
TUILOA Anetelea.
TUILOMA Lameko.
TUISA Tasi Patea.
TUISUGALETAUA Sofara Aveau.
TUITAMA Talalelei Tuitama.

TUSA Misi Tupuola.
 TUUU Anasii Leota.
 VAAI Papu Vailupe.

GIVEN UNDER my Hand in Apia this 14th Day of March year 2011.

(Signed): Tui Atua Tupua Tamasese Efi
HEAD OF STATE.

6. **ELECTION OF SPEAKER**

Hon Tolofuaivalelei Falemoe Leaitaua moved, *“That Hon LAAULI Leuatea Polataivao Fosi be appointed as Speaker of the House.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo.

Tofa Lealailepule Rimoni Aiafi moved, *“That Tofa Levaopolo Talatonu be selected as Speaker of the House.”* Seconded by Tofa Motuopuaa Aisoli Vaai.

Names of members were called out in the Samoan alphabetical order to cast their votes.

RESULTS OF THE BALLOT

Nominees:	Votes Gained:
LAAULI Leuatea Polataivao Fosi	36
LEVAOPOLO Talatonu	3
Informal Votes	<u>0</u>
Total	<u>49.</u>

Proceedings of the Legislative Assembly were suspended at 9:45am and resumed at 10:04am.

7. **SPEAKER’S REPORT ON HIS PRESENTATION TO HIS HIGHNESS O LE AO O LE MALO**

MR SPEAKER: I report that I and members of Parliament were before His Highness Le Ao o le Malo, and I stated, *“In Accordance with the wishes of Your Highness Le Ao Mamalu o le Malo and the Proclamation given to the Legislative Assembly to elect a Speaker of the House, I hereby, present myself to Your Highness for confirmation in accordance with the wishes of the Legislative Assembly.”*

His Highness, Le Ao Mamalu o le Malo then stated, *“I hereby declare to the people gathered here today that I am happy to accept and confirm the election of the Speaker of the House by the Legislative Assembly. I congratulate you on your election to the Office of the Speaker.”*

It is evidence of the trust and confidence of the Legislative Assembly in you and of your knowledge and your impartiality.”

The swearing in ceremony then proceeded and after I had taken my Oath of Allegiance, I stated, “Your Highness, Le Ao Mamalu o le Malo, I humbly express my gratitude for your endorsement of my election by the Legislative Assembly.

On their behalf, I request that I be granted all Parliamentary rights to freedom of speech and direct access to your Highness whenever required, and leave to totally commit myself to protect and ensure that all Legislative Assembly procedures are observed.”

The last statement by His Highness, O le Ao o le Malo was, *“I endorse and support all powers and rights of the Legislative Assembly as stipulated in the Constitution and Laws, and I hereby declare that the Legislative Assembly has direct access to me. I shall observe in good grace all proceedings of the Legislative Assembly, May the good Lord guide you Mr Speaker and all members of Parliament.”*

8. RECOGNITION OF POLITICAL PARTIES

Before we proceed with the Swearing in of members, I would like to announce that I have received Official Notice from Leaders of two Political Parties:

(i).HUMAN RIGHTS PROTECTION PARTY

“Petesa
MULINUU
16th March 2011

Afioga Fepuleai Attila M. Ropati
Clerk of the Legislative Assembly
MULINUU.

Dear Sir,

I hereby submit official notice of the HRPP for forward transmission to the Hon Speaker, in compliance with the provision of Standing Orders 10: “Recognition of Parties.”

(Signed): Tuilaepa Sailele Malielegaoi
LEADER OF THE HUMAN RIGHTS PROTECTION PARTY.

In accordance with clause 20 of sub clause VII of the Standing Orders of Parliament, I hereby declare the signatures of 36 members of the HRPP.

Afioga AFOAFOUVALE John Moors
Tofa AGAFILI Patisela Eteuati Tolovaa

Afioga ALAIASA Filipo Schwarts Hunt
Tofa FAAMOETAULOA ULAITINO Faale Tumaalii
Afioga Hon FAUMUINA Liuga
Afioga Hon FIAME Naomi Mataafa
Tofa FONOTOE NUFESILI Pierre Laufo
Afioga Hon GATOLOAIFAANA Amataga Alesana Gidlow
Afioga IFOPO Matia Filisi
Susuga Hon LAAULI Leuatea Polataivao Fosi
Afioga LAFATELE Patrick Leiatualesa
Afioga Hon LEAUCPEPE Toleafoa Apulu Faafisi
Afioga Hon LE MAMEA Ropati
Tofa LENATAI Victor Fafoi Tamapua
Afioga MAGELE Mauiliu
Afioga MANULESAGALALA Enokati Posala
Afioga MAUALAIVAO Pat Ah Him
Afioga MUAGUTUTAGATA Peter Ah Him
Susuga Hon PAPALITELE Niko Lee Hang
Afioga PESETA Vaifou Tevaga
Afioga SALA FATA Pinati
Tofa Hon SEUALA Taua Tavaga Kitiona Seuala
Afioga SOOALO Mene
Afioga TAEFU Lemi
Afioga TAFUA Maluelue Tafua
Tofa TAVUI Tiafau Tafu Salevao
Afioga TIALAVEA Fea Tionisio Seigafolava
Tofa Hon TOLOFUAIVALELEI Falemoe Leiatua
Susuga TUILAIPA LUPESOLIAI Sailele Malielegaoi
Tofa TUILOA Anitelea
Tofa Hon TUILOMA Lameko
Afioga TUISA Tasi Patea
Afioga Hon TUISUGALETAUA Sofara Aveau
Afioga TUITAMA Talalelei Tuitama
Afioga TUSA Misi Tupuola
Tofa Hon TUUU Anasii Leota.

(ii). **TAUTUA SAMOA POLITICAL PARTY**

“17 March 2011

Afioga Fepuleai Attila Ropati
Clerk of the Legislative Assembly
MULINUU.

Dear Sir,

With all due respect I submit to you the names of the members of the Tautua Samoa Party and their Party appointments.

VAAI Papu Vailupe, Leader

PALUSALUE Faapo II, Deputy Leader
LEALALEPULE Rimoni Aiafi, Party Whip
AEAU Peniamina Leavaiseeta
LEVAOPOLO Talatonu
MOTUOPUAA Aisoli Vaai
TAPUAI Toese Ah Sam
TUILEUTU Alavaa Voi
LEFAU Harry Schuster
AFUALO Wood Uti Salele
TOEOLESULUSULU Cedric Pose Salesa Schuster
PAPALII Lio Faavaivaio manu Taeu Masepau
AVEAU Nikotemo Palamo.

Faafetai tele,

(Signed): Vaai Papu Vailupe
LEADER".

9. SWEARING IN OF MEMBERS

(Members of Parliament were upstanding while Mr Speaker read out Standing Order 14).

I,, swear by Almighty God that I will be faithful and bear true allegiance to the Independent State of Samoa, and that I will justly and faithfully carry out my duties as a member of Parliament of Samoa. So help me God.

10. ELECTION OF DEPUTY SPEAKER

Hon Lafaitale Patrick Leiatuaalesa moved, "*That Tofa AGAFILI Patisela Eteuati Tolovaa to be elected as Deputy Speaker of the Legislative Assembly.*" Seconded by Hon Afioga Sooalo Mene.

Hon Palusalue Faapo II moved, "*That Tofa TUILEUTU Alavaa Voi be elected as Deputy Speaker of the Legislative Assembly.*". Seconded by Hon Toeolesulusulu Cedric Salesa Schuster.

Members names were called out according to the Samoan alphabetical order (Pi Faitau).

RESULTS OF THE BALLOT

Nominees:	Votes Gained:
AGAFILI Patisela Eteuati Tolovaa	35
TUILEUTU Alavaa Voi	13
Informal	<u>0</u>
<u>Total</u>	<u>48</u>

Members of the Legislative Assembly showed their appreciation in clapping their hands.

11. WARRANT OF APPOINTMENT – PRIME MINISTER

The Speaker read the Warrant of Appointment of the Prime Minister.

“I, TUI ATUA TUPUA TAMASESE EFI, Ao o le Malo, hereby issue this warrant of reappointment of Susuga TUILAEPA LUPESOLIAI Sailele Malielegaoi by the Legislative Assembly in accordance with Article 32(2)(a) of the Constitution of the Independent State of Samoa and on being satisfy with the certificate from the Legislative Assembly in accordance with the provision of Standing Orders 18(1), I, NOW APPOINT:

Hon TUILAEPA LUPESOLIAI Sailele Malielegaoi, Member of Parliament.

GIVEN UNDER my hand under the seal of the Independent State of Samoa on this 15th day of March in the year two thousand and eleven.

(Signed): Tui Atua Tupua Tamasese Efi
O LE AO O LE MALO.”

Members of the Legislative Assembly showed their appreciation in clapping their hands.

12. OTHER ANNOUNCEMENTS BY MR SPEAKER

The Speaker announced the first meeting of the Business, Standing Order, House and Electoral Committee on Tuesday, 22 March 2011 pursuant to Parliamentary sitting program for period 2011-2012 as well as assigned duties of this Committee.

MOTION FOR ADJOURNMENT

Hon Tuilaepa Sailele Malielegaoi moved, *“That the Proceedings of the Legislative Assembly now be adjourned until Tuesday 31st of May 2011 at 9:00am.”* Seconded by Hon Faumuina Tiatia Liuga.

13. **Motion Approved and Proceedings of the Legislative Assembly were suspended until 9.00 am on Tuesday, 31st May 2011.**

Hon Laauli Leuatea Polataivao Fosi
SPEAKER

Afioga Fepuleai Attila M. Ropati
CLERK

**OFFICIAL OPENING OF THE FIRST SESSION OF THE
XVTH PARLIAMENT**

TUESDAY, 31st MAY 2011

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao.

CABINET

Susuga Hon Tuilaepa Sialele Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Tofa Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Motupuaa Uifagasa Aisoli Vaai, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealalepule Rimoni Aiafi, Susuga Papalii L. Faavaivaiomanu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Tuiloa Anitelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Sooalo Mene, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Peter Ah Him, Afioga Gatoloaifaana Amataga Alesana-Gidlow, Susuga Hon Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa, Afioga Tialavea F.T. Seigafolava, Afioga Tusa Misi Tupuola.

2. Members of the Legislative met at 9:00am pursuant to the summons issued by His Highness, O Le Ao o le Malo dated 13th May 2011.

3. Mr Speaker took the chair and said the prayers.

4. PROCLAMATION SUMMONING THE LEGISLATIVE ASSEMBLY

Mr Speaker announced the Proclamation Summoning the Legislative Assembly issued by His Highness, O Le Ao o le Malo.

“TO THE MEMBERS OF PARLIAMENT ELECTED TO SERVE IN THE LEGISLATIVE ASSEMBLY OF SAMOA

4.

In exercise of the power vested in me by the Constitution, **I, TUI ATUA TUPUA TAMASESE EFI, O LE AO O LE MALO**, acting on the advice of the Prime Minister hereby appoint Tuesday 31st of May 2011 at 9.00 o'clock in the morning, as the day on which and the hour at which the Meeting of the Legislative Assembly be held and the Maota Fono at Mulinuu as the place of such Meeting. You are hereby summoned to attend for the dispatch of Business and to take into consideration the state and welfare and therein to do as may deem necessary.

GIVEN under my hand this Friday, 13th day of May year two thousand and eleven.

(Signed): Tui Atua Tupua Tamasese Efi
LE AO O LE MALO”.

5. **ANNOUCEMENT AND MOTION BY THE PRIME MINISTER**

Hon Tuilaepa Sailele Malielegaoi (Prime Minister) announced the arrival of the Head of State at 10 minutes past 9 this morning for the official opening of the XV parliament of the Independent State of Samoa.

Hon Tuilaepa Sailele Malielegaoi moved, *“That Parliamentary Proceedings be suspended to await the arrival of the Head of State.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo.

Motion approved and Proceedings were suspended at 9:10am.

Proceedings of the Assembly resumed at 10:08am.

6. **OTHER ANNOUNCEMENT BY SPEAKER**

Speaker announced the presence of the Head of State to participate in the Official Opening of this Parliamentary term.

The Clerk hand over the speech to be tabled in Parliament and this is the copy of the speech.

“MESSAGE FROM THE THRONE

To the Officiating Minister, I express my gratitude for the prayer and words of encouragements,

**Hon Council of Deputy and his Good Lady,
 Hon Prime Minister and Cabinet Ministers,
 Chief Justice and Judges of the Courts,
 Hon Speaker and members of Parliament,
 Our Parliamentary partners,
 The Hon Speaker and his Delegation from Tasmania,
 Leaders of various Denominations and members of the clergy,
 Members of the Diplomatic Corp and Representatives of Foreign Organisations,
 Tumua ma Pule, Ituau ma Alataua, Aiga i le Tai ma le Vaa o Fonoti, Aiga ma latou
 Tama, Tama foi ma o latou Aiga,
 To Tutuila and Manu'a, the Hon Governor and his Administration,
 Chief Justice and Judges of the Courts,
 Hon President and the Senate,
 Hon Speaker and members of Parliament,
 Sua and Vaifanua, Fofu and Aitulagi, Faatui and Tootoo of Faleula and also Tama of
 Manuatele,
 This is our traditional setup this morning.**

“A GIFT AND A DEBT; A BEGINNING AND AN END”

At the beginning of any historical moment it is tradition to come together to mark and salute through ceremony the promise of a new beginning and the achievements of what went before. Today is one such moment.

Today we mark the official opening of our 15th Parliament. In marking this, we remember the struggles of all those who believed in and fought for this fine institution. In looking forward, the work of this 15th Parliament will be informed by the work of the last Parliament and all Parliaments before that. The work of Parliament is not easy and we will face many challenges.

This 15th Parliament has from this day onwards, for the next five years, an opportunity to write good history, and as Professor James Ritchie puts it, “to write it in such a way that it would not only be a debt to the past but also a gift to the future”. We, as Parliament, have a sacred responsibility to recognize that good leadership must draw lessons from the past when shaping the present in order to have something worthy of gifting to the future.

The boundary between the past, the present and the future is endless. There is no beginning and no end. As finite beings we equate end with death. But the mysteries of creation ensure that where one dies another is born. So in our reality as a human race, we will always have a yesterday, a today and a tomorrow. The beginning we celebrate today and the possibilities of tomorrow are only imaginable because of the triumphs and tribulations of yesterday.

As my friend Sister Vitolia Mo'a writes, in Samoan we describe this continuity between the past, the present and the future and it's timeless and boundlessness as Le Aso ma le Taea - literally the day and the morning. Metaphorically these terms allude to a search methodology, a tofa saili, which privileges context. That is, in this new day we have opportunity to re-examine the visions of old, to reassess our direction, and to realign our strengths and weaknesses.

As elected members of our country's 15th Parliament and as Samoan matai we have a sacred duty to serve our people and Samoa with honesty, fidelity and prudence. The role of the Head of State, the Member of the Council of Deputies, the Prime Minister and his Cabinet, the Speaker and the Members of Parliament are each and together the same as that of the matai of a family. We must serve Samoa in a way that demonstrates by words and deeds the essences of alofa, tofa saili and tofa fetalai.

As leaders and as an Assembly of Leaders we have been gifted the sacred responsibility to write or rewrite over the next five years the kind of laws to which we, our forebears and the children of our children should be proud to be associated with. Fulfilling this responsibility requires us to take seriously what we write, why we write it and who we are writing for.

The values of our fa'a-samoa share a common heritage with the values of our Christian faiths and with the values of liberal democracy. We share a common search for what is good, right and just and for the courage to admit when these are found wanting, both within ourselves and within our governing institutions. There is no beginning and no end to that search, but there is always something to learn.

From this day we face the formidable task of taking the great work of the last 14th Parliament, its Government and Legislative Assembly, forward. It is with pride that we acknowledge that despite the unenviable challenges imposed on them by the 2008 Wall Street credit crisis and then the 29th September 2009 tsunami crisis, the Government, with the support of the Legislative Assembly, was able to guide the country through these crises with minimal negative effects. The implementation of major institutional reforms, initiated to strengthen our public, civil society and private sectors, is supposed to enable socio-economic, health, educational and business growth. The speed, extent and initial impacts of these reforms must be commended. However, the quality of the fruit of these reforms has yet to be fully realized.

In each of these initiatives and crises the help, sensitivity and generosity of our international partners, friends and families overseas cannot go unmentioned. They showed us and continue to show us through what they do and how they do it, how much they care.

It is in the doing, especially at the structural level, rather than in the words that we will find the necessary inspiration and clarity to move forward and see what is worth continuing, culturally and politically. Selling a vision must thus contain more than just espousing words; it must also show how those words will be realized in this context, in the here and now, today and this morning.

Israel, a nation familiar to Samoans, is despite its comparatively small size a first world country. When hearing a sales pitch from the young Jewish entrepreneur, Shai Agassi, the former Jewish Prime Minister and Nobel Prize winner Shimon Peres said: "Nice speech, but what are you going to do?"

As Revelation 1:8: says "God is the alpha and the omega, the beginning and the end. It is only He who was, is and is to come". As God's children we search for His wisdom, His timelessness, His enduring love and justice. In our finiteness we search for these things continuously so that when our term ends we have left enough of a gift to inspire those who will begin again to begin a new and with pride.

I declare this 15th Parliament of Samoa officially open. Soifua.

MOTION FOR SUSPENSION OF PROCEEDINGS

Hon Tuilaepa Sailele Malielegaoi moved, *“That proceedings of the Assembly be suspended until 11:00am this morning for the tabling of the Main Estimates.”* Seconded by Hon Fonotoe Nuafesili Pierre Laufofo / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and Parliament suspended proceedings for its usual recess at 10.24am until 11:00am.

7. MESSAGE FROM THE AO O LE MALO

Mr Speaker announced the Message from His Highness, Le Ao o le Malo given the consent to the Legislative to proceed upon consideration of the Bills:

- (i) Supplementary Appropriation Bill (No.2) 2010/2011.
- (ii) Supplementary Estimates (No.2) 2011/2012.
- (iii) International Date Line Bill 2011.

8. OTHER ANNOUNCEMENTS BY MR SPEAKER**1. RECORDING PARLIAMENTARY PROCEEDINGS**

The Speaker announced the video recording of Parliament proceedings will commence during the next parliamentary sitting, 20th June 2011 for Parliament records.

2. ANNOUNCEMENT OF VACANT SEATS IN PARLIAMENT.

The Speaker declared that seats of the Constituencies stated below are vacant:

- 1. Vaisigano No. 1
- 2. Anoamaa West

3. MEMBERS FOR SPECIAL COMMITTEE:**A. SAMOA PARLIAMENTARY ADVOCACY GROUP ON HEALTHY LIVING (SPAGHL)**

- (i) Susuga Hon LAAULI LEUATEA POLATAIVAO Fosi.
- (ii) Tofa Hon TOLOFUAIVALELEI FALEMoe LEIATAUA.
- (iii) Afioga Hon TUITAMA TALALELEI TUITAMA.
- (iv) Afioga Hon GATOLOAIFAANA AMATAGA ALESANA-GIDLOW.
- (v) Tofa TUSA MISI TUPUOLA.
- (vi) Tofa SOOALO MENE.
- (vii) Afioga Hon PALUSALUE FAAPO II.
- (viii) Tofa AVEAU NIKOTEMO PALAMO.
- (ix) Tofa LEFAU HARRY SCHUSTER.

SUB-COMMITTEE

- (i) Susuga Palanitina Tupuimatagi Toelupe.

- (ii) Afioga Galumalemana Nuufou Petaia.
- (iii) Afioga Leituala Kuiniselani Toelupe Tago.
- (iv) Tofa Auelua Samuelu Enari.
- (v) Tofa Taulealeausumai Laavasa Malua.
- (vi) Afioga Fepuleai Attila M Ropati.

B. SAMOA PARLIAMENTARY GROUP ON POPULATION DEVELOPMENT (SPGPD).

- (i) Susuga Hon LAAULI LEUATEA POLATAIVAO FOSI.
- (ii) Tofa Hon TOLOFUAIVALELEI FALEMEOE LEIATAUA.
- (iii) Tofa AGAFILI PATISELA ETEUATI TOLOVAA.
- (iv) Afioga TAFUA MALUELUE TAFUA.
- (v) Afioga IFOPO MATIA FILISI.
- (vi) Afioga PESETA VAIFOU TEVAGA.
- (vii) Tofa TUISA TASI PATEA.
- (viii) Afioga Hon AEAU PENIAMINA LEAVAISEETA.
- (ix) Tofa LEVAOPOLO TALATONU.
- (x) Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU.
- (xi) Tofa TAPUAI TOESE AH SAM.

SUB-COMMITTEE.

- (i) Afioga Muagututia Sifuiva Reupena.
- (ii) Tofa Auelua Samuelu Enari.
- (iii) Tofa Tupaimatuna Iulai Lavea.
- (iv) Susuga Charlene Malele.

C. SAMOA PARLIAMENTARY GROUP ON THE MILLENIUM DEVELOPMENT GOALS COMMITTEE (SPGMDG).

- (i) Susuga Hon LAAULI LEUATEA POLATAIVAO FOSI.
- (ii) Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO.
- (iii) Tofa Hon TOLOFUAIVALELEI FALEMEOE LEIATAUA.
- (iv) Afioga Hon TUITAMA TALALELEI TUITAMA.
- (v) Afioga Hon MAGELE MAULIU.
- (vi) Tofa Hon FAAMOETAULOLO ULAITINO FAALE TUMAALII.
- (vii) Afioga TAEFU LEMI.
- (viii) Afioga AFOAFOUVALE JOHN MOORS.
- (ix) Tofa LENATAI VICTOR TAMAPUA.
- (x) Tofa LEALAILEPULE RIMONI AIAFI.
- (xi) Afioga AFUALO WOOD UTI SALELE.
- (xii) Afioga TOELESULUSULU CEDRIC POSE SALESA SCHUSTER.
- (xiii) Tofa TUILEUTU ALAVAA VOI.

SUB-COMMITTEE

- (i) Susuga Palanitina Tupuimatagi Toelupe.
- (ii) Afioga Galumalemana Nuufou Petaia.
- (iii) Afioga Leituala Kuiniselani Toelupe Tago.
- (iv) Tofa Auelua Samuelu Enari.
- (v) Tofa Taulealeausumai Laavasa Malua.
- (vi) Afioga Fepuleai Attila M. Ropati.

9. OBITUARY NOTICE

1. Mr Speaker announced the death of MUAGUTUTIA Samuelu on the 5th March 2011. MUAGUTUTIA was the member for the Electoral Constituency of Aana No. 2, for the XII parliamentary term from the 8th November 1996 until the year 2001 MUAGUTUTIA was elected during By-Elections and was sworn in on the 29th November 1996. He was a candidate for the Human Right Protection Party (HRPP). He was the deputy Chairman for the Transport Committee, a member for the Privileges and Ethics Committee, the Internal Affairs and Environment Committee and the Primary production, Commerce, Industry and Labour Committee.
2. Mr Speaker also announced the death of Fuimaono Moasope in New Zealand. Afioga Fuimaono Moasope was the member for the Electoral Constituency of Falealili from 1964- 1966 and 1970-1972. In 1970 Fuimaono Moasope was the Minister of Health. In 1971-1972 Fuimaono Moasope he was the Minister of Post and Communication. He was also a member for the Standing Order Committee from 1964 – 1966.

Parliament was upstanding for a minute of silence as a sign of respect.

10. PRESENTATION OF PAPERS

Mr Speaker announced possession of certificates, reports and resolutions of the Chief Justice regarding Election Petitions of the General Elections held on the 4th of March 2011.

1. Electoral Constituency of Vaisigano No.1.
2. Electoral Constituency of Anoamaa West.
3. Electoral Constituency of Sagaga le Falefa.

The Clerk read out the Papers as distributed pursuant to Standing Orders 48.

1. S.R.2011/1, Spatial Information Agency Act 2010 – Notice of Commencement.
2. S.R.2011/2, Survey Act 2010 – Notice of Commencement.
3. S.R.2011/3, Land Valuation Act 2010 – Notice of Commencement.
4. S.R.2011/4, Notice of Charge on Base Tariff for the Supply of Electricity (No.1) 2011.
5. S.R.2011/5, Notice of Charge on Base Tariff for the Supply of Electricity (No.2) 2011.
6. S.R.2011/6, Notice of Charge on Base Tariff for the Supply of Electricity (No.3) 2011.
7. S.R.2011/7, General Price Order (No.1) 2011.
8. S.R.2011/8, Notice of Charge on Base Tariff for the Supply of Electricity (No.4) 2011.
9. S.R.2011/9, General Price Order (No.2) 2011.
10. S.R.2011/10, Notice of Charge on Base Tariff for the Supply of Electricity (No.5) 2011.
11. P.P.2011/2012 No.3, Samoa Water Authority Statement of Corporate Objectives and Corporate Plan 2011-2013.
12. P.P.2011/2012 No.4, Annual Report of the Ministry of Justice and Courts Administration for the year 2008-2009.

13. P.P.2011/2012 No.5, Public Service Commission Annual Report July 2008 – June 2010.
14. P.P.2011/2012 No.6, Ministry of Women, Community and Social Development Annual Report for July 2007 – June 2008 & July 2008 – June 2009.
15. P.P.2011/2012 No.7, Ministry of Women, Community and Social Development Annual Report for July 2009 – June 2010.
16. P.P.2011/2012 No.8, Annual Report of the Polynesian Airlines of Samoa for the year 2010.
17. P.P.2011/2012 No.9, Annual Report of the Scientific Research Organisation of Samoa 2006-2007.
18. P.P.2011/2012 No.10, Annual Report of the Scientific Research Organisation of Samoa 2007-2008.
19. P.P.2011/2012 No.11, Annual Report of the Scientific Research Organisation of Samoa 2008-2009.
20. P.P.2011/2012 No.12, Samoa Life Assurance Corporation Annual Report for 2010.
21. P.P.2011/2012 No.13, Parliamentary Pension Scheme Financial Statements for the Year ended 30 June 2010.
22. P.P.2011/2012 No.14, Samoa Ports Authority Annual Report for the year 2008-2009.
23. P.P.2011/2012 No.15, Annual Reports of the Ministry of Commerce, Industry and Labour for the Financial Years July 2007 – June 2008 and July 2008 – June 2009.
24. P.P.2011/2012 No.16, Annual Report of the Development Bank of Samoa for the Year 2010.
25. P.P.2011/2012 No.17, Ministry of Health Annual Report for the Year 2008 - 2009.

MOTION BY THE BUSINESS, STANDING ORDER, HOUSE AND ELECTORAL COMMITTEE

Hon Agafili Patisela Eteuati Tolovaa (Deputy Speaker) moved, *“That this Legislative Assembly approves the selection of members for each Parliamentary Select Committee as follows:”* Seconded by Hon Papaliitele Niko Lee Hang.

1. **BUSINESS, STANDING ORDERS, HOUSE AND ELECTORAL COMMITTEE (S.0.169)**
 1. Hon LAAULI LEUATEA POLATAIVAO FOSI. - Member
 2. Tofa AGAFILI PATISELA ETEUATI TOLOVAA. - Member
 3. Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI. - Prime Minister
 4. Hon PALUSALUE FAAPO II. - Leader of Opposition
 5. Tofa LEFAU HARRY SCHUSTER. - Member
 6. Tofa LEALALEPULE RIMONI AIAFI. - Member
 7. Afioga TUISA TASI PATEA. - Member
2. **FINANCE & EXPENDITURE COMMITTEE (S.0.170)**
 1. Hon PAPALIITELE NIKO LEE HANG - Member
 2. Afioga TAEFU LEMI - Member
 3. Afioga TIALAVEA FEA TIONISIO SEIGAFOLAVA - Member
 4. Afioga TAFUA MALUELUE TAFUA - Member
 5. Afioga AFUALO WOOD UTI SALELE - Member

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| 6. | Hon PALUSALUE FAAPO II | - | Member |
| 7. | Tofa LEALAILEPULE RIMONI AIAFI | - | Member |
- 3. HEALTH & SOCIAL SERVICES, INTERNAL AFFAIRS, COMMUNITY AND SOCIAL DEVELOPMENT COMMITTEE (S.O.171)**
- | | | | |
|----|---|---|---------------|
| 1. | Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW | | Member |
| 2. | Afioga IFOPO MATIA FILISI | - | Member |
| 3. | Tofa SOOALO MENE | - | Member |
| 4. | Hon AEAU PENIAMINA LEAVAISEETA | - | Member |
| 5. | Tofa TUILEUTU ALAVAA VOI | - | Member |
| 6. | Hon PALUSALUE FAAPO II | - | Member |
- 4. EDUCATION, SCIENCE, COMMUNICATION & INFORMATION TECHNOLOGY COMMITTEE (S.O.172)**
- | | | | |
|----|--|---|---------------|
| 1. | Tofa LENATAI VICTOR FAAFOI TAMAPUA | - | Member |
| 2. | Tofa TUSA MISI TUPUOLA | - | Member |
| 3. | Afioga PESETA VAIFOU TEVAGA | - | Member |
| 4. | Tofa LEVAOPOLO TALATONU | - | Member |
| 5. | Tofa AVEAU NIKOTEMO PALAMO | - | Member |
| 6. | Tofa MOTUOPUAA UIFAGASA AISOLI VAAI | - | Member |
- 5. JUSTICE, POLICE & PRISONS AND LAND & TITLES COMMITTEE (S.O.173)**
- | | | | |
|----|--|---|---------------|
| 1. | Afioga TUISA TASI PATEA | - | Member |
| 2. | Afioga AFOAFOUVALE JOHN MOORS | - | Member |
| 3. | Afioga LAFAITELE PATRICK LEIATAUALESA | - | Member |
| 4. | Susuga PAPALII LIO F. TAEU MASIPAU | - | Member |
| 5. | Tofa LEFAU HARRY SCHUSTER | - | Member |
| 6. | Tofa TAPUAI TOESE AH SAM | - | Member |
- 6. PRIMARY PRODUCTION, COMMERCE, INDUSTRY AND LABOUR COMMITTEE (S.O.174)**
- | | | | |
|----|---|---|---------------|
| 1. | Afioga MAUALAIVAO PAT AH HIM | - | Member |
| 2. | Hon LEAUPEPE TOLEAFOA APULU FAAFISI | - | Member |
| 3. | Tofa TUILOA ANETELEA | - | Member |
| 4. | Afioga TIALAVEA FEA TIONISIO SEIGAFOLAVA | - | Member |
| 5. | Tofa LEFAU HARRY SCHUSTER | - | Member |
| 6. | Hon PALUSALUE FAAPO II | - | Member |
| 7. | Afioga AFUALO WOOD UTI SALELE | - | Member |
- 7. GOVERNMENT ADMINISTRATION COMMITTEE (S.O.175)**
- | | | | |
|----|--|---|---------------|
| 1. | Afioga MUAGUTUTAGATA FAAMAUSILI AUMATAGI PETER AH HIM | - | Member |
| 2. | Hon TUUU ANASII LEOTA | - | Member |
| 3. | Hon AEAU PENIAMINA LEAVAISEETA | - | Member |
| 4. | Tofa AVEAU NIKOTEMO PALAMO | - | Member |
| 5. | Tofa TAPUAI TOESE AH SAM | - | Member |
| 6. | Tofa LEALAILEPULE RIMONI AIAFI | - | Member |
| 7. | Susuga PAPALII LIO F.T. MASIPAU | - | Member |
- 8. WORKS, TRANSPORT & ENVIRONMENT COMMITTEE (S.O.176)**
- | | | | |
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| 1. | Tofa TUSA MISI TUPUOLA | - | Member |
|----|-------------------------------|---|---------------|

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| 2. | Afioga AFOAFOUVALE JOHN MOORS | - | Member |
| 3. | Afioga PESETA VAIFOU TEVAGA | - | Member |
| 4. | Hon LEAUPEPE TOLEAFOA APULU FAAFISI | - | Member |
| 5. | Tofa TAPUAI TOESE AH SAM | - | Member |
| 6. | Tofa LEALAILEPULE RIMONI AIAFI | - | Member |
| 7. | Susuga PAPALII LIO F.T. MASIPAU | - | Member |
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 | | | |
| 9. | FOREIGN AFFAIRS, TRADE AND REVENUE COMMITTEE (S.O.177). | | |
| 1. | Afioga TUISA TASI PATEA | - | Member |
| 2. | Tofa SOOALO MENE | - | Member |
| 3. | Tofa LENATAI VICTOR FAAFOI TAMAPUA | - | Member |
| 4. | Hon GATOLOAIFAANA A. ALESANA GIDLOW | - | Member |
| 5. | Hon PALUSALUE FAAPO II | - | Member |
| 6. | Tofa LEFAU HARRY SCHUSTER | - | Member |
| 7. | Afioga AFUALO WOOD UTI SALELE | - | Member |
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 | | | |
| 10. | REGULATIONS REVIEW COMMITTEE (S.O.178). | | |
| 1. | Afioga TAFUA MALUELUE TAFUA | - | Member |
| 2. | Afioga MAUALAIVAO PAT AH HIM | - | Member |
| 3. | Afioga LAFATELE PATRICK LEIATAUALES | - | Member |
| 4. | Tofa LEVAOPOLO TALATONU | - | Member |
| 5. | Tofa TUILEUTU ALAVAA VOI | - | Member |
| 6. | Susuga PAPALII LIO F. TAEU MASIPAU | - | Member |
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 | | | |
| 11. | OFFICERS OF PARLIAMENT COMMITTEE (S.O.179) | | |
| 1. | Tofa AGAFILI PATISELA ETEUATI TOLOVAA | - | Chairman |
| 2. | Hon PAPALIITELE NIKO LEE HANG | - | Member |
| 3. | Afioga TAEFU LEMI | - | Member |
| 4. | Afioga MUAGUTUTAGATA F. A. PETER AH HIM | - | Member |
| 5. | Hon AEAU PENIAMINA LEAVASEETA | - | Member |
| 6. | Afioga TOEOLESULUSULU C. P. SALESA SCHUSTER | - | Member |
| 7. | Tofa MOTUOPUAA UIFAGASA AISOLI VAAI | - | Member |
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 | | | |
| 12. | PRIVILEGES AND ETHICS COMMITTEE (S.O.181) | | |
| 1. | Hon TUILAEP | - | Prime Minister |
| 2. | Hon PALUSALUE FAAPO II | - | Leader of Opposition |
| 3. | Tofa TUILOA ANETELEA | - | Member |
| 4. | Afioga PESETA VAIFOU TEVAGA | - | Member |
| 5. | Hon LEAUPEPE TOLEAFOA APULU FAAFISI | - | Member |
| 6. | Afioga IFOPO MATIA FILISI | - | Member |
| 7. | Tofa LEFAU HARRY SCHUSTER | - | Member |
| 8. | Tofa TAPUAI TOESE AH SAM | - | Member |
| 9. | Tofa AVEAU NIKOTEMO PALAMO | - | Member |

The Legislative Assembly approved the motion for Select Committee members as stipulated in the motion.

MOTION TO APPROVE THE 2011/2012 – PARLIAMENTARY SITTING PROGRAMME

Hon Agafili Patisela Eteuati Tolovaa moved, *“That the Legislative Assembly approve the Parliamentary Sitting Programme 2011/2012 prepared by the Business, Standing Order, House and Electoral Committee, pursuant to Standing Order.”*

Month	Date	Month	Date
<i>May</i>	<i>31</i>	<i>October</i>	<i>3</i>
<i>June</i>	<i>20</i>	<i>December</i>	<i>19</i>
<i>August</i>	<i>9</i>	<i>January</i>	<i>17</i>

Seconded by Hon Papaliitele Niko Lee Hang.

Motion was approved.

11. GOVERNMENT ORDER OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Supplementary Appropriation Bill (No.2) 2010/2011 – first reading

Hon Tuilaepa Sailele Malielegaoi moved, *“That the Supplementary Appropriation Bill (No.2) 2010/2011 be now read for the first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.2 called.

2. Supplementary Estimates (No.2) 2010/2011 – tabling

Hon Tuilaepa Sailele Malielegaoi tabled the Supplementary Estimates (No.2) 2010/2011.

Government Order of the Day No.3 called.

3. Supplementary Appropriation Bill (No.2) 2010/2011 – motion for second reading

Hon Tuilaepa Sailele Malielegaoi moved, *“That the Supplementary Appropriation Bill (No.2) 2011/2012 be read a second time.”* Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tuisugaletaua Sofara Aveau.

Government Order of the Day No.4 called.

4. Appropriation Bill 2011/2012 – first reading

Hon Tuilaepa Sailele Malielegaoi moved, *“That the Appropriation Bill 2011/2012 be read the first time.”* Seconded by Fonotoe Nuafesili Pierre Laufo.

Motion approved and the Bill was read the first time.

Government Order of the Day No.5 called.

5. Main Estimates 2011/2012 – Tabling

The Main Estimates 2011/2012 was tabled in Parliament by Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi.

Government Order of the Day No.6 called.

6. Appropriation Bill 2011/2012 – motion for second reading

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, *“That the Appropriation Bill 2011/2012 be now read the second time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiataua.

2011/2012 BUDGET ADDRESS

Mr Speaker, as required under Standing Order 124, it is with great pleasure that I present on behalf of the Government, the Statement on the Estimates for the 2011-2012 fiscal year.

STATEMENT ON THE ESTIMATES FOR THE 2011/2012 FISCAL YEAR

1. BUDGET SETTING

Mr Speaker and Honourable Members, this is the first budget for this Parliamentary term following the national elections earlier this year. It comes at a time when the economy is slowly recovering from the global financial crisis and the September 2009 tsunami. The last two financial years have been particularly challenging as the economy was subjected to severe social and economic shocks. This necessitated the need for increased government spending to stimulate economic activity following the crisis and to finance reconstruction costs. As a result, the budget deficit for 2009/2010 reached an unprecedented level of 11% of GDP. 2010/2011 is also expected to be around 8%. These are well above the long term target of 3%.

The expansionary fiscal policy and monetary easing implemented to counter the impact of the shocks is beginning to turn things around with the economy slowly recovering. GDP is expected to grow by around 3 percent in 2010/2011 – rebounding from contraction two years earlier.

Post-tsunami rebuilding and an upswing in transport and communication sectors are largely responsible for the positive turn-around. Growth has also been supported by a rebound in tourism, remittances and manufacturing activity.

On the international front, there is uncertainty in Japan with terrible losses of life and property following the earthquake and tsunami. Around Asia, growth is expected to be strong averaging 8% in 2011 and 2012 with China expected to expand by 9.5%. The strong growth in the Asian region could further push commodity prices up which in turn hurts our economy due to more expensive imports. The events in the Middle East have had an impact on the rising fuel prices which has spilled over into domestic inflation.

This demonstrates that we continue to live in an environment of economic uncertainty. We have to push ahead with responsible policies that underpin macroeconomic stability and deliver the best possible service for our people. We need to gradually get back to the long term fiscal target of 3% over the next 2-3 years. This is the background against which this budget is framed.

II. OUTLOOK – 2011/2012

The outlook for 2011/2012 remains challenging and subject to considerable uncertainty. With reconstruction winding down, growth is expected to slow down somewhat in 2011/2012. But tourism, manufacturing and remittances are expected to continue growing. There is optimism for an improved outlook for commodity exports led by coconut oil and water. The situation in Japan however will have a dampening effect on Yazaki Samoa's ability to grow. Fuel prices are expected to continue its upward trend and will filter into domestic inflation. Whilst inflation looks set to rise further due to oil and international commodity prices, foreign reserves are expected to hold up comfortably, leaving sufficient room for accommodative monetary and fiscal policies.

III. BUDGET STRATEGY

Mr Speaker and Honourable Members, this 2011/2012 Budget marks a turning point from Samoa, as it moves beyond the most severe impacts of the global financial crisis, and of the devastating tsunami. The economy has resumed a steady growth path, assisted by several factors. These include the government's deliberately strong fiscal stimulus delivered in the last budget, extensive rehabilitation projects, resumption in tourism growth as hotel capacity has been restored, a rise in remittances, and a return to steady economic growth amongst our major trading partners.

Inflation is expected to remain relatively begin at 3.25% per annum in 2011/2012.

Given the positive outlook for private sector growth, it is appropriate to start winding back the level of stimulus in this budget, so that the government can make progress in bringing the deficit back towards a sustainable level. The budget deficit for 2010/2011 was forecast at about 9.3% of GDP, and the medium term objective is to reduce this to below 3%. The deficit forecast in this budget is approximately 6.5% of GDP, which represents substantial and responsible progress in moving towards the target. The forward projections indicate that bringing the deficit down to below 3% of GDP is an achievable target.

In determine the measures to take to reduce this budget deficit, the government has taken firm steps to restrain expenditure, such that the level of Total Current Payments will reduce by approximately \$12million from the prior year, and Development Payments will decline by approximately \$30.1million. On the revenue side of the budget, the government is proposing to increase a range of taxes, fees and charges, which are expected to yield additional revenue of \$11.61million per annum. These measures are seen as responsible steps towards reducing the budget deficit, whilst still encouraging steady, private sector led growth in the economy.

The financing gap in the 2011/2012 budget is expected to be fully funded through external grants, and highly concessional borrowing, which will limit the adverse impact on the fiscal position, and on debt sustainability. I am pleased to inform Honourable members that Samoa continues to demonstrate a leadership role in enhancing aid effectiveness through the implementation of our Aid Policy and Debt Management Strategy. This provides the platform for development partners to deliver aid through budget support. All aid programs are now providing additional and such assistance will help define what support measures are needed as we prepare to graduate out of LDC status.

At this point, I wish to acknowledge the support of all our development partners not only in terms of financial resources but also in their efforts to ensure that country systems are used, with the aim of reducing transaction costs on the part of the government. Here I would like to underscore the importance of delivering development assistance through budget support. I believe this is the most cost effective vehicle and I encourage all donors to associate with this modality in their engagement with Samoa.

Mr Speaker and Honourable Members, the Samoan economy has made important gains in the last year as we rebuild from the tumultuous effects of the global financial crisis and the tsunami. The strategy of this next budget is to consolidate these gains, and to resume a path of sustainable economic growth and development for the benefit of all Samoans.

IV. BUDGET SUMMARY

Mr Speaker, I would like to summarize the main aggregates of the 2011/2012 budget as follows:

<u>Revenue</u>	\$609,627,300.
Ordinary Revenues	\$481,921,235.
External Grants	\$127,706,065.
<u>Expenditures</u>	\$714,622,019.
Statutory Expenditures	\$76,025,963.
Expenditure Programs	\$430,950,822.
Development Expenditures	\$194,716,709.
Unforeseen Expenditures	\$ 12,928,525.
<u>Overall Budget Deficit</u>	\$(104,994,719).
Financed by:	
Soft Term Financing	\$108,762,188.
<u>Cash Surplus/(Deficit) after Borrowing</u>	\$3,767,469.

The projected overall budget deficit for the FY 2011/2012 is estimated at \$104.9million which is equivalent to 6.5% of GDP when expressed in Government Finance Statistics format. The budget deficit is financed largely by highly concessional borrowings from the development partners. Whilst the deficit is relatively large, it has improved considerably when compared to last fiscal year's budget deficit of \$150.7million. In the medium term, we expect a gradual improvement in the overall fiscal deficit as a percentage of GDP given that a large part of ongoing expenditure investments are expected to complete soon.

V. REVENUE MEASURES

As the economy starts to recover from the impacts of the global financial crisis, and of the tsunami, there a need to implement measures to gradually bring the budget deficit back to the sustainable medium term target of less than 3% of GDP. Whilst

some of this adjustment will be met through expenditure savings, it is necessary to also consider additional revenue measures. In determining the level of these measures, there has to be a balance between gradually raising more revenue, and not moving too quickly such that economic growth would stall.

Again this background, a series of new revenue measures that seek to raise an additional \$11.61million per annum are proposed.

In deciding which revenue options to pursue, genuine account has been taken of representations received from the private sector, including the Chamber of Commerce, SAME, and BAT. The proposed increases are consistent with those representations, and in particular, avoid any increase in the VAGST rate, or to income tax and company tax rates. They also support the campaign in favour of a more healthy lifestyle.

The tax and fee increases that I am announcing overwhelmingly entail adjusting various fixed taxes and charges, as a partial adjustment to reflect movements in inflation since the existing rates were set. In some cases, these fixed rates have not been adjusted for more than a decade.

The details are as follows:

- Increase the rate of excise imposed on tobacco products by between 4% - 5%, with the excise on cigarettes to be increased to \$201.00 per 1,000 sticks, and for other manufactured tobacco, to \$214.00 per kilogram. This excise increase translates to a price increase of just under 20 sene for a pack of 20 locally produced cigarettes;
- Increase the import duty on manufactured tobacco products, to the same level as the excise. This means that the total import duty and excise levied on imported cigarettes will be \$201.00 per 1,000 sticks; and \$214.00 per kilogram for imported roll-your-own tobacco.
- The excise levied on alcoholic beverages and soft drinks will be increased by 10%. This equates to an excise increase of just over 3% per annum since rates were last adjusted in 2008. It translates to an increase in the price of a 750 ml bottle of soft drink of 3.45sene, and just over 20sene for a 750 ml bottle of beer.
- The excise on petroleum fuels – which were last adjusted more than a decade ago – will be increased by 5sene per litre.
- The rate of stamp duty imposed on land conveyancing will move from the current flat rate of 1.0% of the value of the land, to a graduated rate scale as follows:
 - For a property valued at less than \$50,000, the rate will remain at 1%.
 - For a property valued between \$50,000 and \$100,000, the stamp duty will remain at 1% on the first \$50,000 of the value, and 2% on the excess above \$50,000.
 - For a property valued between \$100,000 and \$200,000, the stamp duty will be 1% on the first \$50,000 of the value, 2% on the next \$50,000, and 3% on the value in excess of \$100,000.

- For a property valued at \$200,000 or more, the stamp duty will be 1% on the first \$50,000 of the value, 2% on the next \$50,000, and 3% on the next \$100,000, and a top rate of 4% on any excess above \$200,000.
- **Fees and Charges.** The fees and charges collected by the Land Transport Authority on services such as motor vehicle registrations and drivers licenses' and the cost recovery fees collected by the Ministry of Revenue on services such as import processing and liquor licensing, will be increased in each case by approximately one third. These fees have not been increased since 2002.

The excise and import duty increases on tobacco, alcoholic beverages, and soft drinks will apply from 1 July 2011. The increased fuel excise will apply from 1 June 2011. It is estimated that the gain to revenue from implementing these excise and import duty rate changes will be \$6.64million per annum. The changes to stamp duty rates and fees and charges will apply from the date the legislation is passed. It is estimated that these changes will generate additional revenue of \$4.97million per annum.

VI. EXPENDITURE PRIORITIES

The proposed total expenditure program for 2011/2012 amounts to \$714.6million, representing a decrease of 6% over the 2010/2011 financial year.

The proposed expenditure program supports the key priority sectors identified in the 2008 – 2012 Strategy for the Development of Samoa.

Mr Speaker and Honourable Members, I will now highlight the key priority initiatives proposed for 2011/2012:

i. Education Sector.

Government will commit \$86.9million in education as part of its investment in the sector. The allocation for 2011/2012 represent an increase of 2% compared to FY 2010/2011. In support of its ongoing commitment towards the development of education, the following key provisions have been incorporated in the 2011/2012 budget:

- \$50.0m to the Ministry of Education, Sports and Culture towards their daily operations;
- \$5.0m grant to support all Private and Mission Schools;
- \$1.76million is earmarked to support the operations of the Samoa Qualification Authority (SQA);
- \$11.58million grant for the National University of Samoa;
- \$2.40million provided to fund stationeries for all government schools;
- \$1.51million earmarked to fund fees of faculty of education (FOE) students;
- \$5.60million towards the School Relief Scheme;

Government with the joint support of AusAID and NZAID will continue its support of the Samoa School Fee grant scheme which provides significant relief on low income families. As well it underpins the continuous commitment towards achieving the MDG Universal Primary Education goal by the year 2015.

In addition to assistance provided under the Education sector program 2, the Samoa Australia Partnership Program is again providing assistance towards the development of technical, vocational education training for post school leavers

through the Samoa Qualifications Authority as well as funding the initial implementation of the national teacher development Framework. Furthermore there is consolidated support towards special and inclusive education.

ii. Health Sector.

The Health Sector is a priority sector of Government. A budget of \$69million has been allocated to reinforce this commitment. The key provisions in support of health developments in 2011/2012 are as follows:

- \$5.5million is provided towards the Ministry of Health operations.
- \$57.60million grant to support the National Health Services, representing an increase of 6% compared to FY 2010/2011.
- \$4.96million is provided to support the National Kidney Foundation.
- \$50,000 is allocated to Samoa Diabetes Foundation with \$30,000 to support the AIDS Foundation;
- \$100,000 grant to support the Oceania University of Medicine.
- \$10.55million is allocated to cover the cost of the overseas medical treatment scheme, representing an increase of \$1.2million when compared to 2010/2011.

Other assistance towards the Health Sector have also been provided through donor support to enhance primary health care through the conduct of village health fairs inclusive of screening programs for non communicable diseases.

iii. Agriculture Sector.

The total budget allocated for the Agriculture Sector in the FY 2011/2012 is \$12.4million tala. With much Government support now focused on revitalizing the sector, the following provisions are being provided:

- Stimulus Program (Replanting of Cocoa, Coconut and Coffee) - \$150,000;
- Talomua program - \$300,000;
- Agriculture Show - \$100,000;

Furthermore, the completion of the agriculture sector plan provides the framework through which agricultural development will be implemented with Samoa's aid and development partners providing the resources to the tune of US\$13million to fund additional agricultural investment.

iv. Infrastructure

Electricity:

A total of \$8.80m is provided to meet EPC's fuel subsidy and community service obligation.

Further to assistance under the Power Sector Expansion program, the establishment of the office of the regulator for the power and water utilities has been allocated a provision of \$1.37million. As well, US\$4million has been allocated towards the Solar Power project by EPC under a regional Pacific Environment Community facility and Japanese assistance.

Water:

\$14.3m is earmarked to support water sector investments of which \$9.0million is provided to the Samoa Water Authority (SWA) to implement its investment priorities in 2011/2012. An allocation of \$1.95million is made available to assist SWA with the provision of community service obligation.

Following the sector midterm review at end of 2010, an additional allocation of \$6.0million will be made available to support the water sector. A further \$3.0million will target climate change impacts on the water sector.

Roads and Bridges:

A total of \$29.0million is allocated to the Land Transport Authority to meet the cost of road maintenance and new capital infrastructure projects prioritized for implementation next financial year.

Further to continuing work on the Vaitele widening project, additional funds of AUD\$4m have been allocated to complete this work from the Pacific Regional Infrastructure Facility. As well, US\$10million will target post tsunami reconstruction including the Samusu-Lalomanu trunk line. Furthermore, under the Pilot Program for Climate Resilience, US\$15million will be used to upgrade and 'climate proof' the West Coast (airport) road.

Telecommunications:

To support the telecom sector, the following allocations are included in next year's budget:

- \$1.4million is allocated to the Office of the Telecom Regulator.
- \$2.4million is provided to fund the operations of the Ministry of Communication, Information and Technology's.

The Sino-Samoa relations will see the start of the National Broadband network project promoting enhanced broadband connectivity at an initial cost of US\$10.2million.

v. Business Development.

The following provisions are included in the budget as part of Government's ongoing support for small business and private sector:

- \$400,000 is allocated to support the operations of the Small Business Enterprise Centre (SBEC);
- \$100,000 is provided as Government's contribution to the Private Sector.

Furthermore, the Private Sector Support Facility will receive \$800,000 to support their work in business training and setting up new business initiatives involving communities as part of a partnership initiative between Samoa, New Zealand and the United Nations Development Program.

vi. Sports Development:

The Government of Samoa will support the following sporting events and activities for the next financial year:

- **\$850,000** provided to Samoa Rugby Union to assist with Rugby World Cup Preparations.
- **\$500,000** to support hosting of Judo Championships by Samoa.
- **\$150,00** assistance for the Samoa Netball Association.
- **\$100,000** to support the Special Needs Schools Sports.
- **\$100,000** provided for the Samoa Games.
- **\$700,000** is allocated to support international and national sporting events, an increase from the current fiscal year's allocation of \$500,000.

In addition, the Ministry of Education Sports and Culture's outreach program will receive an allocation of \$250,000 through donor support to finance various sports development with selected sports organizations also benefiting through regional development sports programs.

vii. Tourism

As one of the key sectors, the following allocations have been provided to support the development of the tourism industry.

- Samoa Tourism Authority has been allocated \$11.39million to support its overseas marketing efforts, representing an increase of 11% compared to the current financial year.
- **\$414,000** is provided to support the villages images through the National Beautification Program.

The Sector will also receive targeted assistance totaling \$800,000 for FY 2011/2012 from the Government of New Zealand in addition to the tsunami tourism recovery program and interest subsidy schemes.

viii. Law & Justice

The following provisions have been allocated to support the work of the Law and Justice Sector:

- **\$8.5million** is provided to support the operations of the Ministry of Justice;
- **\$2.7million** is allocated to the Office of the Attorney.
- **\$650,000** is provided to support the newly established Samoa Law Reform Commission Office (SLRC) following a year of being attached to the Attorney General's Office. SLRC is now a standalone office hence a slight increase in its allocation for the next financial year.
- With the perceived rising crime rate, government has allocated **\$24.5million** to support the Ministry of Police and Prisons operations, representing a 13% increase compared to the current fiscal year.

In addition to government's support, a grant of \$2.4million will go towards the implementation of the sector plan activities in the areas of correctional systems, institutional development and a program of support for deportees. Additionally the Australian Federal Police continues to provide \$250,000 towards technical support in organizational development for the Ministry of Police and Prisons.

ix. Climate Change & Environment

In support of Government's efforts to protect the environment and coastal areas, the following provisions have been included for FY 2011/2012:

- \$23.2million is provided for the normal operations of the Ministry of Natural Resources and Environment;
- \$3.7million is provided towards the construction of Rockwall and seawalls as part of the coastal protection measures.

In addition to government allocation, a total of US\$10million is earmarked for the implementation of community Coastal Infrastructure Management (CIM) plans under the Pilot Program for Climate Resilience using the ridge to reef approach. Priority will be given to CIM plans for the districts along the West Coast road in connection with the proposed road upgrade.

VII. UNFORESEEN EXPENDITURES

A provision of \$12.92million has been provided to cover unforeseen expenditures that may arise during the course of the fiscal year.

VIII. SECOND SUPPLEMENTARY ESTIMATES 2010/2011

The Government is also proposing to table the Second Supplementary Estimates 2010/2011 with the 2011/2012 Main Estimates.

The Supplementary budget includes a total of \$5.6million of additional expenditures. These expenditures are financed by additional revenues of \$25.1million being proceeds from the sale of SamoaTel. With the Second Supplementary Estimates incorporated, the overall movement in cash balances recorded a significant improvement from an estimated \$1.62million cash deficit to \$17.94million cash surplus.

IX. FORWARD ESTIMATES

Mr Speaker and Honourable Members, the forward estimates for the next three years, without adjustment to policy settings, show that the projected increase in debt levels is moderating, and will start to stabilize. The accumulation of cash deficits is also moderating, although they are still at high levels. The measures taken in the 2011/2012 budget to reduce expenditure and increase revenues represent important steps in resuming sustainable deficit and debt levels, and maintaining macroeconomic stability. The Government will continue to monitor the fiscal risks, and will adjust policy settings as appropriate. Over the medium term, the Government's focus remains on taking policy actions to strengthen the economy, limit expenditure growth, and continue to ensure that its assets are managed as effectively as possible.

X. PERFORMANCE FRAMEWORK

Mr Speaker, the Government has implemented several reforms to its planning and budget systems in recent years. The implementation of a ‘sector wide approach’ to planning and budgeting has encouraged all government ministries and public bodies to work jointly with the private sector, civil society groups, NGOs and donors to improve the lives of Samoans. Ministries and public bodies can have a greater impact if they work together to improve outcomes.

Most ministries and public bodies are now members of one or more sector wide committees, working together to implement agreed sector wide plans and strategies that will have a greater impact on the lives of Samoans.

From 2011-2012, the Budget Estimates now require all ministries and public bodies to demonstrate how each of their outputs and projects is contributing to higher level sectoral goals and national SDS goals. Each agency’s Estimates must also show how their effectiveness can be measured, and provide useful performance information for their clients, the public and other stakeholders. Readers of the Budget Estimates will notice today that the old “Outputs and Performance Measures” section of the Estimates has been replaced by a new “Performance Framework” for each ministry or public body.

The new Performance Framework will show how each agency is contributing to higher level sector goals and SDS goals that have been endorsed by a wide cross section of stakeholders.

The new Performance Framework approach will help to ensure that scarce budget funds are targeted to those ministries and public bodies that deliver the most impact. The Ministry of Finance will direct any growth in revenues towards those ministries that can demonstrate the strongest links to Samoa’s highest priority SDS goals and sector goals, and those ministries which can demonstrate a track record of effectiveness. Ministries can no longer expect to have their budgets increased every year just to cover their increased running costs. Ineffective programs and inefficient agencies will find their share of budget funding gradually reduced. On the other hand, those agencies that can demonstrate that they are having an impact and are contributing in a significant way to important sectoral and national goals, will be rewarded with an increased share of any growth in budget funds available.

XI. SOE REFORMS

Government continues to push ahead with its State Owned Enterprise (SOE) Reforms, in order to assist them improve their performances both financially and delivery of services. Sustainability of SOE operations is important to Government. In March 2010, Cabinet appointed the Independence Selection Committee (ISC) to carry out the selection of directors for Public Bodies. This selection will be done in parallel with a Board Policy Guideline; adherence to the Composition of Boards of Public Bodies Bill and consultations with the Public Bodies, to ensure that the composition and caliber of directors will add value in imposing good governance principles and improved financial performance of SOEs. The ISC work is now in progress.

It is anticipated that this exercise will be completed earlier in 2011/2012. Approval of the composition bill by Parliament is required to ensure the legality of the appointment of the new directors and successful completion of this reform.

XII. CONCLUSION

Mr Speaker and Honorable Members, as I said earlier, Samoa is at a crossroad. The economy is slowly recovering yet the signals from the international economy suggest a cautious approach to 2011/2012. The expected fiscal deficit remains unsustainable and we have to gradually get back to the sustainable level of 3% of GDP over the medium term.

We need to put in place policies that will underpin macroeconomic stability. The fact that the economy is growing provides a positive setting to implement responsible policies. We will need to look at revenue measures that will not only realize our revenue objectives, at the same time do not impose hardship on the community and business development. On the expenditure side, we will have to be prudent and allocate resources to sectors that generate optimum impact in terms of delivering on priority targets, and cut down on those that do not.

These are key challenged that we will face in 2011/2012. What is clear though is implementation will not be easy for us all. It may necessitate sacrifices that could hurt both the weak and the strong. It's a battle for everyone and I call for your support and patience as we strive to get the economy back to pre-tsunami growth levels.

With God's grace I am sure we will achieve that sooner than expected.

Mr Speaker, I commend the 2011/2012 Budget to the House. May God bless Samoa and her people.

Soifua.

Pursuant to Standing Order 132, deliberation on the Appropriation Bill 2011/2012 will be adjourned for no less than 14 days while the Main Estimates 2011/2012 is considered by the Finance and Expenditure Committee and report thereon.

Government Order of the Day No.7 called.

7. International Date Line Bill 2011 – first reading

Hon Fonotoe Nuafesili Pierre Lauofo (Minister of Commerce, Industry and Labour) moved, *“That the International Date Line Bill 2011 be now read the first time.”* Seconded by Hon Tolofuaivalelei Falemoe Leiaataua.

Motion approved and the Bill was read the first time.

MOTION TO SUSPEND STANDING ORDERS.

Hon Tuilaepa Sailele Malielegaoi moved, *“That Standing Order 100 (1) be suspended to allow for the second reading of the International Date Lind Bill 2011.”* Seconded by Hon Tolofuaivalelei Falemoe Leiaataua / Hon Tuisugaletaua Sofara Aveau.

Motion approved and Standing Order 100(1) was suspended and the International Date Line Bill 2011 was available for its second reading in this current session

Government Order of the Day No.8. called.

8. International Date Line Bill 2011 – second reading

Hon Fonotoe Nuafesili Pierre Laufo moved, “*That the International Date Line Bill 2011 be now read the second time and I wish to comment on it.*” Seconded by Hon Tuisugaletaua Sofara Aveau.

The Minister clarified the Bill.

Debate.

Motion approved, the International Date Line Bill 2011 was read the second time.

- 12. Proceedings of the Legislative Assembly adjourned at 1:35pm until Monday, 20th June 2011 at 9:00am pursuant to the Parliament Sitting Schedule 2011/2012.**

**Hon Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

MONDAY 20th JUNE 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi.

CABINET

Susuga Hon Tuilaepa Sialele Malielegaoi, Afioga Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiaame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Tofa Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Tofa Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Motupuaa Aisoli Vaai, Afioga Toelesulusulu Cedric Pose Salesa Schuster, Afioga Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaiomanu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Tuiloa Anitelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Sooalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea T. Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Auimatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Hon Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. The Legislative Assembly met at 9:00 am.

3. Mr Speaker took the Chair and said the Prayers.

4. OTHER ANNOUNCEMENT BY MR SPEAKER.

Mr Speaker announced that the seats for the following Territorial Constituencies are now vacant;

1. Aleipata Itupa i Luga
2. Satupaitea.

5. **PRESENTATION OF PAPERS.**

1. Mr Speaker announced that he now holds the certificate, reports and resolutions of the Chief Justice regarding Election Petitions of the General Elections held on 4th of March 2011.

1. Territorial Constituency of Aleipata Itupa i Luga.
2. Territorial Constituency of Satupaitea.
3. Territorial Constituency of Paluli le Falefa.
4. Territorial Constituency Faasaleleaga No.1.

2. The Clerk read out the papers tabled in accordance to Standing Order 48.

1. S.R.2011/11, Notice of Charge on Base Tariff for the Supply of Electricity (No.6) 2011.
2. P.P.2011/2012 No.21, Samoa Water Authority Annual Report July 2008-June 2009.
3. P.P.2011/2012 No.29, National Kidney Foundation of Samoa Annual Report 2009-2010.

6. **PRESENTATION OF SELECT COMMITTEES REPORTS.**

The Clerk read out the Select Committees Reports tabled in accordance to Standing Order 51(5).

1. P.P.2011/2012 No.26, Report of the Finance and Expenditure Committee on the Second Supplementary Estimates 2010/2011 of the Receipts and Payments of the Government of Samoa for the Year Ending 30th June 2011, P.P.2011/2012 No.1.
2. P.P.2011/2012 No.27, Report of the Finance and Expenditure Committee on the Main Estimates for Receipts and Payments of the Government of Samoa for the Financial Year Ending 30th June 2012, P.P.2011/2012 No.2.
3. P.P.2011/2012 No.28, Report of the Primary Production, Commerce, Industry and Labour Committee on the International Date Line Bill 2011.

7. **GOVERNMENT ORDERS OF THE DAY – Reading of Bills.**

Government Orders of the Day No.1 and No.2 called.

1. Supplementary Appropriation Bill (No.2) 2010/2011 – second reading.
2. Appropriation Bill 2011/2012 – second reading.

Debates on the Supplementary Appropriation Bill (No.2) 2010/2011 and Appropriation Bill 2011/2012 were held at one time.

Resumed debates on the Bills.

MAIDEN SPEECHES.

Susuga Papalii Lio Faavaivaomanu Taeu Masepau (Faasaleleaga Nu.2)
Afioga Maualaivao Pat Ah Him (Palota Taitoatasi)

Members showed appreciation by applauding at the Maiden Speeches of the above members.

Proceedings of the Legislative Assembly was suspended for its normal recess at 10:45am and resumed at 11:20am.

ANNOUNCEMENT BY MR SPEAKER.

Mr Speaker announced that a meeting for Business Committee will be held at the Maota o Luafatasaga at 1:00 pm.

Resumed maiden speeches of members.

MAIDEN SPEECHES CONTINUED.

Tofa Tusa Misi Tupuola (Falealili)

Tofa Aveau Nikotemo Palamo (Faleata Sasa'e)

Members showed appreciation by applauding at the Maiden Speeches of the above members.

- 8. Proceedings of the Legislative Assembly now adjourned at 1:00 pm until 9:00am on Tuesday, 21 June 2011.**

**Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER**

**Afioga Fepuleai Attila M. Ropati
CLERK**

TUESDAY 21st JUNE 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi.

CABINET

Susuga Hon Tuilaepa Sailele Malielegaoi, Afioga Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Tofa Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Tofa Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Motupuaa Aisoli Vaai, Afioga Toelesulusulu Cedric Pose Salesa Schuster, Afioga Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaio manu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Tuiloa Anitelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Sooalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea T. Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Auimatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Hon Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. The Legislative Assembly met at 9:00 am.

3. Mr Speaker took the Chair and said the Prayers.

4. GOVERNMENT ORDERS OF THE DAY – Reading of Bills.

Government Orders of the Day No.1 and No.2 called.

1. Supplementary Appropriation Bill (No.2) 2010/2011 – second reading Day 2.

2. Appropriation Bill 2011/2012 – second reading Day 2.

ANNOUNCEMENT BY MR SPEAKER.

Mr Speaker announced the recording (video) of Parliament Proceedings for Parliament records. He also reminded members that the time limit for maiden speeches is 30 minutes pursuant to Standing Orders.

Resumed debates.

MAIDEN SPEECHES.

Resumed speech for Tofa Aveau Nikotemo Palamo (*Faleata Sasa'e*)

Tofa Sooalo Mene (*Gagaifomauga Nu.2*)

Tofa Lefau Harry Schuster (*Vaimauga Sisifo*)

Members of Parliament have expressed their approval and appreciation of the Speeches of Members by clapping their hands.

Proceedings suspended for 10 minutes at 9:40am due to difficulties with radio broadcasting and resumed at 9:48am.

Maiden speech for member of Gagaifomauga No.1 resumed.

Members of Parliament have expressed their approval and appreciation of the Member for Gagaifomauga No.2 Maiden Speech by clapping their hands.

Maiden speech for member of Vaimauga West continued.

Members of Parliament have expressed their approval and appreciation of the Member for Vaimauga West Maiden Speech by clapping their hands.

Debate continued on second reading of Bill.

Mr Speaker ordered that the following statements by the member of Parliament of Gagaifomauga No.1 be removed from Hansard:-

“E oki le kagaka ia oe Kuilaepa leaga o oe o le kama o le Akuguu, e ifi foi le kagaka i le Migisika.”

Resumed debate.

MOTION TO AMEND SITTING HOURS.

Hon Tuilaepa Sailele Malielegaoi (Prime Minister) moved, *“To suspend Standing Order 31(1) to permit the amendment of sitting hours starting today from 9:00am until 1:00pm for a break, and to resume again at 6:00 pm until 11:00 pm.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

Sitting Hours Schedule:

9:00am – 1:00pm

6:00pm -11:00pm

Debate resumed on second reading of Supplementary Appropriation Bill (No.2) 2010/2011 and Appropriation Bill 2011/2012.

**Lafaitale Patrick Leiataualesa moved, “An extension of 5 minutes for the member.”
Seconded by Levaopolo Talatonu.**

Motion denied.

Resumed debate.

MAIDEN SPEECHES CONTINUED.

Afioga Toelesulusulu C. P. Salesa Schuster (*Aana Alofi Nu.3*)

Afioga Tuisa Tasi Patea (*Sagaga le Falefa*)

Afioga Taefu Lemi (*Falelatai & Samatau*)

Members of Parliament have expressed their approval and appreciation of the Speeches of Members by clapping their hands.

Proceedings of the Assembly suspended at 12:50 noon and resumed at 6:00 in the evening.

Debates on the Supplementary Appropriation Bill (No.2) 2010/2011 and Appropriation Bill 2011/2012 resumed.

Hon Tuilaepa Sailele Malielegaoi moved, “That debates be closed now and let the Government respond now.” Seconded by Lafaitale Patrick Leiataualesa.

Leave not granted.

MAIDEN SPEECHES CONTINUED.

Tofa Lenatai Victor Tamapua Faafoi (*Vaimauga Sisifo*)

Afioga Ifopo Matia Filisi (*Aiga i le Tai*)

Tofa Tuileutu Alavaa Voi (*Faasaleleaga Nu.3*)

Afioga Tafua Maluelue Tafua (*Aleipata Itupa i Lalo*)

Members of Parliament have expressed their approval and appreciation of the Speeches of Members by clapping their hands.

Proceedings of the Legislative Assembly was suspended at 8:00pm and resumed at 8:30pm.

Resumption of maiden speech for member of Aleipata Itupa I Lalo.

Afioga Afoafouvale John Moors (*Palauli Sasa’e*)

Afioga Peseta Vaifou Tevaga (*Faasaleleaga Nu.4*)

Afioga Afualo Wood Uti Salele (*Salega*)

Afioga Tialavea Fea Tionisio Seigafolava (*Vaa o Fonoti*)

Members of Parliament have expressed their approval and appreciation of the Speeches of Members by clapping their hands.

Tofa Agafili Patisela Eteuati Tolovaa (*Palauli Sisifo*)

- 5. Proceedings of the Legislative Assembly adjourned at 11:00 pm until 9:00am on Wednesday, 22 June 2011.**

**Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER**

**Afioga Fepuleai Attila M. Ropati
CLERK**

WEDNESDAY, 22nd JUNE 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi.

CABINET

Susuga Hon Tuilaepa Sailele Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Laufofo, Afioga Hon Fiame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Tofa Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Motuopuaa Aisoli Vaai, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaioomanu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Tuiloa Anitelea, Afioga Lafaitale Patrick Leiatauaalesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Auimatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliiitele Niko Lee Hang, Tofa Agafilii Patisela Eteuati Tolovaa.

2. The Legislative Assembly met at 9:00 am.

3. Mr Speaker took the Chair and said the Prayers.

4. GOVERNMENT ORDERS OF THE DAY – Reading of Bills.

Government Orders of the Day No.1 and No.2 called.

1. Supplementary Appropriation Bill (No.2) 2010/2011 – second reading &

2. Appropriation Bill 2011/2012 – second reading - Day 3.

Debates on continue on maiden speech of member of Palauli Sisifo.

Members of Parliament have expressed their approval and appreciation of the Speeches of Members by clapping their hands.

Debate continued on second reading.

Proceedings of the Assembly suspended at 10:52am and resumed at 11:15am in the evening.

Resumed debate.

Proceedings of the Assembly suspended at 1:00pm and resumed at 6:00pm in the evening.

Debate resumed.

Lealailepule Rimoni Aiafi moved, *“That 20 minutes be extended for member to complete his speech before our break if it is tolerable with you and the Prime Minister’s as well as that side of Parliament.”* Seconded by member of Gagaemauga No.2.

Leave was not granted.

Debate continued.

Proceedings of the Assembly suspended at 7:59pm and resumed at 8:30pm in the evening.

Debate resumed.

GOVERNMENT RESPONSES.

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, *“That another 15 minutes be added.”*

Motion was not seconded.

Debate continued.

Members showed appreciation by applauding after Government Responses by Hon Sala Fata Pinati & Hon Manualesagalala Enokati Posala

5. The Legislative Assembly adjourned at 10:52 pm until 9:00am on Thursday, 23rd June 2011.

Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER

Afioga Fepuleai Attila M. Ropati
CLERK

THURSDAY, 23rd JUNE 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Laauli Leuatea Polataivao Fosi.

CABINET

Susuga Hon Tuilaepa Sialele Malielegaoi, Afioga Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Afioga Hon Faamoetaulaoa Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Motuopuaa Aisoli Vaai, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Niko Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaio manu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Tuiloa Anitelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Sooalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Tevaga Vaifou, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Aumatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. The Legislative Assembly met at 9:00 am.

3. Mr Speaker took the Chair and said the Prayers.

4. GOVERNMENT ORDERS OF THE DAY – Reading of Bills.

Government Orders of the Day No.1 and No.2 called.

1. Supplementary Appropriation Bill (No.2) 2010/2011 &

2. Appropriation Bill 2011/2012 – second reading - Day 4

Members showed appreciation by applauding after Responses by Hon Faamoetaulua Ulaitino Faale Tumaalii and Hon Magele Mauiliu.

Proceedings of the Legislative Assembly was suspended at 10:47am and resumed at 11:25am.

Debate continued for Minister of Health.

Members of Parliament have expressed their approval and appreciation by clapping their hands after the Minister of Health and Hon Tuitama Talaelei Tuitama's speeches.

Proceedings of the Legislative Assembly was suspended at 1:00pm and resumed at 6:00pm.

Proceedings of the Legislative Assembly resumed at 6:00pm.

Maiden speech for Hon Le Mamea Ropati continued.

Members of Parliament have expressed their approval and appreciation by clapping their hands after Hon Le Mamea Ropati & Tolofuaivalelei Falemoe Leiataua's speeches.

Debate resumed.

Proceedings of the Legislative Assembly was suspended at 7:58pm and resumed at 8:40pm.

Debate continued.

Members applauded to show appreciation and approval of the maiden speeches of the following Ministers: - Hon Tuisugaletaua Sofara Aveau, Hon Faumuina Tiatia Liuga, Hon Tuiloma Lameko, Hon Fiamé Naomi Mataafa, Hon Fonotoe Nuafesili Pierre Lauofo, Hon Tolofuaivalelei Falemoe Leiataua, Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi.

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, *“That we now consider the Appropriation Bill.”*

Question was not put.

- 5. Proceedings of the Legislative Assembly adjourned at 10:52 pm until 9:00am on Friday, 24th June 2011.**

**Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER**

**Afioga Fepuleai Attila M. Ropati
CLERK**

FRIDAY, 24th JUNE 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi.

CABINET

Susuga Hon Tuilaepa Sailele Malielegaoi, Afioga Fonotoe Nuafesili Pierre Laufofo, Afioga Hon Fiaame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Afioga Hon Faamoetaulaoa Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaiomanu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Tuiloa Anitelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututaga Faamausili Auimatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. MEMBERS ABSENT:

Afioga Motuopuaa Aisoli Vaai.

3. The Legislative Assembly met at 9:00 am.

4. Mr Speaker took the Chair and said the Prayers.

5. MESSAGE FROM LE AO O LE MALO.

1. Mr Speaker communicated the text of the Message from Le Ao o le Malo permitting the Assembly to consider the following Bills:-

1. Liquor Bill 2011.
2. Stamp Duty Amendment Bill 2011.
3. Public Bodies (Performance and Accountability) Amendment Bill 2011.
4. Tourism Development Bill 2011.
5. Land and Titles Amendment Bill 2011.

6. CERTIFICATE OF URGENCY.

Mr Speaker announced the Certificate of Urgency to the:

1. Liquor Bill 2011.

BUSINESS, STANDING ORDERS, HOUSE AND ELECTORAL COMMITTEE MOTION.

CHANGE TO MEMBERS OF STANDING SELECT COMMITTEES.

Agafili Patisela Eteuati Tolovaa (Deputy Chairman of the Business, Standing Orders, House and Electoral Committee) moved, *“That this Assembly approves the changes made hereunder to the election of Members of Parliamentary Committees due to unforeseen circumstances.”* Seconded by Hon Palusalua Faapo II / Lafaitale Patrick Leiatuaalesa.

“1. BUSINESS, STANDING ORDERS, HOUSE AND ELECTORAL COMMITTEE

1.	SPEAKER	-	Chairman
2.	DEPUTY SPEAKER	-	Deputy Chairman
3.	Hon Tuilaepa Lupesoliai Aiono Sailele Malielegaoi	-	Prime Minister
4.	Hon Palusalua Faapo II	-	Leader Opposition
5.	Tofa Lefau Harry Schuster	-	Member
6.	Tofa Lealailepule Rimoni Aiafi	-	Member
7.	Hon Tuuu Anasii Leota	-	Member

2. FINANCE AND EXPENDITURE COMMITTEE

1.	Hon Papaliitele Niko Lee Hang	-	Chairman
2.	Afioga Tafua Maluelue Tafua	-	Deputy Chairman
3.	Afioga Taefu Lemi	-	Member
4.	Afioga Tialavea Fea Tionisio Seigafolava	-	Member
5.	Hon Palusalua Faapo II	-	Member
6.	Afioga Afualo Wood Uti Salele	-	Member
7.	Tofa Lealailepule Rimoni Aiafi	-	Member

- 3. HEALTH & SOCIAL SERVICES, INTERNAL AFFAIRS AND COMMUNITY AND SOCIAL DEVELOPMENT COMMITTEE**
1. Hon Gatoloaifaana Amataga Alesana-Gidlow - Member
 2. Afioga Ifopo Matia Filisi - Member
 3. Tofa Sooalo Mene - Member
 4. Afioga Tuisa Tasi Patea - Member
 5. Hon Aeau Peniamina Leavaiseeta - Member
 6. Tofa Motuopuaa Uifagasa Aisoli Vaai - Member
 7. Tofa Aveau Nikotemo Palamo - Member
- 4. EDUCATION, SCIENCE, COMMUNICATION AND INFORMATION TECHNOLOGY**
1. Tofa Lenatai Victor Faafoi Tamapua - Member
 2. Tofa Tusa Misi Tupuola - Member
 3. Afioga Peseta Vaifou Tevaga - Member
 4. Afioga Levaopolo Talatonu - Member
 5. Tofa Aveau Nikotemo Palamo - Member
 6. Tofa Tuileutu Alavaa Voi - Member
 7. Afioga Ifopo Matia Filisi - Member
- 5. JUSTICE, POLICE & PRISONS AND LAND & TITLES COMMITTEE**
1. Afioga Tuisa Tasi Patea - Member
 2. Afioga Afoafouvale John Moors - Member
 3. Afioga Lafaitale Patrick Leiataualesa - Member
 4. Afioga Papalii Lio Faavaivaio manu Taeu Masepau - Member
 5. Tofa Lefau Harry Schuster - Member
 6. Tofa Tapuai Toese Ah Sam - Member
 7. Tofa Lenatai Victor Faafoi Tamapua - Member
- 6. PRIMARY PRODUCTION, COMMERCE, INDUSTRY AND LABOUR COMMITTEE**
1. Hon Leaupepe Toleafoa Apulu Faafisi - Chairman
 2. Afioga Maualaivao Pat Ah Him - Deputy Chairman
 3. Tofa Tuiloa Anitelea - Member
 4. Afioga Tialavea Fea Tionisio Seigafolava - Member
 5. Afioga Afualo Wood Uti Salele - Member
 6. Hon Aeau Peniamina Leavaiseeta - Member
 7. Tofa Aveau Nikotemo Palamo - Member
- 7. GOVERNMENT ADMINISTRATION COMMITTEE**
1. Afioga Muagututagata Faamausili Peter Ah Him - Member
 2. Hon Tuuu Anasii Leota - Member
 3. Hon Aeau Peniamina Leavaiseeta - Member
 4. Tofa Motuopuaa Uifagasa Aisoli Vaai - Member
 5. Afioga Tafua Maluelue Tafua - Member

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| 6. | Tofa Sooalo Mene | - | Member |
| 7. | Tofa Tapuai Toese Ah Sam | - | Member |
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| 8. | WORKS, TRANSPORT AND ENVIRONMENT COMMITTEE | | |
| 1. | Tofa Tusa Misi Tupuola | - | Member |
| 2. | Afioga Afoafouvale John Moors | - | Member |
| 3. | Afioga Peseta Vaifou Tevaga | - | Member |
| 4. | Hon Leaupepe Toleafoa Apulu Faafisi | - | Member |
| 5. | Afioga Toeolesulusulu Cedric Pose Salesa Schuster | - | Member |
| 6. | Tofa Lealailepule Rimoni Aiafi | - | Member |
| 7. | Tofa Levaopolo Talatonu | - | Member |
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| 9. | FOREIGN AFFAIRS, TRADE AND REVENUE COMMITTEE | | |
| 1. | Afioga Tuisa Tasi Patea | - | Member |
| 2. | Tofa Sooalo Mene | - | Member |
| 3. | Tofa Lenatai Victor Faafoi Tamapua | - | Member |
| 4. | Hon Gatoloaifaana Amataga Alesana-Gidlow | - | Member |
| 5. | Afioga Toeolesulusulu Cedric Pose Salesa Schuster | - | Member |
| 6. | Afioga Papalii Lio Faavaivaiomanu Taeu Masepau | - | Member |
| 7. | Afioga Afualo Wood Uti Salele | - | Member |
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| 10. | REGULATIONS REVIEW COMMITTEE | | |
| 1. | Afioga Tafua Maluelue Tafua | - | Member |
| 2. | Afioga Maualaivao Pat Ah Him | - | Member |
| 3. | Afioga Lafaitale Patrick Leiataualesa | - | Member |
| 4. | Tofa Levaopolo Talatonu | - | Member |
| 5. | Tofa Tuileutu Alavaa Voi | - | Member |
| 6. | Afioga Papalii Lio Faavaivaiomanu Taeu Masepau | - | Member |
| 7. | Afioga Peseta Vaifou Tevaga | - | Member |
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| 11. | OFFICERS OF PARLIAMENT COMMITTEE. | | |
| 1. | Tofa Agafili Patisela Eteuati Tolovaa | - | Member |
| 2. | Hon Papaliitele Niko Lee Hang | - | Member |
| 3. | Afioga Taefu Lemi | - | Member |
| 4. | Afioga Muagututagata Faamausili Peter Ah Him | - | Member |
| 5. | Hon Aeau Peniamina Leavaiseeta | - | Member |
| 6. | Afioga Toeolesulusulu Cedric Pose Salesa Schuster | - | Member |
| 7. | Afioga Motuopuaa Uifagasa Aisoli Vaai | - | Member |
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| 12. | PRIVILEGES AND ETHICS COMMITTEE. | | |
| 1. | Hon Tuilaepa Lupesoliai Sialele Malielegaoi - Prime Minister | | |
| 2. | Hon Palusalua Faapo II | - | Leader Opposition |
| 3. | Tofa Tuiloa Anitelea | - | Member |
| 4. | Afioga Peseta Vaifou Tevaga | - | Member |
| 5. | Hon Leaupepe Toleafoa Apulu Faafisi | - | Member |

6. Afioa Ifopo Matia Filisi	-	Member
7. Tofa Lefau Harry Schuster	-	Member
8. Tofa Tapuai Toese Ah Sam	-	Member
9. Tofa Tuileutu Alavaa Voi	-	Member”

Motion approved and the Assembly approved the selection of Members of Standing Select Committees of Parliament as listed in the motion.

7. **GOVERNMENT ORDERS OF THE DAY – Reading of Bills.**

Government Order of the Day No.1 called.

1. Supplementary Appropriation Bill (No.2) 2010/2011 – second reading Day 5.

Motion moved on 31 May 2011 was approved and the Supplementary Appropriation Bill (No.2) 2010/2011 was read a second time.

Government Order of the Day No.2 called.

2. Appropriation Bill 2011/2012 – second reading.

Motion moved on 31 May 2011 was approved and the Appropriation Bill 2011/2012 – consideration in detail

**FIRST SCHEDULE
VOTES AND APPROPRIATIONS**

MINISTRY	TOTAL ADDITIONAL EXPENDITURE
EDUCATION, SPORTS AND CULTURE:	\$221,911
<i>Approved.</i>	
HEALTH:	\$2,267,273
<i>Approved.</i>	
NATURAL RESOURCES:	\$ 5,818,471
<i>Approved.</i>	
TOTAL OVERALL ADDITIONAL EXPENDITURES 2010/2011:	\$8,307,655

**SECOND SCHEDULE
REDUCTIONS IN APPROPRIATIONS**

MINISTRY: **REDUCTION IN EXPENDITURE:**

EDUCATION, SPORTS AND CULTURE: **\$(221,911)**

Approved.

NATURAL RESOURCES AND ENVIRONMENT: **\$(2,474,067)**

Approved.

TOTAL OVERALL REDUCTION IN EXPENDITURES 2010/2011: **\$(2,695,972)**

Approved.

Schedule approved as part of Act.

CLAUSE 2: **Grant and Appropriation of \$8,307,655 out of the Treasury Fund.**

Approved.

CLAUSE 3: **Reduction of amounts earlier appropriated and re-allocation to other outputs and sub-outputs.**

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: **Short Title and Commencement.**

TITLE: **Supplementary Appropriation (No.2) 2010/2011.**

Approved.

The Supplementary Appropriation Bill (No.2) be 2010/2011 progressed without amendment.

Government Order of the Day No.4 called.

4. Supplementary Appropriation Bill (No.2) 2010/2011 – third reading.

Hon Faumuina Tiatia Liuga (Minister of Finance) moved, *“That the Supplementary Appropriation Bill (No.2) 2010/2011 be now read a third time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiatua.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No.5 called.

5. Appropriation Bill 2011/2012 – consideration in detail.

**SCHEDULE
VOTES AND APPROPRIATIONS**

MINISTRY	APPROPRIATIONS
AGRICULTURE:	\$12,438,167.
Debate.	
<i>Approved \$12,438,167 for Agriculture.</i>	
BUSINESS, INDUSTRY AND LABOUR:	\$17,601,655
<i>Approved.</i>	
COMMUNICATION AND INFORMATION TECHNOLOGY:	\$3,928,340
Debate.	
<i>Approved \$3,928,340 for Communication and Information Technology.</i>	
EDUCATION, SPORTS AND CULTURE:	\$86,926,672
<i>Approved.</i>	
FINANCE:	\$61,844,657
Debate.	
<i>Approved \$61,844,657 for Finance.</i>	
FOREIGN AFFAIRS AND TRADE:	\$18,968,460
<i>Approved.</i>	

HEALTH: \$69,064,202

Approved.

JUSTICE AND COURTS ADMINISTRATION: \$8,566,038

Approved.

NATURAL RESOURCES AND ENVIRONMENT: \$27,124,622

Debate.

Approved \$27,124,622 for Natural Resources and Environment.

POLICE & PRISONS: \$24,563,216

Debate.

Approved \$24,563,216 for Police & Prisons.

PRIME MINISTER: \$7,572,094

Approved.

REVENUES: \$9,144,443

Approved.

WOMEN, COMMUNITY & SOCIAL DEVELOPMENT: \$9,633,408

Debate.

Approved \$9,633,408 for Women, Community & Social Development.

Proceedings of the Legislative Assembly were suspended at 10:47am and resumed at 11:20am.

WORKS, TRANSPORT AND INFRASTRUCTURE: \$53,984,522

Debate.

Approved \$53,984,522 for Works, Transport and Infrastructure.

ATTORNEY GENERAL:	\$2,770,049
<i>Approved.</i>	
AUDIT:	\$2,991,627
<i>Approved.</i>	
ELECTORAL COMMISSION:	\$1,344,787
<i>Approved.</i>	
LEGISLATIVE:	\$4,311,558
Debate.	
<i>Approved \$4,311,558 for Legislative.</i>	
OMBUDSMAN:	\$568,633.
<i>Approved.</i>	
PUBLIC SERVICE COMMISSION:	\$3,252,295
<i>Approved.</i>	
STATISTICS BUREAU:	\$3,701,009
<i>Approved.</i>	
LAW REFORM COMMISSION:	\$650,368
<i>Approved.</i>	
TOTAL OF ESTIMATED EXPENDITURES FOR MINISTRIES	
2011-2012:	\$430,950,822
<i>Approved.</i>	
<i>Schedule approved.</i>	
CLAUSE 2:	Grant and Appropriation of \$430,950,822 out of Treasury Fund.

Approved.

CLAUSE 3: Grant and Appropriation of \$576,003 out of the Public Trustee's Account

Approved.

CLAUSE 4: Grant and Appropriation of \$12,928,525 out of the Treasury's Account.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement.

TITLE: Appropriation 2011/2012.

Approved.

The Appropriation Bill 2011/2012 progressed without amendment.

Government Order of the Day No.6 called.

6. Appropriation Bill 2011/2012 – third reading.

Hon Faumuina Tiatia Liuga moved, “That the Appropriation Bill 2011/2012 be now read a third time.” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

MOTION OF ADJOURNMENT

Hon Tuilaepa Sailele Malielegaoi moved, “That the Assembly do now adjourn until Monday for our next meeting.” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tolofuaivalelei Falemoe Leiataua.

- 9. Proceedings of the Legislative Assembly adjourned at 11:54 at noon until Monday, 27th June 2011.**

**Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER**

**Afioga Fepuleai Attila M. Ropati
CLERK**

MONDAY, 27th JUNE 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi.

CABINET

Susuga Hon Tuilaepa Sailele Malielegaoi, Afioga Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiamé Naomi Mataafa, Tofa Hon Tuiloma Laméko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Magele Mauiliu, Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati, Tofa Agafili Patisela Eteuati Tolovaa.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Afioga Motuopuaa Aisoli Vaai, Tofa Tapuai Toese Ah Sam, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Susuga Papalii Lio Faavaivaio manu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Tofa Tuiloa Anitelea, Afioga Lafaitete Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Sooalo Mene, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Tofa Tusa Misi Tupuola, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Auimatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Hon Papaliitele Niko Lee Hang.

2. MEMBERS ABSENT:

Afioga Hon Tuitama Talalelei Tuitama, Tofa Hon Tuuu Anasii Leota, Tofa Lealailepule Rimoni Aiafi, Afioga Hon Palusalua Faapo II, Afioga Maualaivao Pat Ah Him.

3. The Assembly met at 9:00am.

4. Mr Speaker took the Chair and said the Prayers.

5. GOVERNMENT ORDERS OF THE DAY – Reading of Bills.

Government Order of the Day No.1 called.

1. International Date Line Bill 2011 – consideration in detail.

Hon Leaupepe Toleafoa Apulu Faafisi (Chairman of Primary Production, Commerce, Industry and Labour Committee) moved, *“That the Assembly approves the Committee’s Report which recommends that the International Date Line Bill progresses without amendment.”* Seconded by Lafaitale Patrick Leiatuaalesa.

Motion approved.

CLAUSE 2: Act binds the Government.

Approved.

CLAUSE 3: Interpretation.

Approved.

CLAUSE 4: Samoa standard time.

Debate.

Clause 4 approved.

CLAUSE 5: International Date Line.

Approved.

CLAUSE 6: Deeming provisions.

Approved.

CLAUSE 7: Calculation of interest.

Approved.

CLAUSE 8: Effect of pay and allowances.

Approved.

CLAUSE 9: Offence and penalty.

Approved.

CLAUSE 10: Maps, charts and atlases.

Approved.

CLAUSE 11: Non-liability of Government.

Approved.

CLAUSE 12: Consequential Amendments.

Debate.

Clause 12 approved.

SCHEDULE.

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement.

TITLE: International Date Line 2011

Approved.

The International Date Line Bill 2011 be progressed without amendments.

Government Order of the Day No.2 called.

2. Liquor Bill 2011 – first reading.

Hon Tuiloma Lameko (Minister for Revenue) moved, “*That the Liquor Bill 2011 be read a first time.*” Seconded by Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read a first time.

Government Order of the Day No.3 called.

3. Stamp Duty Amendment Bill 2011 – first reading.

Hon Faumuina Tiatia Liuga (Minister of Finance) moved, “*That the Stamp Duty Amendment Bill 2011 be read a first time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read a first time.

Government Order of the Day No.4 called.

4. Public Bodies (Performance and Accountability) Amendment Bill 2011 – first reading.

Hon Faumuina Tiatia Liuga moved, *“That the Public Bodies (Performance and Accountability) Amendment Bill 2011 be read a first time.”* Seconded by Hon Tolofuaivalelei Falemoe Leiatua.

Motion approved and the Bill was read a first time.

Government Order of the Day No.5 called.

5. Land and Titles Amendment Bill 2011 – first reading.

Hon Fiamē Naomi Mataafa (Minister of Justice and Courts Administration) moved, *“That the Land and Titles Amendment Bill 2011 be now read a first time.”* Seconded by Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a first time.

Government Order of the Day No.6 called.

6. Tourism Development Bill 2011 – first reading.

Hon Tuilaepa Sailele Malielegaoi (Prime Minister) moved, *“That the Tourism Development Bill 2011 be now read a first time.”* Seconded by Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a first time.

Government Order of the Day No.7 called.

7. Liquor Bill 2011 – second reading.

Hon Tuiloma Lameko moved, *“That the Liquor Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Fiamē Naomi Mataafa / Hon Tuisugaletaua Sofara Aveau.

The Minister clarified the Bill.

Debate.

Hon Tuilapa Sailele Malielegaoi moved, *“To refer the Liquor Bill 2011 to the Committee for further considerations.”* Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tuiloma Lameko / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Liquor Bill 2011 was read a second time.

MOTION TO SUSPEND STANDING ORDERS.

Hon Tuilaepa Sailele Malielegaoi moved, *“To suspend Standing Orders 107(4) to permit the third reading of the International Date Line Bill 2011 this sitting day.”* Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tuisugaletaua Sofara Aveau.

Motion approved

Government Order of the Day No.8 called.

8. International Date Line Bill 2011 – third reading.

Hon Fonotoe Nuafesili Pierre Lauofo (Minister of Commerce, Industry and Labour) moved, “That the International Date Line Bill 2011 be now read a third time.”
Seconded by Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

MOTION FOR ADJOURNMENT.

Hon Tuilaepa Sailele Malielegaoi moved, “To officially close this Meeting until our next scheduled Sitting day then we will touch upon lapsed business from this meeting together with other businesses that will follow.”

The Deputy Leader of the Opposition, Hon Aeau Peniamina Leavaiseeta said a few words in response to the Prime Minister’s speech.

- 6. Proceedings of the Legislative Assembly adjourned at 10:38 am until 9:00am on Tuesday, 9th August 2011 pursuant to Parliament Sitting Program 2011.**

Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER

Fepuleai Attila M. Ropati.
CLERK

TUESDAY, 9th AUGUST 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Sailele Malielegaoui, Afioga Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiaame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiateaua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Afioga Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Hon Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Susuga Papalii Faavaivaiomanu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifuli Taveuveu, Afioga Lafaitale Patrick Leiateaualesa, Afioga Tuisa Tasi Patea, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Auimatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Hon Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati.

2. MEMBERS ABSENT:

Afioga Motuopuaa Uifagasa Aisoli Vaai, Tofa Lealailepule Rimoni Aiafi, Afioga Hon Palusalua Faapo II, Tofa Tuiloa Anitelea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Sooalo Mene, Tofa Tusa Misi Tupuola.

3. The Legislative Assembly met at 9:00 am.

4. Mr Speaker took the Chair and said the Prayers.

5. SWEARING-IN OF NEW MEMBERS.

Mr Speaker read out the Code of Parliamentary Ethics while the members were upstanding. Speaker conducted the sworn in the Oath of Allegiance.

1. Tofa ALO Fulifuli Taveuveu,
2. Tofa LAUTAFI Fio Selafi Purcell,
3. Afioga TUFUGA Gafualeata Faitua and
4. Tofa FAGAAIVALU Kenrick Samu were

The House showed contentment and applauded to welcome the new members.

6. MESSAGE FROM LE AO O LE MALO.

Mr Speaker communicated the text of the Message from Le Ao o le Malo permitting the Legislative Assembly to consider the following Bills.

1. SEG International Enterprise 2011.
2. Accident Compensation Amendment Bill 2011.
3. Cluster Munition Prohibition Bill 2011.
4. Limitation Amendment Bill 2011.
5. Airport Authority Bill 2011.
6. Customs Tariff Amendment Bill 2011.
7. Excise Tax Rate Amendment Bill 2011.
8. Incorporated Societies Amendment Bill 2011.
9. Foreign Investment Amendment Bill 2011.
10. Composition of Boards of Public Bodies Bill 2011.

7. CERTIFICATE OF URGENCY

Mr Speaker tabled the Certificate of Urgency of the Bill submitted and report back to the Legislative Assembly on Tuesday, 9th August 2011.

1. P.P.2011/2012 No.32, Report of the Study Group on the Role of Small Island & Developing States' Parliaments and Climate Change Session, Zanzibar, Tanzania 17th – 19th May 2011.
2. P.P.2011/2012 No.37, 21st Session of the Joint Parliamentary Assembly (JPA) and 24th Session of the ACP-EU Parliamentary Assembly, Budapest, Hungary 11–18 May 2011.

8. PRESENTATION OF PAPERS

1. The Speaker tabled the following reports:
 1. P.P. 2011/2012 No.32, Report of the Study Group on the Role of Small Island & Developing States' Parliaments and Climate Change Session Zanzibar, Tanzania on 17- 19 May 2011.
 2. P.P. 2011/2012 No.37, 21st Session of the Joint Parliamentary Assembly (JPA) and 24th Session of the ACP-EU Parliamentary Asembly ACP and EU, Budapest, Hungary 11-18 May 2011.
 3. P.P. 2011/2012 No.41, Legislative Needs Assessment Paper of the Department of the Legislative Assembly.
2. The Clerk read out the following Papers tabled in accordance with Standing Order 48.

1. S.R.2011/12, Notice of Charge on Base Tariff for the Supply of Electricity (No.7) 2011.
2. S.R.2011/13, Notice of Charge on Base Tariff for the Supply of Electricity (No.8) 2011.
3. S.R.2011/14, General Price Order (No.3) 2011.
4. P.P.2011/2012 No.30, Betting (Totalisator) Agency Board Financial Statements for the Year ended 30 June 2010.
5. P.P.2011/2012 No.31, Annual Report of the Samoa International Finance Authority (SIFA) for the year 2008.
6. P.P.2011/2012 No.33, SNPF Statement of Corporate Objectives 2012- 2014.
7. P.P.2011/2012 No.34, Scientific Research Organisation of Samoa Annual Report for 2009-2010.
8. P.P.2011/2012 No.35, Samoa Trust Estates Corporation 48th Annual Report & Accounts for the Year ended 30th June 2010.
9. P.P.2011/2012 No.36, Samoa Ports Authority Annual Report for 2009- 2010.
10. P.P.2011/2012 No.38, Ministry of Justice and Courts Administration Annual Report for 2009-2010.

9. **PRESENTATION OF SELECT COMMITTEES REPORTS.**

The Clerk read out the Select Committees Reports tabled in accordance with Standing Order 48.

1. P.P.2011/2012 No.39, Report of the Government Administration Committee on P.P.2011/2012 No.5, Annual Report of the Public Service Commission for Years 2008-2010.
2. P.P.2011/2012 No.40, Report of the Works, Transport and Environment Committee on P.P.2011/2012 No.3, Samoa Water Authority Statement of Corporate Objectives and Corporate Plan for the Years 2011-2013 and P.P.2011/2012 No.21, Samoa Water Authority Annual Report for the Year July 2008-June 2009.

10. **GOVERNMENT ORDERS OF THE DAY – Reading of Bills.**

Government Order of the Day No.1 called.

1. SEG International Enterprise Bill 2011 – first reading.

Hon Tuilaepa Sailele Malielegaoi (Prime Minister) moved, *“That the SEG International Enterprise Bill 2011 be now read a first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read a first time.

Government Order of the Day No.2 called.

2. Accident Compensation Amendment Bill 2011 – first reading.

Hon Faumuina Tiatia Liuga (Minister of Finance) moved, *“That the Accident Compensation Amendment Bill 2011 be now read a first time.”* Seconded by Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read a first time.

Government Order of the Day No.3 called.

3. Cluster Munition Prohibition Bill 2011 – first reading.

Hon Tuilaepa Sailele Malielegaoi moved, *“That the Cluster Munition Prohibition Bill 2011 be now read a first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a first time.

Government Order of the Day No.4 called.

4. Limitation Amendment Bill 2011 – first reading.

Hon Tuilaepa Sailele Malielegaoi moved, *“That the Limitation Amendment Bill 2011 be now read a first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a first time.

Government Order of the Day No.5 called.

5. Airport Authority Bill 2011 – first reading.

Hon Manualesagalala Enokati Posala (Minister of Works, Transport and Infrastructure) moved, *“That the Airport Authority Bill 2011 be now read a first time.”* Seconded by Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read a first time.

Government Order of the Day No.6 called.

6. Customs Tariff Amendment Bill 2011 – first reading.

Hon Tuiloma Lameko (Minister for Revenue) moved, *“That the Customs Tariff Amendment Bill 2011 be now read a first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a first time.

Government Order of the Day No.7 called.

7. Excise Tax Rate Amendment Bill 2011 – first reading.

Hon Tuiloma Lameko moved, *“That the Excise Tax Rate Amendment Bill 2011 be now read a first time.”* Seconded by Hon Faumuina Tiatia Liuga / Hon Fonotoe Nuafesili Pierre Lauofo.

Government Order of the Day No.8 called.

8. Incorporated Societies Amendment Bill 2011 – first reading.

Hon Fonotoe Nuafesili Pierre Lauofo (Minister of Commerce, Industry and Labour) moved, *“That the Incorporated Societies Amendment Bill 2011 be now read a first time.”* Seconded by Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a first time.

Government Order of the Day No.9 called.

9. Foreign Investment Amendment Bill 2011 – first reading.

Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That the Foreign Investment Amendment Bill 2011 be now read a first time.”* Seconded by Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a first time.

Government Order of the Day No.10 called.

10. Composition of Boards of Public Bodies Bill 2011 – first reading.

Hon Faumuina Tiatia Liuga moved, *“That the Composition of Boards of Public Bodies Bill 2011 be now read a first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo.

Motion approved and the Bill was read a first time.

Government Order of the Day No.11 called.

11. Stamp Duty Amendment Bill 2011 – second reading.

Hon Faumuina Tiatia Liuga moved, *“That the Stamp Duty Amendment Bill 2011 be now read the second time and I wish to clarify it.”* Seconded by Hon Tuisugaletau Sofara Aveau.

Hon Faumuina Tiatia Liuga clarified the Bill.

The Stamp Duty Amendment Bill 2011 was read a second time.

Government Order of the Day No.12 called.

12. Public Bodies (Performance and Accountability) Amendment Bill 2011 – second reading.

Hon Faumuina Tiatia Liuga moved, *“That the Public Bodies (Performance and Accountability) Amendment Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Tuisugaletau Sofara Aveau.

The Minister clarified the Bill.

Debate.

Motion approved and the Public Bodies (Performance and Accountability) Amendment Bill 2011 was read a second time.

Government Order of the Day No.13 called.

13. Land and Titles Amendment Bill 2011 – second reading.

Hon Fiame Naomi Mataafa (Minister of Justice and Courts Administration) moved, *“That the Land and Titles Amendment Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Faumuina Tiatia Liuga.

The Minister clarified the Bill.

Debate.

Motion approved and the Land and Titles Amendment Bill 2011 was read a second time.

The Bill was referred to the Justice, Police & Prisons and Land & Titles Committee for considerations and report back to Parliament in the next meeting.

Government Order of the Day No.14 called.

14. Tourism Development Bill 2011 – second reading.

Hon Tuilaepa Sailele Malielegaoi moved, “*That the Tourism Bill 2011 be now read a second time and I would like to clarify it.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

The Prime Minister clarified the Bill.

ANNOUNCEMENT BY MR SPEAKER

Mr Speaker announced to the Parliament the presence of the Australian Delegation (Australia Federal Parliament) this morning.

Members showed appreciation by applauding to welcome the delegation from Australia.

Proceedings of the Legislative Assembly was suspended at 10:40am and resumed at 11:16am.

Debate on Tourism Development Bill 2012 continued.

Motion approved and the Tourism Development Bill 2011 was read a second time.

Government Order of the Day No.15 called.

15. SEG International Enterprise Bill 2011 – second reading.

Hon Tuilaepa Sailele Malielegaoi moved, “*That the SEG International Enterprise Bill 2011 be now read a second time and I would like to clarify it.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

The Prime Minister clarified the Bill.

Motion approved and the SEG International Enterprise Bill 2011 was read a second time.

Government Order of the Day No.16 called.

16. SEG International Enterprise Bill 2011 – consideration in detail.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Act to bind the Government.

Approved.

CLAUSE 4: Object of the Act.

Approved.

CLAUSE 5: Permits for employees etc of the Overseas Company.

Approved.

CLAUSE 6: Income tax exemption.

Approved.

CLAUSE 7: Departure tax exemption.

Approved.

CLAUSE 8: Exemption from foreign investment requirements.

Approved.

CLAUSE 9: Value added goods and services tax exemption.

Approved.

CLAUSE 10: Restriction on sale or gift of exempt goods by Local Company.

Approved.

CLAUSE 11: Exemption on imported goods.

Approved.

CLAUSE 12: Restriction on sale or gift of imported goods.

Approved.

CLAUSE 13: Reports and accounts.

Approved.

CLAUSE 14: Repeal of Act.

Approved.

SCHEDULE.

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement.

TITLE: SEG International Enterprise 2011.

Approved.

The SEG International Enterprise progressed without amendments.

Government Order of the Day No.17 called.

17. SEG International Enterprise Bill 2011 – third reading.

Hon Tuilaepa Sailele Malielegaoi moved, “*That the SEG International Enterprise Bill 2011 be now read a third time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No.18 called.

18. Foreign Investment Amendment Bill 2011 – second reading.

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Foreign Investment Amendment Bill 2011 be now read a second time and I would like to clarify it.*” Seconded by Hon Faumuina Tiatia Liuga.

The Minister clarified the Bill.

Motion approved and the Foreign Investment Amendment Bill 2011 was read a second time.

Government Order of the Day No.19 called.

19. Foreign Investment Amendment Bill 2011 – consideration in detail.

CLAUSE 2: Interpretation.

Debate

Clause 2 approved.

CLAUSE 3: Reserved List.

Approved.

CLAUSE 4: Restricted List.

Approved.

CLAUSE 5: Activities not otherwise restricted.

Approved.

CLAUSE 6: Insertion of new section 6A.

Approved.

CLAUSE 7: Functions of the Chief Executive Officer.

Approved.

CLAUSE 8: Insertion of new section 7A.

Approved.

CLAUSE 9: Receipt and approval of applications for foreign investment registration.

Approved.

CLAUSE 10: Insertion of new section 8A.

Approved.

CLAUSE 11: Duration of certificates.

Approved.

CLAUSE 12: Register of Foreign Investment.

Approved.

CLAUSE 13: Reports by Foreign Investment.

Approved.

CLAUSE 14: Insertion of new section 11A.

Approved.

CLAUSE 15: Cancellation of certificates.

Approved.

CLAUSE 16: Offences and Penalties.

Approved.

CLAUSE 17: Regulations.

Approved.

CLAUSE 18: Insertion of new section 19.

Approved.

CLAUSE 19: Schedules.

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement.

TITLE: Foreign Investment Amendment 2011.

Approved.

The Foreign Investment Amendment Bill 2011 now progressed without amendments.

Government Order of the Day No.20 called.

20. Foreign Investment Amendment Bill 2011 – third reading.

Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That the Foreign Investment Amendment Bill 2011 be now read a third time.”* Seconded by **Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leिताua.**

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

- 11. Proceedings of the Legislative Assembly now adjourned at 12:30 noon until 9:00am on Wednesday, 10th August 2011.**

Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER

Afioga Fepuelai Attila M. Ropati
CLERK

WEDNESDAY, 10th AUGUST 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi.

CABINET

Susuga Hon Tuilaepa Sailele Malielegaoui, Afioga Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiaataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Afioga Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Hon Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Tuileutu Alavaa Voi, Susuga Papalii Faavaivaiomanu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifuli Taveuveu, Afioga Lafaitele Patrick Leiauaulesa, Afioga Tuisa Tasi Patea, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Auimatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Hon Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati, Aveau Nikotemo Palamo.

2. MEMBERS ABSENT:

Tofa Lealailpule Rimoni Aiafi, Afioga Hon Palusalua Faapo II, Tofa Tuilola Anitelea, Tofa Tusa Misi Tupuola, Tofa Lenatai Victor Faafoi Tamapua, Afioga Motuopuaa Uifagasa Aisoli Vaai, Tofa Sooalo Mene.

3. The Legislative Assembly met at 9:00 am.

4. Mr Speaker took the Chair and said the Prayers.

5. MESSAGE FROM LE AO O LE MALO.

Mr Speaker communicated the Message from Le Ao o le Malo permitting the Legislative Assembly to consider the

1. **Customs Amendment Bill 2011.**

6. **PRESENTATION OF PAPERS.**
The Clerk read out the Papers as distributed pursuant to Standing Orders 48.
 1. **P.P.2011/2012 No.42, Samoa Airport Authority Annual Report for July 2001-June 2008**

7. **PRESENTATION OF SELECT COMMITTEE REPORTS.**
The Clerk read out the Select Committees Reports tabled pursuant to Standing Orders 51(5).
 1. **P.P. 2011/2012 No.43, Report of the Health and Social Services, Internal Affairs, Community and Social Development Committee on P.P.2011/2012 No.12, Annual Report of the Samoa Life Assurance Corporation for the Year ending 30th June 2010.**
 2. **P.P. 2011/2012 No.44, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2011/2012 No.15, Annual Report of the Ministry of Commerce, Industry and Labour for Financial Years July 2007-June 2008 and July 2008-June 2009.**

8. **GOVERNMENT ORDERS OF THE DAY – Reading of Bills.**
Government Order of the Day No.1 called.
 1. **Customs Amendment Bill 2011 – first reading.**
Hon Tuiloma Lameko (Minister for Revenue) moved, *“That the Customs Amendment Bill 2011 be now read a first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Laufofo / Hon Tolofuaivalelei Falemoe Leiautau.

Motion approved and the Bill was read a first time.

9. **CONSIDERATION OF SELECT COMMITTEES REPORTS.**
Order of the Day No.1 called.
 1. **P.P.2011/2012 No.39, Report of the Government Administration Committee on P.P.2011/2012 No.5, Annual Report of the Public Service Commission for Years 2008-2010.**
Hon Tuuu Anasii Leota (Chairman of the Government Administration Committee) moved, *“That the Assembly takes note of the Committee’s Report outlining its Findings, Recommendations and Resolutions.”* Seconded by Lafaitale Patrick Leiautaualesa.

The Chairman read out the Recommendations and Resolutions.

Debate.

Question put and was carried in the Affirmative, the motion was approved and P.P.2011/2012 No.39 stood approved.

Order of the Day No.2 called.
 2. **P.P.2011/2012 No.40, Report of the Works, Transport and Environment Committee on P.P.2011/2012 No.3, Samoa Water Authority Statement of Corporate**

Objectives and Corporate Plan for the Years 2011-2013 and P.P.2011/2012 No.21, Samoa Water Authority Annual Report for the Year July 2008-June 2009.

Afoafouvale John Moors (Deputy Chairman for Works, Transport and Environment Committee) moved, “That the Assembly takes note of the Committee’s Reports outlining its Findings, Resolutions and Recommendations.” Seconded by Ifopo Matia Filisi / Lafaitale Patrick Leiatuaalesa.

The Deputy Chairman read out the Recommendations.

Debate.

Proceedings of the Legislative Assembly was suspended at 10:47am and resumed at 11:16am.

Debate continued.

Question put and was carried in the Affirmative, the motion was approved and P.P.2011/2012 No.40 stood approved.

MR SPEAKER’S ANNOUNCEMENT

Mr Speaker announced a meeting with new Members after the Parliament Meeting. Mr Speaker also advised all members to support and take part in health programs carried out by the Samoa Parliamentary Advocacy Group on Healthy Living (SPAGHL).

- 10. Proceedings of the Legislative Assembly adjourned at 12:09 at noon until 9:00am on Monday, 3rd October 2011, pursuant to Parliament Sitting Hours Schedule 2011.**

**Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER**

**Afioga Fepuleai Attila M. Ropati
CLERK**

MONDAY 3rd OCTOBER 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Hon Laauli Leuatea Polataivao.

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Laufo, Afioga Hon Fiamé Naomi Mataafa, Tofa Hon Tuiloma Laméko, Afioga Hon Faumuina Tiatia Liuga, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Poese Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaio manu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Palusalua Faapo II, Afioga Tufuga Gafualeata Faitua, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifulu Taveuveu, Tofa Tuiloa Anetelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Sooalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Auimatagi Peter Ah Him, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. MEMBERS ABSENT:

Afioga Hon Tuisugaletaua Sofara Aveau, Afioga Hon Magele Mauiliu, Afioga Motuopuaa Uifagasa Aisoli Vaai, Afioga Hon Aeau Peniamina Leavaiseeta, Tofa Fagaivalu Kenrick Samu, Tofa Lenatai Victor Faafoi Tamapua, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow.

3. The Legislative Assembly met at 9:00am.

4. Mr Speaker took the Chair and said the Prayers.

5. MESSAGE FROM LE AO O LE MALO

Mr Speaker communicated the text of the Message from Le Ao o le Malo permitting the Legislative Assembly to consider the following Bills:-

1. Intellectual Property Bill 2011
2. Copyright Amendment Bill 2011
3. Customs Tariff Amendment (No.2) Bill 2011
4. Food and Drugs Amendment Bill 2011

6. CERTIFICATE OF URGENCY

Mr Speaker announced the Certificate of Urgency for the following Bills:-

1. Intellectual Property Bill 2011
2. Copyright Amendment Bill 2011
3. Customs Tariff Amendment (No.2) Bill 2011
4. Food and Drugs Amendment Bill 2011

7. OTHER ANNOUNCEMENTS BY MR SPEAKER

Mr Speaker announced the Parliamentary Special Committees.

1. SAMOA PARLIAMENTARY ADVOCACY GROUP FOR HEALTHY LIVING

1. Hon LAAULI Leuatea Polataivao Fosi
2. Hon FIAME Naomi Mataafa
3. Hon TOLOFUAIVALELEI Falemoe Leiataua
4. Hon TUITAMA Talalelei Tuitama
5. Hon GATOLOAIFAANA Amataga Alesana-Gidlow
6. Hon PALUSALUE Faapo II
7. LEALAILEPULE Rimoni Aiafi
8. TOEOLESULUSULU Cedric Pose Salesa Schuster
9. TUSA Misi Tupuola
10. SOOALO Mene
11. AFOAFOUVALE John Moors
12. LENATAI Victor Faafoi Tamapua

2. PARLIAMENTARY SPECIAL COMMITTEE ON POPULATION AND DEVELOPMENT

1. Hon LAAULI Leuatea Polataivao Fosi
2. Hon TOLOFUAIVALELEI Falemoe Leiataua
3. Hon AEAU Peniamina Leavaiseeta
4. AGAFILI Patisela Eteuati Tolovaa
5. TAFUA Maluelue Tafua
6. IFOPO Matia Filisi
7. PESETA Vaifou Tevaga
8. LEVAOPOLO Talatonu
9. PAPALII Lio Faavaivaiomanu Taeu Masepau
10. TAPUAI Toese Ah Sam
11. ALO Fulifuli Taveuveu
12. TUFUGA Gafualeata Faitua

3. SAMOA PARLIAMENTARY SPECIAL COMMITTEE ON MILLENIUM DEVELOPMENT GOALS

1. **Hon LAAULI Leuatea Polataivao Fosi**
2. **Hon PAPALIITELE Niko Lee Hang**
3. **MAUALAIVAO Pat Ah Him**
4. **TIALAVEA Fea Tionisio Seigafolava Hunt**
5. **TAEFU Lemi**
6. **TUISA Tasi Patea**
7. **AVEAU Nikotemo Palamo**
8. **AFUALO Wood Uti Salele**
9. **LEFAU Harry Schuster**
10. **TUILEUTU Alavaa Voi**
11. **LAUTAFI Fio Selafi Purcell**
12. **FAGAAIVALU Kenrick Samu**

8. OBITUARY NOTICES

1. Mr Speaker announced the passing away of Afioga PATAUAVE Etuale who was first elected as a Member of Parliament for the Constituency of Faleata East during Parliamentary Term XII, 1996 – 2001, following the appointment of Afioga MATAIA Visiesio as a member of the Council of Deputies in the year 1998.

Afioga PATAUAVE Etuale was re-elected during Parliament Term XIV in 2006 – 2011, following the passing away of Afioga MANULELEUA Lalagofaatasi Falaniko Leleua in the year 2007. He was the Associate Minister for the Ministry of Justice and Courts Administration.

Afioga PATAUAVE Etuale was a member of the following Parliamentary Select Committees:

1. House Committee.
 2. Justice, Police & Prisons and Land and Titles Committee.
 3. Parliamentary Ethics Committee.
 4. Primary Production, Commerce, Industry and Labour Committee; and
 5. Government Administration Committee.
2. Mr Speaker also announced the passing away of Afioga VUI Tupe Ioane who was first elected as Member of Parliament for the Constituency of Faasaleleaga No.4 during Parliamentary Term XIV, 2006 – 2011 where he was the Associate Minister for the Ministry of Agriculture and Fisheries.
- Afioga VUI Tupe Ioane was a member for the Justice, Police & Prisons, and Land and Titles Committee, the Government Administration Committee and the Regulations Review Committee.

The House observed a minute of silence as a gesture of respect for the members who had passed away.

9. PRESENTATION OF PAPERS.

The Clerk read out the following Papers tabled in accordance with Standing Order 48.

1. S.R. 2011/15, Excise Tax (Domestic Administration) Regulations 2011.
2. S.R. 2011/16, Customs Amendment Regulations 2011.
3. S.R. 2011/17, Land Transport Authority (National Road Account) Regulations 2008.
4. S.R. 2011/18, Notice of Charge on Base Tariff for the Supply of Electricity (No.9) 2011.
5. S.R. 2011/19, Notice of Charge on Base Tariff for the Supply of Electricity (No.10) 2011.
6. S.R. 2011/20, Notice – Immigration Act 2004, Amendment Fees and Charges.
7. S.R. 2011/21, Notice – Citizenship Act 2004, Amendment Forms, Fees and Charges.
8. S.R. 2011/22, Land Transport Authority (License Fees and Other Charges) Regulations 2011.
9. P.P. 2011/2012 No.45, Annual Report of the Samoa International Finance Authority (SIFA) for the year 2009.
10. P.P. 2011/2012 No.46, Annual Report of the Central Bank of Samoa July 2009-June 2010.
11. P.P. 2011/2012 No.54, Annual Report of the Ministry of Agriculture and Fisheries July 2009-June 2010.
12. P.P. 2011/2012 No.55, Annual Report of the Ministry of Agriculture and Forestry July 2009-June 2010.
13. P.P. 2011/2012 No.56, Corporate Plan of the Scientific Research Organization of Samoa for 2012-2014.

10. PRESENTATION OF SELECT COMMITTEES REPORTS

The Clerk read out the Select Committees Reports tabled in accordance with Standing Order 48.

1. P.P. 2011/2012 No.47, Report of the Foreign Affairs, Trade and Revenue Committee on the Liquor Bill 2011.
2. P.P. 2012/2012 No.48, Report of the Foreign Affairs, Trade and Revenue Committee on the Stamp Duty Amendment Bill 2011.
3. P.P. 2011/2012 No.49, Report of the Finance and Expenditure Committee on the Public Bodies (Performance and Accountability) Amendment Bill 2011.
4. P.P. 2011/2012 No.50, Report of the Finance and Expenditure Committee on P.P. 2011/2012 No.8, Annual Report of the Polynesian Airlines Co. Ltd for the Year 2010.
5. P.P. 2011/2012 No.51, Report of the Health & Social Services, Internal Affairs, Community and Social Development Committee on P.P. 2011/2012 No.6, Annual Report of the Ministry of Women, Community and Social Development for the Financial Years July 2007-June 2008 & July 2008-June 2009 and P.P. 2011/2012 No.7, Annual Report of the Ministry of Women, Community and Social Development for the Financial Year ended 30th June 2010.
6. P.P. 2011/2012 No.52, Report of the Health & Social Services, Internal Affairs, Community and Social Development Committee on P.P. 2011/2012 No.17, Annual Report of the Ministry of Health for the Financial Year ended 30th June 2009.
7. P.P. 2011/2012 No.53, Report of the Education, Science, Communication and Information Technology Committee on P.P. 2011/2012 No.9, Annual Report of the Scientific Research Organisation of Samoa for the Financial Year ended 30th June 2007, P.P. 2011/2012 No.10, Annual Report of the Scientific Research Organisation of Samoa for the Financial Year ended 30th June 2008, & P.P. 2011/2012 No.11, Annual

Report of the Scientific Research Organisation of Samoa for the Financial Year ended 30th June 2009.

11. MOTION BY THE BUSINESS, STANDING ORDERS, HOUSE AND ELECTORAL COMMITTEE.

MEMBERS OF STANDING SELECT COMMITTEES

Agafili Patisela Eteuati Tolovaa moved, *“That this Assembly approves the election of the Members shown hereunder for the Standing Select Committees of Parliament.”*
Seconded by Papaliitele Niko Lee Hang / Lafaitale Patrick Leiataualesa.

“1. BUSINESS, STANDING ORDERS, HOUSE AND ELECTORAL COMMITTEE

- | | | |
|---|---|-------------------|
| 1. FOFOGA FETALAI | - | Chairman |
| 2. SUI FOFOGA FETALAI | - | Deputy Chairman |
| 3. Hon TUILAIPA Fatialofa L.A.N.S Malielegaoi | - | Prime Minister |
| 4. Hon PALUSALUE Faapo II | - | Leader Opposition |
| 5. Tofa LEFAU Harry Schuster | - | Member |
| 6. Tofa LEALAILEPULE Rimoni Aiafi | - | Member |
| 7. Hon TUUU Anasii Leota | - | Member |

2. FINANCE AND EXPENDITURE COMMITTEE

- | | | |
|---|---|-----------------|
| 1. Hon PAPALIITELE Niko Lee Hang | - | Chairman |
| 2. Afioga TAFUA Maluelue Tafua | - | Deputy Chairman |
| 3. Afioga TAEFU Lemi | - | Member |
| 4. Afioga TIALAVEA Fea Tionisio Seigafolava | - | Member |
| 5. Hon PALUSALUE Faapo II | - | Member |
| 6. Afioga AFUALO Wood Uti Salele | - | Member |
| 7. Tofa LEALAILEPULE Rimoni Aiafi | - | Member |

3. HEALTH AND SOCIAL SERVICES, INTERNAL AFFAIRS, COMMUNITY AND SOCIAL DEVELOPMENT COMMITTEE

- | | | |
|---|---|-----------------|
| 1. Hon GATOLOAIFAANA Amataga Alesana-Gidlow | - | Chairman |
| 2. Hon AEAU Peniamina Leavaiseeta | - | Deputy Chairman |
| 3. Susuga IFOPO Matia Filisi | - | Member |
| 4. Tofa SOOALO Mene | - | Member |
| 5. Tofa ALO Fulifuli Taveuveu | - | Member |
| 6. Tofa MOTUOPUAA Uifagasa Aisoli Vaai | - | Member |
| 7. Tofa AVEAU Nikotemo Palamo | - | Member |

4. EDUCATION, SCIENCE, COMMUNICATION AND INFORMATION TECHNOLOGY COMMITTEE

- | | | |
|---------------------------------------|---|-----------------|
| 1. Tofa LENATAI Victor Faafoi Tamapua | - | Chairman |
| 2. Susuga IFOPO Matia Filisi | - | Deputy Chairman |
| 3. Tofa TUSA Misi Tupuola | - | Member |
| 4. Afioga TUFUGA Gafaleata Faitua | - | Member |
| 5. Tofa LEVAOPOLO Talatonu | - | Member |

- | | | |
|--------------------------------------|---|---------------|
| 6. Tofa AVEAU Nikotemo Palamo | - | Member |
| 7. Tofa TUILEUTU Alavaa Voi | - | Member |

5. JUSTICE, POLICE & PRISONS AND LAND & TITLES COMMITTEE

- | | | |
|--|---|------------------------|
| 1. Afioga TUISA Tasi Patea | - | Chairman |
| 2. Afioga AFOAFOUVALE John Moors | - | Deputy Chairman |
| 3. Afioga LAFATELE Patrick Leiataualesa | - | Member |
| 4. Susuga PAPALII Lio F. Taeu Masepau | - | Member |
| 5. Tofa LEFAU Harry Schuster | - | Member |
| 6. Tofa TAPUAI Toese Ah Sam | - | Member |
| 7. Tofa LENATAI Victor Faafoi Tamapua | - | Member |

6. PRIMARY PRODUCTION, COMMERCE, INDUSTRY AND LABOUR COMMITTEE

- | | | |
|--|---|------------------------|
| 1. Hon LEAUPEPE Toleafoa Apulu Faafisi | - | Chairman |
| 2. Afioga MAUALAIVAO Pat Ah Him | - | Deputy Chairman |
| 3. Tofa TUILOA Anitelea | - | Member |
| 4. Afioga TIALAVEA Fea Tionisio Seigafolava | - | Member |
| 5. Afioga AFUALO Wood Uti Salele | - | Member |
| 6. Hon AEAU Peniamina Leavaiseeta | - | Member |
| 7. Tofa AVEAU Nikotemo Palamo | - | Member |

7. GOVERNMENT ADMINISTRATION COMMITTEE

- | | | |
|---|---|------------------------|
| 1. Hon TUUU Anasii Leota | - | Chairman |
| 2. Hon AEAU Peniamina Leavaiseeta | - | Deputy Chairman |
| 3. Afioga MUAGUTUTAGATA Faamausili P. Ah Him | - | Member |
| 4. Tofa MOTUOPUAA Uifagasa Aisoli Vaai | - | Member |
| 5. Tofa LAUTAFI Fio Selafi Purcell | - | Member |
| 6. Tofa FAGAAIVALU Kenrick Samu | - | Member |
| 7. Tofa TAPUAI Toese Ah Sam | - | Member |

8. WORKS, TRANSPORT AND ENVIRONMENT COMMITTEE

- | | | |
|--|---|------------------------|
| 1. Tofa TUSA Misi Tupuola | - | Chairman |
| 2. Afioga AFOAFOUVALE John Moors | - | Deputy Chairman |
| 3. Afioga PESETA Vaifou Tevaga | - | Member |
| 4. Tofa FAGAAIVALU Kenrick Samu | - | Member |
| 5. Afioga TOEOLESULUSULU Cedric P.S. Schuster | - | Member |
| 6. Tofa LEALAILEPULE Rimoni Aiafi | - | Member |
| 7. Tofa LEVAOPOLO Talatonu | - | Member |

9. FOREIGN AFFAIRS, TRADE AND REVENUE COMMITTEE

- | | | |
|---|---|------------------------|
| 1. Tofa SOOALO Mene | - | Chairman |
| 2. Afioga AFUALO Wood Uti Salele | - | Deputy Chairman |
| 3. Afioga TUISA Tasi Patea | - | Member |

- | | | |
|---|---|--------|
| 4. Tofa LAUTAFI Fio Selafi Purcell | - | Member |
| 5. Hon GATOLOAIFAANA Amataga Alesana-Gidlow | - | Member |
| 6. Afioga TOEOLESULUSULU Cedric P.S. Schuster | - | Member |
| 7. Susuga PAPALII Lio F. Taeu Masepau | - | Member |

10. REGULATIONS REVIEW COMMITTEE

- | | | |
|---|---|-----------------|
| 1. Afioga TAFUA Maluelue Tafua | - | Chairman |
| 2. Afioga PAPALII Lio F. Taeu Masepau | - | Deputy Chairman |
| 3. Afioga MAUALAIVAO Pat Ah Him | - | Member |
| 4. Afioga LFAITELE Patrick Leiataualesa | - | Member |
| 5. Tofa LEVAOPOLO Talatonu | - | Member |
| 6. Tofa TUILEUTU Alavaa Voi | - | Member |
| 7. Afioga TUFUGA Gafualeata | - | Member |

11. OFFICERS OF PARLIAMENT COMMITTEE

- | | | |
|--|---|-----------------|
| 1. Afioga MUAGUTUTAGATA Faamausili A.P. Ah Him | - | Chairman |
| 2. Afioga TAEFU Lemi | - | Deputy Chairman |
| 3. Tofa AGAFILI Patisela Eteuati Tolovaa | - | Member |
| 4. Hon PAPALIITELE Niko Lee Hang | - | Member |
| 5. Hon AEAU Peniamina Leavaiseeta | - | Member |
| 6. Afioga TOEOLESULUSULU Cedric P.S. Schuster | - | Member |
| 7. Tofa MOTUOPUAA Uifagasa Aisoli Vaai | - | Member |

12. PRIVILEGES AND ETHICS COMMITTEE

- | | | |
|--|---|-------------------|
| 1. Hon TUILAEPA Fatialofa L.A.N.S. Malielegaoi | - | Prime Minister |
| 2. Hon PALUSALUE Faapo II | - | Leader Opposition |
| 3. Tofa TUILOA Anetelea | - | Member |
| 4. Afioga PESETA Vaifou Tevaga | - | Member |
| 5. Hon LEAUPEPE Toleafoa Apulu Faafisi | - | Member |
| 6. Tofa ALO Fulifuli Taveuveu | - | Member |
| 7. Tofa LEFAU Harry Schuster | - | Member |
| 8. Tofa TAPUAI Toese Ah Sam | - | Member |
| 9. Tofa TUILEUTU Alavaa Voi | - | Member" |

12. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Intellectual Property Bill 2011 – first reading.

Hon Fonotoe Nuafesili Pierre Laufofo (Minister of Commerce, Industry and Labour) moved, *“That the Intellectual Property Bill 2011 be now read a first time.”* Seconded by Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read a first time.

Government Order of the Day No.2 called.

2. Copyright Amendment Bill 2011 – first reading.

Hon Fonotoe Nuafesili Pierre Laufofo moved, *“That the Copyright Amendment Bill 2011 be now read a first time.”* Seconded by Hon Fiamē Naomi Mataafa / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and Bill was read a first time.

Government Order of the Day No.3 called.

3. Customs Tariff Amendment (No.2) Bill 2011 – first reading.

Hon Tuiloma Lameko (Minister for Revenue) moved, “*That the Customs Tariff Amendment (No.2) Bill 2011 be now read a first time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and Bill was read a first time.

Government Order of the Day No.4 called.

4. Food and Drugs Amendment Bill 2011 – first reading.

Hon Tuitama Talalelei Tuitama (Minister of Health) moved, “*That the Food and Drugs Amendment Bill 2011 be now read a first time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Le Mamea Ropati.

Motion approved and Bill was read a first time.

Government Order of the Day No.5 called.

5. Accident Compensation Amendment Bill 2011 – second reading.

Hon Faumuina Tiatia Liuga (Minister of Finance) moved, “*That the Accident Compensation Amendment Bill 2011 be now read a second time and I would like to comment briefly on it.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiataua.

The Minister clarified the Bill.

Motion approved and the Accident Compensation Bill 2011 was read a second time.

The Bill was referred to the Finance and Expenditure Committee for consideration and to report back to the Legislative Assembly in the next meeting.

Government Order of the Day No.6 called.

6. Cluster Munitions Prohibition Bill 2011 – second reading.

Hon Tuilaepa Fatiafofa Lupesoliai Aiono Neioti Sailele Malielegaoi (Prime Minister) moved, “*That the Cluster Munitions Prohibitions Bill 2011 be now read a second time and I would like to clarify it.*” Seconded by Hon Fiamē Naomi Mataafa / Hon Fonotoe Nuafesili Pierre Lauofo.

The Prime Minister clarified the Bill.

Debate.

Motion approved and the Cluster Munitions Prohibition Bill 2011 was read a second time.

Pursuant to Standing Orders the Bill was referred to the Justice, Police & Prisons and Land & Titles Committee for consideration and to report back to the Legislative Assembly in the next meeting.

Government Order of the Day No.7 called.

7. Limitation Amendment Bill 2011 – second reading.

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, *“That the Limitation Amendment Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

The Prime Minister clarified the Bill.

Debate.

Motion approved and the Limitation Amendment Bill 2011 was read a second time.

Pursuant to Standing Orders 101, the Bill was referred to the Justice, Police & Prisons and Land & Titles Committee for consideration and to report back to the Legislative Assembly in the next meeting.

Government Order of the Day No.8 called.

8. Airport Authority Bill 2011 – second reading.

Hon Manualesagalala Enokati Posala (Minister of Works, Transport and Infrastructure) moved, *“That the Airport Authority Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiataua / Hon Faamoetaulua Ulaitino Faale Tumaalii / Hon Tuitama Talalelei Tuitama.

The Minister clarified the Bill.

Debate.

Proceedings of the Legislative Assembly was suspended for its normal recess at 10:45am and resumed at 11:00am.

Debate continued.

Motion approved and the Airport Authority Bill 2011 was read a second time.

Pursuant to Standing Orders 101, the Bill was referred to the Works, Transport and Environment Committee for consideration and report back to the Legislative Assembly in the next meeting.

Government Order of the Day No.9 called.

9. Customs Tariff Amendment Bill 2011 – second reading.

Hon Tuiloma Lameko moved, *“That the Customs Tariff Amendment Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Faumuina Tiatia Liuga.

The Minister clarified the Bill.

Debate.

Motion approved and the Customs Tariff Amendment Bill 2011 was read a second time.

Pursuant to Standing Orders 101, the Bill was referred to the Foreign Affairs, Trade and Revenue Committee for consideration and report back to the Legislative Assembly in the next meeting.

Government Order of the Day No.10 called.

10. Excise Tax Rate Amendment Bill 2011 – second reading.

Hon Tuiloma Lameko moved, “*That the Excise Tax Rate Amendment Bill 2011 be now read a second time and I would like to clarify it.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

The Minister clarified the Bill.

Debate.

Motion approved and the Excise Tax Rate Amendment Bill 2011 was read a second time.

Pursuant to Standing Orders 101, the Bill was referred to the Foreign Affairs, Trade and Revenue Committee for consideration and report back to the Legislative Assembly in the next meeting.

Government Order of the Day No.11 called.

11. Incorporated Societies Amendment Bill 2011 – second reading.

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Incorporated Societies Amendment Bill 2011 be now read a second time and I would like to clarify it.*” Seconded by Hon Faumuina Tiatia Liuga.

The Minister clarified the Bill.

Debate.

Motion approved and the Incorporated Societies Amendment Bill 2011 be now read a second time.

Pursuant to Standing Orders 101, the Bill was referred to the Government Administration Committee for consideration and report back to the Legislative Assembly in the next meeting.

Government Order of the Day No.12 called.

12. Composition of Boards of Public Bodies Bill 2011 – second reading.

Hon Faumuina Tiatia Liuga moved, “*That the Composition of Boards of Public Bodies Bill 2011 be now read a second time and I would like to briefly comment on it.*”

Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiatuaa.

The Minister clarified the Bill.

Debate.

Motion approved and the Composition of Boards of Public Bodies Bil 2011 was read a second time.

Government Order of the Day No.13 called.

13. Customs Amendment Bill 2011 – second reading.

Hon Tuiloma Lameko moved, *“That the Customs Amendment Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiatuaa.

The Minister clarified the Bill.

Debate.

Motion approved and the Customs Amendment Bill 2011 was read a second time.

Government Order of the Day No.14 called.

14. Intellectual Property Bill 2011 – second reading.

Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That the Intellectual Property Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiatuaa.

The Minister clarified the Bill.

Debate.

Motion approved and the Intellectual Property Bill 2011 was read a second time.

13. Proceedings of the Legislative Assembly adjourned at 1:05 pm until Thursday, 4th October 2011.

Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER

Afioga Fepuleai Attila M. Ropati
CLERK

TUESDAY 4th OCTOBER 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiamē Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaomanu Taeu Masepau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Palusalua Faapo II, Afioga Tufuga Gafaleata Faitua, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifuli Taveuveu, Tofa Tuiloa Anitelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Soalo Mene, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Saigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. MEMBERS ABSENT:

Afioga Hon Magele Mauiliu, Afioga Motuopuaa Uifagasa Aisoli Vaai, Afioga Hon Aeau Peniamina Leavaiseeta, Tofa Fagaivalu Kenrick Samu, Tofa Lenatai Victor Faafoi Tamapua, Afioga Muagututagata Faamausili Auimatagi Peter Ah Him.

3. The Legislative Assembly met at 9:00 am.

4. Mr Speaker took the Chair and said the Prayers.

5. GOVERNMENT ORDERS OF THE DAY – Reading of Bills.

Government Order of the Day No.1 called.

1. Copyright Amendment Bill 2011 – second reading.

Hon Fonotoe Nuafesili Pierre Laufo moved, *“That the Copyright Amendment Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Tolofuaivalelei Falemoe Leiatua.

The Minister clarified the Bill.

Motion approved and the Copyright Amendment Bill 2011 was read a second time.

Government Order of the Day No.2 called.

2. Customs Tariff Amendment (No.2) Bill 2011 – second reading.

Hon Tuiloma Lameko moved, *“That the Customs Tariff Amendment (No.2) Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiatua.

The Minister clarified the Bill.

Debate.

Motion approved and the Customs Tariff Amendment (No.2) Bill 2011 was read a second time.

Government Order of the Day No.3 called.

3. Food and Drugs Amendment Bill 2011 – second reading.

Hon Tuitama Talalelei Tuitama moved, *“That the Food and Drugs Amendment Bill 2011 be now read a second time and I would like to clarify it.”* Seconded by Hon Le Mamea Ropati / Hon Tolofuaivalelei Falemoe Leiatua / Hon Faamoetaulua Ulaitino Faale Tumaalii.

The Minister clarified the Bill.

Debate.

Motion approved and the Food and Drugs Amendment Bill 2011 was read a second time.

Government Order of the Day No.4 called.

4. Intellectual Property Bill 2011 – consideration in detail.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Act to bind State.

Approved.

CLAUSE 4: Definition of “patent”.

Approved.

CLAUSE 5: Patentable inventions for the purpose of a standard patent.

Approved.

CLAUSE 6: Right to patent.

Approved.

CLAUSE 7: Application for a patent.

Approved.

CLAUSE 8: Unity of invention; amendment and division of application.

Approved.

CLAUSE 9: Information concerning corresponding foreign applications patents.

Approved.

CLAUSE 10: Filing date and examination.

Approved.

CLAUSE 11: Grant of patent and changes in patents.

Approved.

CLAUSE 12: Rights conferred by patent.

Approved.

CLAUSE 13: Duration and maintenance fees.

Approved.

CLAUSE 14: Exploitation by Government for authorized person.

Approved.

CLAUSE 15: Import of patented pharmaceutical products.

Approved.

CLAUSE 16: Non-voluntary licenses.

Approved.

CLAUSE 17: Invalidation.

Approved.

CLAUSE 18: Test batches of patented products.

Approved.

CLAUSE 19: Definition of “innovation patent”.

Approved.

CLAUSE 20: Patentable inventions for the purpose of an innovation patent.

Approved.

CLAUSE 21: Right to an innovation patent.

Approved.

CLAUSE 22: Application for an innovation patent.

Debate.

Clause 22 approved.

CLAUSE 23: Unity of invention: amendment and division of application.

Approved.

CLAUSE 24: Information concerning corresponding foreign applications.

Approved.

CLAUSE 25: Filing date and formalities examination.

Approved.

CLAUSE 26: Grant of innovation patent and changes in innovation patents.

Approved.

CLAUSE 27: Rights conferred by innovation patent.

Approved.

CLAUSE 28: Invalidation.

Approved.

CLAUSE 29: Innovation patents to expire.

Approved.

CLAUSE 30: Conversion of applications of patent or innovation patent.

Approved.

CLAUSE 31: Definiton of “design” and “creator”.

Approved.

CLAUSE 32: Design right.

Approved.

CLAUSE 33: Ownership of design right.

Approved.

CLAUSE 34: Duration of design right.

Debate.

Clause 34 approved.

CLAUSE 35: Qualification for design right protection.

Approved.

CLAUSE 36: Rights of design right owner and infringement.

Approved.

CLAUSE 37: Registrable design.

Approved.

CLAUSE 38: Right to registration of design.

Approved.

CLAUSE 39: Application for registration.

Approved.

CLAUSE 40: Examination and registration of design.

Approved.

CLAUSE 41: Applicant to be notified of non-complying application.

Approved.

CLAUSE 42: Rights conferred by registration.

Approved.

CLAUSE 43: Duration; Renewal

Approved.

CLAUSE 44: Invalidation.

Approved.

CLAUSE 45: Definitions.

Approved.

CLAUSE 46: Acquisition of the exclusive right to a mark.

Approved.

CLAUSE 47: Registrability.

Approved.

CLAUSE 48: Application for registration.

Approved.

CLAUSE 49: Filing date and examination.

Approved.

CLAUSE 50: Acceptance and publication.

Approved.

CLAUSE 51: Applicant to be notified of non-complying application.

Approved.

CLAUSE 52: Revocation of acceptance.

Approved.

CLAUSE 53: Opposition.

Approved.

CLAUSE 54: Withdrawal of application.

Approved.

CLAUSE 55: Registration of mark.

Approved.

CLAUSE 56: Rights conferred by registration and infringement.

Approved.

CLAUSE 57: Duration and renewal.

Approved.

CLAUSE 58: Invalidation.

Approved.

CLAUSE 59: Removal on grounds on non-use.

Approved.

CLAUSE 60: Collective marks.

Approved.

CLAUSE 61: Definitions and application.

Approved.

CLAUSE 62: National treatment.

Approved.

CLAUSE 63: Persons entitled to make application for plant breeders rights.

Debate.

Clause 63 approved.

CLAUSE 64: Application for plant breeder's rights.

Approved.

CLAUSE 65: Applicant to be notified of non-complying application.

Approved.

CLAUSE 66: Publication of application.

Approved.

CLAUSE 67: Filing date and examination.

Approved.

CLAUSE 68: Provisional protection.

Approved.

CLAUSE 69: Grant of plant breeder's rights and changes in rights.

Approved.

CLAUSE 70: Novelty.

Approved.

CLAUSE 71: Distinctness.

Approved.

CLAUSE 72: Uniformity.

Approved.

CLAUSE 73: Stability.

Approved.

CLAUSE 74: Scope of plant breeder's rights.

Approved.

CLAUSE 75: Exceptions to breeder's rights.

Approved.

CLAUSE 76: Exhaustion of the breeder's rights.

Approved.

CLAUSE 77: Duration of plant breeder's rights.

Approved.

CLAUSE 78: Exploitation by Government.

Approved.

CLAUSE 79: Measures regulating commerce.

Approved.

CLAUSE 80: Variety denomination.

Approved.

CLAUSE 81: Invalidation of plant breeder's right.

Approved.

CLAUSE 82: Cancellation of plant breeder's rights.

Approved.

CLAUSE 83: Definitions of “area”, “geographical indication”.

Approved.

CLAUSE 84: Prohibition against use of misleading geographical indications.

Approved.

CLAUSE 85: When geographical indication regarded as applied to a product.

Approved.

CLAUSE 86: When geographical indication regarded as misleading.

Approved.

CLAUSE 87: Institution of proceedings regarding use of misleading geographical indication.

Approved.

CLAUSE 88: Remedies available in proceedings regarding use of misleading geographical indication.

Approved.

CLAUSE 89: Defences available in proceedings regarding use of misleading geographical indication.

Approved.

CLAUSE 90: Presumptions when geographical indication is registered.

Approved.

CLAUSE 91: Application for registration.

Approved.

CLAUSE 92: Persons entitled to apply for registration.

Approved.

CLAUSE 93: Filing date, examination and acceptance of application.

Approved.

CLAUSE 94: Applicant to be notified of non-complying application.

Approved.

CLAUSE 95: Publication and opposition.

Approved.

CLAUSE 96: Registration.

Approved.

CLAUSE 97: Conditions on registration.

Approved.

CLAUSE 98: Homonymous indications.

Approved.

CLAUSE 99: Effective date of registration.

Approved.

CLAUSE 100: Effect of registration.

Approved.

CLAUSE 101: Saving of right to use certain descriptions, names or marks.

Approved.

CLAUSE 102: Act not to be construed as limiting other laws preventing misuse of geographical indications.

Approved.

CLAUSE 103: Definition of “integrated circuit” and “layout-design”.

Approved.

CLAUSE 104: Registrable layout-designs of integrated circuits.

Approved.

CLAUSE 105: Right to registration of layout-design.

Approved.

CLAUSE 106: Application for registration.

Approved.

CLAUSE 107: Examination and registration of layout-design.

Approved.

CLAUSE 108: Applicant to be notified of non-complying application.

Approved.

CLAUSE 109: Rights conferred by registration.

Approved.

CLAUSE 110: Commencement and duration of protection.

Approved.

CLAUSE 111: Invalidation.

Approved.

CLAUSE 112: Personal Property.

Approved.

CLAUSE 113: Changes in registration.

Approved.

CLAUSE 114: Disclaimer.

Approved.

CLAUSE 115: Powers of entry and search.

Approved.

CLAUSE 116: License contract.

Approved.

CLAUSE 117: Agents.

Approved.

CLAUSE 118: Intellectual Property Registry.

Approved.

CLAUSE 119: Registers.

Approved.

CLAUSE 120: Correction of errors; extension of time.

Approved.

CLAUSE 121: Replacement certificate of registration.

Approved.

CLAUSE 122: Language of documents and translations.

Approved.

CLAUSE 123: Exercise of discretionary powers.

Approved.

CLAUSE 124: Competence of court; Appeals.

Approved.

CLAUSE 125: Infringement.

Approved.

CLAUSE 126: Convention applications.

Approved.

CLAUSE 127: Civil protection for the Registrar.

Approved.

CLAUSE 128: Fees.

Approved.

CLAUSE 129: Grace period for fees.

Approved.

CLAUSE 130: Restoration of rights into Register.

Approved.

CLAUSE 131: Forms.

Approved.

CLAUSE 132: Offence for groundless threat of legal proceedings.

Approved.

CLAUSE 133: Offence of making false entries in register, etc., for production or tendering false entries.

Approved.

CLAUSE 134: Offence for making false statements for the purpose of deceiving or influencing any authority or officer.

Approved.

CLAUSE 135: Penalties.

Approved.

CLAUSE 136: Offences by companies.

Approved.

CLAUSE 137: Regulations.

Approved.

CLAUSE 138: Repeal.

Approved.

CLAUSE 139: Consequential amendments.

Approved.

CLAUSE 140: Savings and Transitional.

Approved.

SCHEDULES

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement
TITLE: Intellectual Property 2011

Approved.

The Intellectual Property Bill 2011 be progressed without amendments.

Government Order of the Day No.5 called.

5. Copyright Amendment Bill 2011 – consideration in detail.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Replacement of term “Expressions of folklore”.

Approved.

CLAUSE 4: Economic rights.

Approved.

CLAUSE 5: Insertion of new sections.

Approved.

CLAUSE 6: Importation for personal purposes.

Approved.

CLAUSE 7: Insertion of new section.

Approved.

CLAUSE 8: Injunctions and other remedies.

Approved.

CLAUSE 9: Insertion of new section.

Approved.

CLAUSE 10: Insertion of new section.

Approved.

CLAUSE 11: Application of international treaties.

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Copyright Amendment 2011

Approved.

The Copyright Amendment Bill 2011 be progressed without amendments.

Government Order of the Day No.6 called.

6. Customs Tariff Amendment Bill (No.2) 2011 – consideration in detail.

CLAUSE 2: Dumping duty for the protection of domestic industry.

Debate.

Clause 2 approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Customs Tariff Amendment (No.2) 2011

Approved.

The Customs Tariff Amendment (No.2) Bill 2011 be progressed without amendments.

Government Order of the Day No.7 called.

7. Food and Drugs Amendment Bill 2011 – consideration in detail.

CLAUSE 2: Sale prohibition Order.

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Food and Drugs Amendment 2011

Approved.

The Food and Drugs Amendment Bill 2011 progressed without amendments.

Government Order of the Day No.8 called.

8. Intellectual Property Bill 2011 – third reading.

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Intellectual Property Bill 2011 be now read a third time.*” Seconded by Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No.9 called.

9. Copyright Amendment Bill 2011 – third reading.

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Copyright Amendment Bill 2011 be now read a third time.*” Seconded by Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No.10 called.

10. Customs Tariff Amendment (No.2) Bill 2011 – third reading.

Hon Tuiloma Lameko moved, “*That the Customs Tariff Amendment (No.2) Bill 2011 be now read a third time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No.11 called.

11. Food and Drugs Amendment Bill 2011 – third reading.

Hon Tuitama Talalelei Tuitama moved, “*That the Food and Drugs Amendment Bill 2011 be now read a third time.*” Seconded by Hon Le Mamea Ropati / Hon Faamoetauloa Ulaitino Faale Tumaalii / Hon Fonotoe Nuafesili Pierre Lauofo.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No.12 called.

12. Liquor Bill 2011 – consideration in detail.

Sooalo Mene (Chairman of the Foreign Affairs, Trade and Revenue Committee) moved, “*That the Assembly approves the Committee Report which recommends that the Liquor Bill 2011 progresses with amendments.*” Seconded by Taefu Lemi / Afoafouvale John Moors.

Question put and was carried in the Affirmative, motion approved and report was approved.

CLAUSE 2: Interpretation.

Sooalo Mene moved an amendment to Clause 2, *“To omit the word “maximum” given in the definition of “serious offence” and substitute therewith the word “minimum” so that the phrase be read:-*

““serious offence” means an offence that is punishable by imprisonment for a minimum period of three(3) years”.

Approved.

Clause 2 approved as amended.

CLAUSE 3: Object of this Act.

Approved.

CLAUSE 4: Act to bind the Government.

Approved.

CLAUSE 5: Establishment of the Board.

Sooalo Mene moved an amendment to Clause 5, *“To omit the introductory heading and clause given in Clause 5 and substitute the new heading and clause thus new clause 5 reads:-*

“5. Continuation of the Board – The Liquor Control Board established under section 3 of the Liquor Act 1971 is continued under this Act and operates and is managed in accordance with this Act”.

Approved.

Clause 5 approved as amended.

CLAUSE 6: Functions and powers of the Board.

Sooalo Mene moved an amendment to Clause 6(f), *“To insert the expression “by public notice the” after the word “set” and before the word “opening” thus the new clause(f) reads:-*

“(f) set by public notice the opening and closing hours for the sale of liquor for licensed premises;”.

Approved.

Clause 6 approved as amended.

CLAUSE 7: Membership of Board.

Sooalo Mene moved an amendment to clause 7(1)(h), *“To (i) remove paragraph “(g)”, and (ii) renumber paragraph “(h)” as “(g)”, so that “(g)” reads as follows:-*

“(g) five other members appointed by Cabinet from the private sector and the community.”

Approved.

Clause 7 approved as amended.

CLAUSE 8: Secretary to the Board.

Approved.

CLAUSE 9: Meetings of the Board.

Approved.

CLAUSE 10: Hearings held by the Board.

Approved.

CLAUSE 11: Standard of proof.

Approved.

CLAUSE 12: Sale of liquor without a licence.

Approved.

CLAUSE 13: Sale of adulterated liquor.

Approved.

CLAUSE 14: Sale or supply of liquor to a person under 21 years.

Approved.

CLAUSE 15: Sale or supply of liquor to intoxicated persons.

Approved.

CLAUSE 16: Consumption of liquor in certain places.

Approved.

CLAUSE 17: Classes of licences.

Approved.

CLAUSE 18: Wholesale licence.

Approved.

CLAUSE 19: Retail sale licence.

Approved.

CLAUSE 20: Food and beverage licence.

Approved.

CLAUSE 21: Bar licence.

Approved.

CLAUSE 22: Nightclub licence.

Approved.

CLAUSE 23: Temporary licence.

Approved.

CLAUSE 24: Application for a licence under this Part and Part V.

Approved.

CLAUSE 25: Secretary may require further information.

Approved.

CLAUSE 26: Matters to be considered in deciding on an application for a licence under this Part.

Sooalo Mene moved an amendment to clause 26 as follows:-

“(1) To delete the expression “may” as it appears in clause 26 and substitute therewith the word “must” thus clause 26 reads:-

“26. Matters to be considered in deciding on an application for a licence under this Part – For the purpose of making a decision in relation to an application for the issue of a wholesale licence, a bar licence, a nightclub licence, or a temporary licence, the Board must consider the following matters:”

“(2) To delete the expression “view” as it appears in clause 26(f) and substitute therewith the word “consent” thus the new clause 26(f) reads:-

“(f) where applicable, the consent of the Alii and Faipule of the village where the premises to which the application relates are to be situated;”

Approved.

Clause 26 approved as amended.

CLAUSE 27: Grant of licence under this Part.

Approved.

CLAUSE 28: Duration of licence.

Approved.

CLAUSE 29: Renewal of licence.

Approved.

CLAUSE 30: Conditions attached to a licence.

Sooalo Mene moved an amendment to clause 30(3), “To omit sub-clause 30(3) and substitute therewith the new sub-clause thus the new sub-clause 30(3) reads:-

“(3) Except as approved by the Board, the sale of liquor on Sunday is prohibited and is accordingly a condition of a wholesale licence, a retail sale licence, a food and beverage licence, a bar licence, a nightclub licence, and a temporary licence. Without limiting this section, the Board may impose conditions setting out (1) or more of the following:”

Approved.

Clause 30 approved as amended.

CLAUSE 31: Employment of security staff at licenced premises.

Approved.

CLAUSE 32: Signs required in licenced premises.

Approved.

CLAUSE 33: Keeping records.

Approved.

CLAUSE 34: Transfer of a licence.

Approved.

CLAUSE 35: Alteration and relocation of licenced premises.

Debate.

Clause 35 approved.

CLAUSE 36: Import of liquor.

Debate.

Clause 36 approved.

CLAUSE 37: Matters for Board to consider for an application for a licence to import liquor.

Approved.

CLAUSE 38: Grant of a licence to import liquor.

Approved.

CLAUSE 39: Conditions for a licence to import liquor.

Approved.

CLAUSE 40: Breach of conditions for a licence to import liquor.

Approved.

CLAUSE 41: Minister may import liquor.

Approved.

CLAUSE 42: Application for a licence to manufacture liquor.

Sooalo Mene moved an amendment to clause 42, "To increase the penalty from 50 units to 100 units thus new clause 42 reads:-

"42. Manufacture of liquor - (1) A person may manufacture liquor only if the person is issued a licence under sections 17(h) and 45(1).

(2)A person who "contravenes" subsection (1) commits an offence and is liable to imprisonment for a term not exceeding six(6) months or to a fine not exceeding 50 penalty units, or both.

(3)A person who is convicted for a second offence under subsection (1) shall be liable to imprisonment for a term not exceeding 12 months or to a fine not exceeding "100" penalty units, or both."

Approved.

Clause 42 approved as amended.

CLAUSE 43: Application for a licence to manufacture liquor.

Debate.

Clause 43 approved.

CLAUSE 44: Matters for Board to consider for an application for a licence to manufacture liquor.

Approved.

CLAUSE 45: Grant of a licence to manufacture liquor.

Approved.

CLAUSE 46: Conditions for a licence to manufacture liquor.

Approved.

CLAUSE 47: Breach of conditions for a licence to manufacture liquor.

Approved.

CLAUSE 48: Liquor inspector.

Approved.

CLAUSE 49: Powers of entry and inspection.

Approved.

CLAUSE 50: Directions from the liquor inspector or police officer.

Approved.

CLAUSE 51: Evidence of certain matters.

Approved.

CLAUSE 52: Quiet and good order of neighborhood.

Approved.

CLAUSE 53: Hearings in relation to complaints.

Approved.

CLAUSE 54: Suspension of licence.

Approved.

CLAUSE 55: Cancellation of licence.

Approved.

CLAUSE 56: Breach of licence conditions.

Approved.

CLAUSE 57: Possession or consumption of liquor in licensed premises by a person under 21 years.

Approved.

CLAUSE 58: Exclusion of person from licensed premises.

Approved.

CLAUSE 59: People on licensed premises for unlawful purposes.

Approved.

CLAUSE 60: Sale of undesirable liquor products.

Approved.

CLAUSE 61: Failure to obtain Board approval to transfer licence.

Approved.

CLAUSE 62: Cleanliness and maintenance etc of licensed premises.

Approved.

CLAUSE 63: Licensee liable for act of employee.

Approved.

CLAUSE 64: General penalty.

Approved.

CLAUSE 65: Forfeiture of alcohol.

Approved.

CLAUSE 66: Protection of Board members and others.

Approved.

CLAUSE 67: Regulations.

Approved.

CLAUSE 68: Repeal.

Approved.

CLAUSE 69: Previous Liquor Control Board.

Sooalo Mene moved and amendment to clause 69, in compliance with number of four Board members so that clause 69 reads:-

“69. Previous Liquor Control Board – Notwithstanding section 7 and the repeal of the previous Act, the four (4) members of the Liquor Control Board at the commencement date of the Act who were chosen by the Minister from the general public under the previous Act shall be deemed to have been appointed under section 7(1)(h) of this Act.”

Approved.

Clause 69 approved as amended.

CLAUSE 70: Savings.

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement.

TITLE: Liquor 2011

Approved.

The Liquor Bill 2011 progressed with amendments.

MOTION TO SUSPEND STANDING ORDERS

**Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, “*That Standing Orders be suspended to permit the third reading of the Liquor Bill 2011.*”
Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiatua.**

Motion approved.

Government Order of the Day No.13 called.

13. Liquor Bill 2011 – third reading.

Hon Tuiloma Lameko moved, “*That the Liquor Bill 2011 be now read a third time.*”

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

MOTION FOR ADJOURNMENT

**Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, “*That proceedings of the Legislative do now adjourned until 19th December 2011 at 9:00am.*”
Seconded by Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leिताua /
Hon Fonotoe Nuafesili Pierre Lauofo.**

**Motion approved and Proceedings of the Legislative Assembly was adjourned until
Monday, 19th December 2011 at 9:00am.**

- 6. Proceedings of the Legislative Assembly adjourned at 11:30am until Monday 19th,
December 2011 at 9:00am pursuant to the Sitting Program of Parliament 2011.**

**Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER**

**Afioga Fepuleai Attila M. Ropati
CLERK**

MONDAY 19th DECEMBER 2011

1. MEMBERS PRESENT:

MR SPEAKER

Susuga Hon Laauli Leuatea Polataivao.

CABINET

Afioga Hon Fiaame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Afioga Hon Tuisugaletaua Sofara Aveau, Afioga Hon Magele Mauiliu Afioga Hon Faumuina Tiatia Liuga, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaioamanu Taeu Masipau, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Palusalua Faapo II, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifulu Taveuveu, Tofa Tuiloa Anetelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Tialavea Fea T. Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Auimatagi Peter Ah Him, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa, Tofa Lenatai Victor Faafoi Tamapua.

2. MEMBERS ABSENT:

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Motuopuaa Uifagasa Aisoli Vaai, Tofa Fagaivalu Kenrick Samu, Afioga Ifopo Matia Filisi, Tofa Sooalo Mene, Afioga Tufuga Gafualeata Faitua.

3. The Legislative Assembly met at 9:00am.

4. Mr Speaker took the Chair and said the Prayers.

5. MESSAGE FROM THE HEAD OF STATE

Mr Speaker announced the Message from His Highness, Le Ao o le Malo given the consent to the Legislative to proceed upon consideration of the Bills:

1. Supplementary Appropriation Bill (No.1) 2011/2012.
2. OPEC Fund Loans Bill 2011.
3. Tax Information Exchange Bill 2011.

6. OBITUARY NOTICES

Mr Speaker announced the passing of the Honorable Member, Tofa TIATIA Sili Pulufana Saunoa in the month of November 2011.

Tofa TIATA Sili Pulufana Saunoa was first elected as the member for the Constituency of Faasaleleaga No.1 during Parliament XIII on 20 March 2004.

Tofa TIATA Sili Pulufana Saunoa was re-elected during Parliament XIV from 2006 - 2011 on 13 April 2006. He was the Associate Minister for the Samoa Tourism Authority and the Office of the Legislative Assembly.

Tofa TIATA Sili Pulufana Saunoa was also the Parliamentary Under-Secretary for the Ministry of Finance from 2004 – 2006.

From 2004 - 2006, Tofa TIATA Sili Pulufana Saunoa was a member for the Trade, Commerce and Industry Select Committee and was also a member for the Public Finance Committee.

During Parliamentary term 2006-2011, Tofa TIATA Sili Pulufana Saunoa was a member for the Health, Foreign Affairs, Internal Affairs and was also a member of the Primary Production, Commerce, Industry and Labour Committee and also a member for the Regulations Review Committee.

The House observed a minute's silence as a gesture of respect and acknowledgement for the former member.

7. PRESENTATION OF PAPERS

1. Mr Speaker tabled before Parliament the Report of the Parliamentary Delegation that attended an International Conference on the Millennium Development Goals (MDGs) held in London, England from the 29 November to 2 December 2011, P.P.2011/2012 No.84 pursuant to the Speaker's Decision dated 17 October 2000.
2. The Clerk read out the Papers tabled before Parliament. (Pursuant to S.O.48).
 1. S.R. 2011/23, General Price Order (No.4) 2011.
 2. S.R. 2011/24, Liquor Act 2011 – Notice of Commencement.
 3. S.R. 2011/25, Notice of Charge on Base Tariff for the Supply of Electricity (No.11) 2011.

4. S.R. 2011/26, Electricity Act 2010 – Notice of Commencement.
5. S.R. 2011/27, Pesticides Regulation 2011.
6. S.R. 2011/28, Notice of Charge on Base Tariff for the Supply of Electricity (No.12) 2011.
7. S.R. 2011/29, Sale of Turkey Tails Prohibition Order 2011, Section 7A, Food and Drugs Act 1967.
8. S.R. 2011/30, Foreign Investment Regulations 2011.
9. S.R. 2011/31, Foreign Investment Regulations 2011 – Notice of Commencement.
10. P.P. 2011/2012 No.57, Government Responses on P.P. 2011/2012 No.39, Report of the Government Administration Committee on P.P. 2011/2012 No.5, Annual Report of the Public Service Commission for Years 2008 – 2010.
11. P.P. 2011/2012 No.58, Samoa Post Corporate Plan 2012 – 2014.
12. P.P. 2011/2012 No.59, Samoa Post Statement of Corporate Objectives 2012 – 2014.
13. P.P. 2011/2012 No.60, Electricity Power Corporation Statement of Corporate Objectives 2012 – 2014.
14. P.P. 2011/2012 No.61, Samoa Water Authority Statement of Corporate Objectives and Corporate Plan 2012 – 2014.
15. P.P. 2011/2012 No.62, Government Responses to P.P. 2011/2012 No.40, Report of the Works, Transport and Environment Committee on P.P. 2011/2012 No.21, Samoa Water Authority Annual Report for the Year 2008 – 2009 and P.P. 2011/2012 No.3, Samoa Water Authority Statement of Corporate Objectives and Corporate Plan 2011 – 2013.
16. P.P. 2011/2012 No.63, Annual Report of the Polynesian Airlines Company for the Year 2011.
17. P.P. 2011/2012 No.64, SNPF Annual Report for the Year 2011.
18. P.P. 2011/2012 No.65, Samoa Airport Authority Annual Report for the Year 2009.
19. P.P. 2011/2012 No.66, Report of Operations and Statement of Accounts of the Samoa Senior Citizens Benefit Fund 2010/2011.
20. P.P. 2011/2012 No.84, Report of the Parliament of Samoa Delegation on the International Parliamentary Conference on the Millennium Development Goals (MDGs) London, England on the 29 November to 02 December 2011.

8. PRESENTATION OF SELECT COMMITTEE REPORTS

The Clerk read out the Select Committees Reports tabled before Parliament. (Pursuant to S.O.51).

1. P.P. 2011/2012 No.67, Report of the Regulations Review Committee on S.R. 2011/1 – S.R. 2011/11.
2. P.P. 2011/2012 No.68, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P. 2011/2012 No.16, Annual Report of the DBS for the Year 2009/2010.

3. P.P. 2011/2012 No.69, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P. 2011/2012 No.35, Annual Report of the Samoa Trust Estates Corporation 2009/2010.
 4. P.P. 2011/2012 No.70, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2011/2012 No.54, Annual Report of the Ministry of Agriculture and Fisheries 2009/2010.
 5. P.P. 2011/2012 No.71, Report of the Works, Transport and Environment Committee on the Airport Authority Bill 2011.
 6. P.P. 2011/2012 No.72, Report of the Works, Transport and Environment Committee on P.P. 2011/2012 No.42, Annual Report of the Samoa Airport Authority July 2001 – June 2008.
 7. P.P. 2011/2012 No.73, Report of the Works, Transport and Environment Committee on P.P.2011/2012 No.14, Annual Report of the Samoa Ports Authority 2008 – 2009.
 8. P.P. 2011/2012 No.74, Report of the Foreign Affairs, Trade and Revenue Committee on the Excise Tax Amendment Bill 2011.
 9. P.P. 2011/2012 No.75, Report of the Finance and Expenditure Committee on the Accident Compensation Amendment Bill 2011.
 10. P.P. 2011/2012 No.77, Report of the Justice, Police & Prisons and Land and Titles Committee on the Cluster Munitions Prohibition Bill 2011.
 11. P.P. 2011/2012 No.79, Report of the Government Administration Committee on the Incorporated Societies Amendment Bill 2011.
 12. P.P. 2011/2012 No.80, Report of the Business, Standing Orders, House and Electoral Committee on Electoral Petitions P.P.2011/2012 No.18, 2011/2012 No.19, P.P.2011/2012 No.20, P.P.2011/2012 No.22, P.P.2011/2012 No.23, P.P.2011/2012 No.24, P.P.2011/2012 No.25.
 13. P.P. 2011/2012 No. 83, Report of the Foreign Affairs, Trade and Revenue Committee on the Customs Tariff Amendment Bill 2011.
9. **GOVERNMENT ORDER OF THE DAY – Reading of Bills**
Government Order of the Day No.1 called.
1. **Supplementary Appropriation Bill (No.1) 2011/2012 – first reading**
 Hon Faumuina Tiatia Liuga (Minister of Finance) moved, *“That the Supplementary Appropriation Bill (No.1) 2011/2012 be now read the first time.”* Seconded by Hon Tuiloma Lameko / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiatua.
- Motion approved, the Bill was read the first time.
- Government Order of the Day No.2 called.**
2. **Supplementary Estimates (No.1) 2011/2012 P.P. 2011/2012 No.82 – tabling**
 The Hon Minister of Finance, Afioga Hon Faumuina Tiatia Liuga tabled before Parliament the Supplementary Estimates (No.1) 2011/2012 in pursuant to S.O.131 (1).
- Government Order of the Day No.3 called.**
3. **Supplementary Appropriation Bill (No.1) 2011/2012 – motion for second reading**
 Hon Faumuina Tiatia Liuga moved, *“That the Supplementary Appropriation Bill (No.1)2011/2012 be now read the second time.”* Seconded by Hon Tuiloma Lameko / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiatua.

FIRST SUPPLEMENTARY BUDGET ADDRESS 2011/2012

Mr Speaker and Honorable members, on behalf of the Government, I would like to table the First Supplementary budget for the financial year 2011/2012 for consideration of the House.

Mr Speaker, the Supplementary Budget is formulated against an environment of continuous global economic uncertainty and sluggish economic activity domestically. This is the reality we live in today and we need to react to such conditions to ensure our medium to long term objectives are not compromised.

I did announce in the Main Estimates budget address the government's intention to slowly claw back to a sustainable fiscal target within the next 2 – 3 years. The government remains committed to that strategy as a basis for economic activity in response to the economic slowdown seen in the last two quarters necessitates a marginal expansion of fiscal spending to fund critical priority expenditures.

The total expenditures under this supplementary budget is \$26.3 million tala of which 52% will be financed from new and additional government receipts plus grant financing. About \$1.97 million tala relates to reallocation of funds already in the budget.

In this context, this supplementary budget reflects the Government's commitment to responsible fiscal policies that underpin macroeconomic stability going forward.

THE SUPPLEMENTARY BUDGET

I would now like to provide you with the details of the First Supplementary Estimates for fiscal year 2011/2012.

Revenue.

A total of \$7.6 million of new and additional revenue from the Central Bank reserves is declared in this first supplementary budget for the financial year 2011/2012.

An additional external grant allocation of \$6.0million is expected from the Australian Government under its Samoa Australia Governance – Partnership Budget Support Program.

Expenditure.

As stated earlier, this supplementary budget is intended largely to accommodate a limited number of priority expenditures, totaling \$26.3 million Tala including VAGST. Some of the key expenditures included in this First Supplementary Budget are listed as follows:

- Additional allocation of \$2.1 million is required by the Land Transport Authority to fund the construction of the Malae o Tiafau ring road and to finance maintenance of drainages in the central town area.**
- An additional \$200,000 is provided in the Ministry of Communication and Information Technology's budget for preparation of the new 2AP office construction.**

- An additional provision of \$3.2million will go towards payment of Community Service Obligations requirements in partnership with the Electric Power Corporation and Samoa Water Authority.
- \$1.8million is provided under the Ministry of Natural Resources and Environment budget for rehabilitation of Tafaigata and Vaitoloa landfills, upgrade of the cemeteries at Vaitele and Tafaigata, maintaining of sludge facilities in both Upolu and Savaii. This allocation also includes additional counterpart costs for the Samoa-China Seismic Monitoring Network Project and the Japanese Meteorological & Climate Change project. The financing of these additional costs is sourced from reallocating the Ministry's current budget resources.
- \$500,000 is allocated to the National Health Service budget to assist in funding the Overseas Treatment Scheme.
- A total provision of \$1.16 million is required by the Ministry of Finance to construct additional office requirements for all ministries and corporations moving to occupy the new Tui Atua Tupua Tamasese Efi Building. This allocation also includes the cost for constructing a secured fence to safeguard government and tenant properties.
- \$500,000 is provided to further support the operations of the Unit Trust Office of Samoa under the Ministry of Finance's budget.
- The government has taken over the assets of the Medcen Hospital at Avele hence an allocation of \$651,086 is provided under this budget to settle Medcen's obligations to some of its creditors.
- \$5.4 million is required to meet the currency exchange loss under the Power Sector Expansion project.
- An additional \$4.87 million is provided under the Ministry of Education, Sports and Culture to finance the additional costs associated with the construction of the new Ministry headquarters.
- An additional \$6.0 million is earmarked for Governance, Finance Sector and the related public financial management reform program funded by the Australian government.

Conclusion

Mr Speaker and Honourable members, I have outlined above the key features of the first supplementary budget for the financial year 2011/2012.

The government has closely scrutinized the submissions for additional expenditures with its fiscal objectives as the primary considerations. The supplementary budget provided earlier represents the key priority items that can be absorbed by the realized additional revenues. As I mentioned earlier, the global economic uncertainties remain a real threat to Samoa's economic stability and unfortunately we are already feeling its impact. Against that background the government needs to put in place responsible fiscal policies to support its macroeconomic stability objective.

Going forward, the government will closely monitor economic performance in the next 6-12 months as well as maintain prudent oversight of the 2011/2012 budget to ensure macroeconomic stability is maintained over the medium term.

Mr Speaker, Honourable members, on behalf of the government, I wish you Mr Speaker, Honourable members and every citizen of Samoa a Merry Christmas and a Prosperous 2012.

Soifua ma ia Manuia.

The House showed their appreciation to the 2011/2012 First Supplementary Budget Address by applauding.

MOTION FOR ADJOURNMENT

Tofa Hon Tolofuaivalelei Falemoe Leiataua (Deputy Prime Minister) moved, “*That the Business of the Legislative Assembly be adjourned until Tuesday, 17 January 2012 in accordance with the Schedule of Parliamentary Sittings for this year.*” Seconded by Hon Faumuina Tiatia Liuga.

Motion approved.

Deputy Prime Minister gave a thank you speech on behalf of the Government.

Leader of the Opposition side, Afioga Hon Palusalua Faapo II gave a response speech to Deputy Prime Minister’s speech

- 10. Proceedings of the Legislative Assembly stood adjourned until 9:00am on Tuesday, 17 January 2012.**

**Hon Laauli Leuatea Polataivao Fosi
SPEAKER**

**Afioga Fepuleai Attila M. Ropati
CLERK**

TUESDAY, 17 JANUARY 2012

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt.

CABINET

Susuga Hon Tuilaepa Lupesoliai Sailele Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Susuga Hon Magele Mauiliu Magele, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Tolefoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Tofa Motuopuaa Uifagasa Aisoli Vaai, Afioga Toelesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaio manu Taeu Masipau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Ifopo Matia Filisi, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Lautafi Selafi Purcell, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafualeata Faitua Tofa Alo Fulifuli Taveuveu, Tofa Tuiloa Anitelea, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Tialavea Fea Tionisio Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Aumatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Hon Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. MEMBERS ABSENT:

Afioga Hon Fiame Naomi Mataafa, Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Lafaitale Patrick Leiataualesa.

3. The Legislative Assembly met 9.00am.

4. Mr Speaker took the Chair and said the Prayers.

5. MESSAGE FROM THE HEAD OF STATE

I “CERTIFICATE OF URGENCY”

Mr Speaker read out the Certificate of Urgency from His Highness, O Le Ao o le Malo.

1. OPEC Funds Loans Bill 2011.
2. Tax Information Exchange Bill 2011.

II. Mr Speaker read out the Message from the Head of State permitting the Legislative Assembly to consider the following Bills:-

1. Constitution Amendment Bill 2012.
2. Special Purpose International Companies Bill 2012.

III. Pursuant to Article 59 of the Constitution of the Independent State of Samoa and Parliament Standing Order 95, consent is hereby given to the Legislative Assembly to proceed upon consideration of the following Bill:

1. Samoa International Finance Authority Amendment Bill 2012.

6. OTHER ANNOUNCEMENTS BY MR SPEAKER

1. ANNOUNCEMENT FOR MEMBERS OF PARLIAMENT

The Chair has noticed the absence of members during sittings without reason or leave of absence from the Speaker. The Speaker duly reminded Members of Standing Orders 23 and 24 that stipulates that no member shall be absent from the Assembly for 3 consecutive sitting days without obtaining leave of absence from the Speaker. Subject to this Order, a member is considered absent if he fails to occupy his seat for at least 2 consecutive hours in any sitting day. Any member who is absent from the Assembly in contravention of this Order shall be disqualified from holding his seat.

2. ANNOUNCEMENT FOR CHIEF EXECUTIVE OFFICERS OF GOVERNMENT MINISTRIES AND CORPORATIONS

Given that reports obtained by the Speaker affecting some Chief Executive Officers, hence Speaker has ordered the Chief Executive Officers of the Government Ministries and Corporation through the Hon Ministers and Associate Ministers to comply with the summon issued by Parliamentary Select Committees to attend as witnesses especially when the Budget is being deliberated from time to time.

7. PRESENTATION OF PAPERS

The Clerk read out the Papers presented pursuant to S.O. 48.

1. P.P.2011/2012 No.81, Annual Report of the Samoa Fire & Emergency Services Authority for the year 2008/2009.
2. P.P.2011/2012 No.85, Annual Report of the Ministry of Commerce, Industry and Labour for July 2009 – June 2010.
3. P.P.2011/2012 No.86, Annual Report of the Samoa International Finance Authority for the year 2010.

4. P.P.2011/2012 No.87, Annual Report of the Ministry of Natural Resources & Environment for the year 2008 – 2009.
5. P.P.2011/2012 No.88, General Election of 2011 Report.
6. P.P.2011/2012 No.90, Annual Report of the Samoa Airport Authority for the year ended 30 June 2010.

8. PRESENTATION OF SELECT COMMITTEES REPORTS

The Clerk read out the Committee Report presented pursuant to S.O.51(5).

1. P.P. 2011/2012 No.89, Report of the Finance and Expenditure Committee on P.P. 2011/2012 No.82, The First Supplementary Estimates 2011/2012 of Receipts and Payments of the Government of Samoa for the Financial Year Ending 30 June 2012.

9. QUESTIONS FOR ORAL ANSWERS

Questions relating to Government were tabled in Parliament (Standing Orders 59, 60)

10. BUSINESS, STANDING ORDERS, HOUSE AND ELECTORAL COMMITTEE MOTION FOR APPROVAL OF PARLIAMENT SITTING PROGRAMME 2012/2013

Hon Agafili Patisela Eteuati Tolovaa (Deputy Chairperson) moved, *“That this Assembly approves the second part of the Sitting Programme for 2012/2013 set out here as recommended by the Business, Standing Orders, House and Electoral Committee pursuant to Standing Orders.”*

Month	Date	Month	Date	Month	Date
January	17	June	12	December	18
March	6	August	21	January	22
May	31	October	23		

Seconded by Hon Papaliitele Niko Lee Hang.

Motion approved.

11. GOVERNMENT ORDER OF THE DAY – Reading of Bills

Government Order of the Day No.1 called

1. Supplementary Appropriation Bill (No.1) 2011/2012 – second reading debate

Debate.

MAIDEN SPEECHES

FAGAAIVALU Kenrick Samu (Aleipata Itupa i Luga)

LAUTAFI Fio Selafi Purcell (Satupaitea)

ALO Fulifuli Taveuveu (Anoamaa Sasa’e)

TUFUGA Gafoaleata Faitua (Vaisigano Nu.1)

Members showed appreciation by applauding after the maiden speeches of the above members.

Proceedings of the Legislative Assembly was suspended at 10:40am and resumed at 11:16am.

Maiden Speech for Member of Anoamaa Sasa'e continued.

Words ordered by the Speaker to be removed from the Hansard in relation to the speech by the member for Gagaifomauga No.1 "*tumuli ma le ofu laititi*" (next to the ass and undergarments).

- 12. Proceedings of the Legislative Assembly were adjourned at 1:00pm until 9:00am on Wednesday, 18th January 2012.**

**Hon Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati.
CLERK**

WEDNESDAY, 18 JANUARY 2012

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt.

CABINET

Susuga Hon Tuilaepa Lupesoliai Sailele Malielegaoi, Afioga Hon Fiamē Naomi Mataafa. Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Tofa Motupuaa Uifagasa Aisoli Vaai, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaio manū Tāeū Masipau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Fagaivalu Kenrick Samu, Afioga Tufuga Gafaleata Faitua, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifuli Taveuveu, Tofa Tuiloa Anitelea, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Sooalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Tialavea Fea Tionisio Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Auimatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Hon Papalitele Niko Lee Hang.

2. MEMBERS ABSENT:

Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Lafaitale Patrick Leiataualesa, Afioga Ifopo Matia Filisi, Tofa Agafili Patisela Eteuati Tolovaa.

3. The Legislative Assembly met 9.00am.

4. Mr Speaker took the Chair and said the Prayers.

5. PRESENTATION OF PAPERS

The Clerk read out the Paper presented pursuant to Standing Order 48.

- (i) P.P.2011/2012 No.92, Electric Power Corporation, Annual Report for the Year 2010-2011.

6. GOVERNMENT ORDER OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Supplementary Appropriation Bill (No.1)2011/2012 – second reading debate

Debate continued.

Proceedings of the Legislative Assembly was suspended for its normal recess at 10:41am and resumed at 11:12am.

Hon Levaopolo Talatonu moved, *“That 10 minutes be added to the member’s speech as he is raising some very important issues for the development of our country.”* Seconded by Hon Tuileutu Alavaa Voi.

Motion was not granted.

Debate continued.

Hon Tuilaepa Fatialofa Aiono Neioti Sailele Malielegaoi moved, *“That proceedings be progressed tonight given that it’s passed time for adjournment of proceedings of the Legislative Assembly due to the many questions being asked by member.”*

Motion was not granted.

Debate continued.

Debate interrupted as we arrive on our adjourned time.

- 7. Proceedings of the Legislative Assembly were adjourned at 1.10pm until 9.00am on Thursday, 19th January 2012.**

**Hon Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M.Ropati
CLERK**

THURSDAY, 19 JANUARY 2012

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt.

CABINET

Susuga Hon Tuilaepa Lugesoliai Sailele Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiamé Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiatava, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Susuga Papalii Lio Faavaivaiomanu Taeu Masipau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifuli Taveuveu, Tofa Tuiloa Anitelea, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Afioga Afoafouvale John Moors, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Auimatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa, Tofa Soalo Mene, Tofa Motuopuaa Uifagasa Aisoli Vaai, Tofa Fagaavalu Kenrick Samu, Afioga Tufuga Gafualeata Faitua.

2. MEMBERS ABSENT:

Afioga Hon Manualesagalala Enokati Posala, Tofa Lealailepule Rimoni Aiafi, Afioga Ifopo Matia Filisi, Afioga Lafaitale Patrick Leiatavales, Afioga Tialavea Fea Tionisio Seigafolava.

3. The Legislative Assembly met 9.00am.

4. Mr Speaker took the Chair and said the Prayers.

5. PRESENTATION OF SELECT COMMITTEES REPORTS

The Clerk read out the Select Committees Reports tabled pursuant to Standing Order 51(5).

1. P.P.2011/2012 No.91, Report of the Justice, Police & Prisons and Land & Titles Committees on the Limitation Amendment Bill 2011.

6. **GOVERNMENT ORDER OF THE DAY – Reading of Bills**

Government Order of the Day No.1 called.

1. Supplementary Appropriation Bill (No.1)2011/2012 – second reading debate

Debate Continued

Proceedings of the Legislative Assembly were set aside for its normal recess at 10:45am and resumed at 11:16am.

Debate continued.

7. Proceedings of the Legislative Assembly were adjourned at 12:58 in the afternoon until 9:00 in the morning of Friday, 20 January 2012.

Hon Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

FRIDAY, 20 JANUARY 2012

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt.

CABINET

Susuga Hon Tuilaepa Lupesoliai Sailele Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Laufofo, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Afioga Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Tofa Motuopuaa Uifagasa Aisoli Vaai, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaomanu Taeu Masipau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Ifopo Matia Filisi, Afioga Hon Aeau Peniamina Leavaiseta, Afioga Hon Palusalua Faapo II, Tofa Lautafi Selafi Purcell, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafualeata Faitua Tofa Alo Fulifuli Taveuveu, Tofa Tuiloa Anitelea, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Tialavea Fea Tionisio Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Aumatagi Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Hon Papalii Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. MEMBERS ABSENT:

Tofa Lealailepule Rimoni Aiafi, Afioga Lafaitale Patrick Leiatuaalesa, Afioga Hon Fiamé Naomi Mataafa, Tofa Tuileutu Alavaa Voi, Tofa Tuiloa Anitelea, Tofa Hon Tolofuaivalelei Falemoe Leiatua, Tofa Motuopuaa Uifagasa Aisoli Vaai.

3. The Legislative Assembly met at 9.00am.

4. Mr Speaker took the Chair and said the Prayers.

5. **GOVERNMENT ORDER OF THE DAY – Reading of Bills**
Government Order of the Day No.1 called.
1. Supplementary Appropriation Bill (No.1) 2011/2012 – second reading debate continued.

Debate continued.

The Proceedings of the Legislative Assembly was suspended for its normal recess at 10:14am and resumed at 10:43am.

Debate continued.

Hon Levaopolo Talatonu moved, “*That 15 minutes be added to member’s speech of Falealupo.*”

Motion was not granted.

Debate continued.

6. **Proceedings of the Legislative Assembly adjourned at 12:13pm until 9:00am on Monday, 23rd January 2012.**

Hon Laauli Leuatea Polataivao Fosi
SPEAKER

Afioga Fepuleai Attila M. Ropati
CLERK

MONDAY, 23 JANUARY 2012

1. MEMBERS PRESENT:

SPEAKER

Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Lufesoliai Sailele Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiamē Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Tofa Hon Tuuu Anasii Leota, Tofa Motuopuaa Uifagasa Aisoli Vaai, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Susuga Papalii Lio Faavaivaiomanu Taeu Masipau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafaleata Faitua, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifulu Taveuveu, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Fafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Muagututagata Auimatagi Peter Ah Him, Afioga Tialavea Fea Tionisio Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa, Tofa Tuileutu Alavaa Voi, Tofa Tuiloa Anitelea, Afioga Ifopo Matia Filisi.

2. MEMBERS ABSENT:

Afioga Hon Leupepe Toleafoa Apulu Faafisi, Tofa Lealailepule Rimoni Aiafi, Afioga Lafaitale Patrick Leiataualesa.

3. The Legislative Assembly met at 9:10am.

4. Mr. Speaker took the Chair and said the Prayers.

5. ORBITUARY NOTICE:

Mr Speaker announced the passing away of the following members from last Parliament in the month of January.

1. Afioga Unasa Ioane was elected as member for the Territorial Constituency of Faasaleleaga No.3 in the VI Parliament from 1976-1979. He was a member of the Standing Orders Committee.
2. Afioga Matatumua Maimoana was first elected as a member of Aana Alofi No.1 in the year 1982-1984. He was again re-elected in Parliament in the year 1991-1995. Afioga Matatumua Maimoana was a member of the Bills Committee in the year 1982-1984. He was also a member of the Finance Committee in the year 1991-1995. He was also a member of the Human Rights Protection Party.
3. Afioga Levaa Sauaso was elected as a member of the Territorial Constituency of Aiga I le Tai in the XIII Parliament 2001-2005. He was a member of the Human Rights Protection Party. Afioga Levaa Sauaso was also a Parliament Under-Secretary for the Office of Audit and Revenue. He was also a member of the Primary Production Committee.

The Speaker thanked the Territorial Constituencies particularly the families and relatives of the diseased members.

The Assembly rose to observe a minute of silence in respect of the former Members.

6. PRESENTATION OF MEMBERS

The Clerk read out the paper submitted pursuant to the Standing Order 48.

- (i) P.P.2011/2012 No.93, Unit Trust of Samoa (Management) Limited Annual Report for the 16 months ended 30th June 2011.

7. GOVERNMENT ORDER OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Supplementary Appropriation Bill (No.1) 2011/2012 – debate over second reading

Debate.

The Proceedings of the Legislative Assembly were suspended at 10:45am and resumed at 11:15am.

MOTION FOR CHANGE IN SITTING HOURS SCHEDULE

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi move, *“That the we have a night session at 7:00pm until 11:00pm, to proceed with the order papers tabled.”*

Seconded by Hon Faumuina Tiatia Liuga.

Motion approved and the Change in Sitting Hours Schedule stood as follows:

Sitting Hours Schedule:

9:00am – 1:00pm

7:00pm-11:00 at night

Debate continued over second reading of the Supplementary Appropriation Bill (No.1) 2011/2012.

Proceedings of the Legislative Assembly were suspended at 1:00pm and resumed at 7:00pm.

Debate continued over second reading of the Supplementary Appropriation Bill (No.1) 2011/2012.

Proceedings of the Legislative Assembly resumed at 7:00pm.

Debate continued over second reading of the Supplementary Appropriation Bill (No.1) 2011/2012.

Proceedings of the Legislative Assembly were suspended at 8:45pm and resumed at 9:21pm.

Debate continued over second reading of the Supplementary Appropriation Bill (No.1) 2011/2012.

Motion approved as moved on Monday, 19 December 2011 and second reading of Supplementary Appropriation Bill (No.1) 2011/2012 was read.

Government Order of the Day No.2 called.

2. Supplementary Appropriation Bill (No.1) 2011/2012 – consideration in detail.

**FIRST SCHEDULE
VOTES AND APPROPRIATIONS
ADDITIONAL APPROPRIATIONS**

MINISTRY:	TOTAL EXPENDITURE:
AGRICULTURE & FISHERIES:	\$200,000
<i>Approved.</i>	
COMMERCE, INDUSTRY & LABOUR:	\$22,134
<i>Approved.</i>	
COMMUNICATION & INFORMATION TECHNOLOGY:	\$333,418

Approved.

EDUCATION, SPORTS & CULTURE: \$4,941,149

Approved.

FINANCE: \$3,001,906

Approved.

FOREIGN AFFAIRS & TRADE: \$10,000

Approved.

HEALTH: \$557,500

Approved.

NATURAL RESOURCES & ENVIRONMENT: \$1,818,275

Approved.

POLICE AND PRISON: \$109,250

Approved.

PRIME MINISTER: \$41,310

Approved.

WOMEN, COMMUNITY & SOCIAL DEVELOPMENT: \$206,688

Approved.

WORKS, TRANSPORT & INFRASTRUCTURE: \$10,836,837

Approved.

LEGISLATIVE ASSEMBLY: \$214,992

Approved.

Hon Tuiloma Lameko moved, *“That the Tax Information Exchange Bill 2011 be now read the first time.”* Seconded by **Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiataua.**

Motion approved and the Bill was read the first time.

Government Order of the Day No.6.called

6. Constitution Amendment Bill 2012 – first reading

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neiote Saillele Malielegaoi moved, *“That the Constitution Amendment Bill 2012 be now read the first time.”* Seconded by **Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.**

Motion approved and the Bill was read the first time.

Pursuant to Standing Orders the Bill will be read the third time on our last session.

Government Order of the Day No.7.

7. Special Purpose International Companies Bill 2012 – first reading

Hon Faumuina Tiatia Liuga moved, *“That the Special Purpose International Companies Bill 2012 be now read the first time.”* Seconded by **Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiataua.**

Motion approved and the Bill was read the first time.

Pursuant to Standing Orders the Bill will be read the third time on our last session.

Government Order of the Day No.8 called.

8. Samoa International Finance Authority Amendment Bill 2012 – first reading

Hon Faumuina Tiatia Liuga moved, *“That the Samoa International Finance Authority Amendment Bill 2012 be now read the first time.”* Seconded by **Hon Fonotoe Nuafesili Pierre Lauofo.**

Motion approved and the Bill was read the first time.

Pursuant to Standing Orders the Bill will be read the third time on our last session.

Government Order of the Day No.9 called.

9. OPEC FUND Loans Bill 2011 – second reading

Hon Faumuina Tiatia Liuga moved, *“That the OPEC FUND Loans Bill 2011 be now read the second time and I wish to briefly clarify it.”* Seconded by **Hon Fonotoe Nuafesili Pierre Lauofo.**

The Minister clarified the Bill.

Debate.

Motion approved and the OPEC FUND Loans Bill 2011 was read the second time.

8. **Proceedings of the Legislative Assembly were suspended at 11:00pm until Tuesday, 24 January 2012 at 9:00am.**

Susuga Hon Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

TUESDAY, 24 JANUARY 2012

1. MEMBERS PRESENT:

SPEAKER

Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Lufesoliai Sailele Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Sala Fata Pinati.

MEMBERS

Afioga Hon Leupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Tofa Motuopuaa Uifagasa Aisoli Vaai, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Susuga Papalii Lio Faavaivaomanu Taeu Masipau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseta, Afioga Hon Palusalua Faapo II, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafaleata Faitua, Afioga Ifopo Matia Filisi, Tofa Tuileutu Alavaa Voi, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifuli Taveuveu, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Tialavea Fea Tionisio Seigafolava, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa, Tofa Tuiloa Anitelea.

2. MEMBERS ABSENT:

Tofa Lealailepule Rimoni Aiafi, Afioga Lafaitale Patrick Leiataualesa, Afioga Hon Fiamé Naomi Mataafa, Afioga Muagututagata Auimatagi Peter Ah Him.

3. The Legislative Assembly met at 9:10am.

4. Mr. Speaker took the Chair and said the Prayers.

5. GOVERNMENT ORDER OF THE DAY

Government Order of the Day No.1 called.

1. Tax Information Exchange Bill 2012 – Debate continued over second reading

Hon Tuiloma Lameko (Minister for Revenue) moved, “That the Tax Information Exchange Bill 2011 be now read the second time and I wish to speak briefly on it.”

Seconded by Hon Faumuina Tiatia Liuga.

The Minister clarified the Bill.

Debate continued over second reading.

Motion approved and the Tax Information Exchange Bill 2011 was read the second time.

Government Order of the Day No.2 called.

2. OPEC FUND Loans Bill 2011 – consideration in detail

CLAUSE 2: Interpretation.

Debate.

Clause 2 was approved.

CLAUSE 3: Authority to borrow from the Fund.

Approved.

CLAUSE 4: Implementation of obligations under agreement.

Debate.

Clause 4 was approved.

CLAUSE 5: Notice of Agreement.

Approved.

CLAUSE 6: Arbitration.

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement.

TITLE: OPEC FUND Loans Bill 2011.

**Hon Faumuina Tiatia Liuga moved the Amendment on Clause 1 as follows:-
“AMENDMENT:**

Clause 1 and Title:

To omit the year “2011” and thereby substitute with “2012” so that the Title reads as:-

“OPEC FUND Loans Bill 2012”

Amendment Approved.

Clause 1 approved with Amendments.

The OPEC FUND Loans Bill 2011 be progressed with Amendments.

Government Order of the Day No.3 called.

3. Tax Information Exchange Bill 2011 – consideration in detail

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Agreements.

Approved.

CLAUSE 4: Receipt of a request.

Approved.

CLAUSE 5: Approval of a request.

Approved.

CLAUSE 6: Decline of a request.

Approved.

CLAUSE 7: Collection of information by notice.

Approved.

CLAUSE 8: Service of notice.

Approved.

CLAUSE 9: Powers of inspection.

Approved.

CLAUSE 10: Secrecy and confidentiality obligations overridden.

Approved.

CLAUSE 11: Restriction on the disclosure of information.

Approved.

CLAUSE 12: Offences.

Approved.

CLAUSE 13: Criminal liability of directors, officers, abettors and others.

Approved.

CLAUSE 14: Immunity.

Debate.

Clause 14 approved.

CLAUSE 15: Regulations.

Approved.

CLAUSE 16: Consequential amendment.

Approved.

SCHEDULE:

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement.
TITLE: Tax Information Exchange 2011.

Hon Tuiloma Lameko moved the Amendment to Clause 1 as follows:-

“AMENDMENT:

Clause 1 and the Title:

To omit the year “2011” and thereby substitute to “2012” and Title of Act be read as:

“TAX INFORMATION EXCHANGE 2012.””

Amendment approved.

Clause 1 approved with Amendment.

The Tax Information Exchange 2012 now progressed with Amendment.

Government Order of the Day No.4 called.

4. OPEC FUND Loans Bill 2012 – third reading

Hon Faumuina Tiatia Liuga moved, *“That the OPEC FUND Loans Bill 2012 be now read the third time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read the third time and had passed the Legislative Assembly.

Government Order of the Day No.5 called.

5. Tax Information Exchange 2012 – third reading

Hon Tuiloma Lameko moved, *“That the Tax Information Exchange Bill 2012 be now read the third time.”* Seconded by Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read the third time and had passed the Legislative Assembly.

Government Order of the Day No.6 called.

6. Limitation Amendment Bill 2011 – consideration in detail

Afioga Tuisa Tasi Patea (Chairman of Justice, Police & Prisons and Land & Titles Committee) moved, *“That the Legislative approves the Report of the Committee recommending the Limitation Amendment Bill 2011 progresses with Amendment.”* Seconded by foafouvale John Moors.

Motion approved.

Question put and when the Affirmative have it, the Report of the Committee stood approved.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Application of the Act.

Approved.

CLAUSE 4: Reference to repealed Ordinance.

Approved.

CLAUSE 5: Actions to recover land or register title.

Approved.

CLAUSE 6: Accrual of right of action in case of future interest.

Approved.

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short Title and Commencement.

TITLE: Limitation Amendment Bill 2011.

Tuisa Tasi Patea moved the Amendment to Clause 1 and the Title as follows:-

“AMENDMENT:

Clause 1 and the Title:

To omit the year 2011” and thereby substitute to “2012” to be read as:

“LIMITATION AMENDMENT BILL 2012”

Amendment approved.

Clause 1 approved with Amendment.

The Limitation Amendment Bill 2012 was now progressed with Amendment.

Government Order of the Day No.7 called

7. Stamp Duty Amendment Bill 2011 – consideration in detail

Sooalo Mene moved, *“That the Legislative now approves the Report of the Committee recommending the Stamp Duty Amendment Bill 2011 now progresses with Amendment.”* Seconded by Tofa Lenatai Victor Faafoi Tamapua / Afioga Taefu Lemi.

Question put and when the Affirmative have it, the Report of the Committee stood approved.

CLAUSE 2: Increased stamp duties on land conveyance.

Approved.

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short Title and Commencement.

TITLE: Stamp Duty Amendment Bill 2011.

Sooalo Mene moved the Amendment on Clause 1 and the Title as follows:

“AMENDMENT:

Clause 1 and the Title:

To omit the year 2011 and thus substitute to “2012 to be read as follows:

“STAMP DUTY AMENDMENT BILL 2012”

Amendment Approved.

Clause 1 and the Title approved with Amendment.

The Stamp Duty Amendment Bill 2012 now progresses with Amendment.

Government Order of the Day No.8 called.

8. Public Bodies (Performance and Accountability) Amendment Bill 2011 – consideration in detail

Hon Papaliitele Niko Lee Hang (Chairman of the Revenue & Expenditure Committee) moved, *“That the Legislative approves the Committee’s Report and*

recommends the Public Bodies (Performance & Accountability) Amendment Bill 2011 now progresses with Amendment.” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Afioga Tafua Maluelue Tafua.

Question put and when the Affirmative have it, the Committee’s Report stood approved.

CLAUSE 2: Definition of Community Service Obligation

Approved.

CLAUSE 3: Minister may direct a Community Service Obligation

Approved.

CLAUSE 4: Declaration of Pecuniary Interests and Convictions.

Approved.

CLAUSE 5: Corporate Plan

Approved.

CLAUSE 6: Support by the Financial Secretary.

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and the Commencement.

TITLE: Public Bodies (Performance and Accountability) Amendment Bill 2011.

Hon Papaliitele Niko Lee Hang moved the Amendment to Clause 1 and the Title as follows:

“AMENDMENT:

Clause 1 and the Title:

To omit the numerals 2011 thus be substituted with 2012 to be read as follows:

**“PUBLIC BODIES (PERFORMANCE & ACCOUNTABILITY) AMENDMENT
BILL 2012”**

Amendment approved.

Clause 1 and Amendment approved.

The Public Bodies (Performance and Accountability) Amendment Bill 2012 now progresses with Amendment.

Government Order of the Day No.9 called.

9. Airport Authority Bill 2011 – consideration in detail

Tusa Misi Tupuola (Chairman of Works, Transport and Environment Committee) moved, “That the Legislative approves the Committee’s Report and recommends the Airport Authority Bill 2011 progresses with Amendment.” Seconded by Afoafouvale John Moors.

Question put and when the Affirmative have it, the Committee’s Report stood approved.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Continuation of the Authority.

Approved.

CLAUSE 4: Authority is a body corporate.

Approved.

CLAUSE 5: Offices of the Authority.

Approved

CLAUSE 6: Functions of the Authority.

Approved.

CLAUSE 7: Operating principles.

Approved.

CLAUSE 8: Authority to follow general policy of Government.

Approved.

CLAUSE 9: Powers of the Authority.

Approved.

CLAUSE 10: The Board of the Authority.

Approved.

CLAUSE 11: Terms of Office of Directors.

Approved.

CLAUSE 12: Remuneration of appointed Directors.

Approved.

CLAUSE 13: Board Meetings.

Approved.

CLAUSE 14: Disclosure of interest.

Approved.

CLAUSE 15: Contracts by the Authority.

Approved.

CLAUSE 16: Committees.

Approved.

CLAUSE 17: Delegation of powers.

Approved.

CLAUSE 18: No gifts etc to be accepted by Directors or officers.

Approved.

CLAUSE 19: General Manager

Approved.

CLAUSE 20: Acting General Manager.

Approved.

CLAUSE 21: Authority staff.

Approved.

CLAUSE 22: Airports under the Authority's control.

Approved.

CLAUSE 23: Privately owned and managed airports.

Approved.

CLAUSE 24: Provision of aviation services to foreign airports.

Approved.

CLAUSE 25: By-laws, operating procedures, guidelines and codes of practice.

Approved.

CLAUSE 26: Authority may remove obstructions etc.

Approved.

CLAUSE 27: Powers to protect assets and operations.

Approved.

CLAUSE 28: Air traffic control and communication facilities.

Approved.

CLAUSE 29: Transfer or closure of airports.

Approved.

CLAUSE 30: Formation of Business Units.

Approved.

CLAUSE 31: Staff of approved Business Units of the Authority.

Approved.

CLAUSE 32: Operations of Business Units.

Approved.

CLAUSE 33: Sale of Business Units.

Approved.

CLAUSE 34: Restrictions on disposal of land.

Approved.

CLAUSE 35: Airport Security Committee.

Approved.

CLAUSE 36: Airports Safety and Facilitation Committee.

Approved.

CLAUSE 37: Revenue and funds of the Authority.

Approved.

CLAUSE 38: Fixing of fees, charges and levies.

Approved.

CLAUSE 39: Fees, charges and levies imposed by the Authority.

Approved.

CLAUSE 40: General provision in relation to fees, charges and levies.

Approved.

CLAUSE 41: Powers in relation to the collection and recovery of fees.

Approved.

CLAUSE 42: Modification of fees, charges and levies under the Civil Aviation Act 2008.

Approved.

CLAUSE 43: Recovery of fees, charges or levies for aviation related services.

Approved.

CLAUSE 44: Powers of the Auditor

Approved.

CLAUSE 45: Accounts, audit, and annual report.

Approved.

CLAUSE 46: Director's responsibilities in relation to accounts and reports.

Approved.

CLAUSE 47: Other obligations of Directors.

Approved.

CLAUSE 48: Audit Committee and Risk Management Committee.

Approved.

CLAUSE 49: Inquiries into malpractice.

Approved.

CLAUSE 50: Protection of informants.

Approved.

CLAUSE 51: Protection from liability.

Approved.

CLAUSE 52: Write-offs

Approved.

CLAUSE 53: Application of the Public Bodies (Performance and Accountability) Act 2001 to the Authority

Approved.

CLAUSE 54: Application of the Companies Act 2001 to the Authority.

Approved.

CLAUSE 55: Indemnity provision.

Approved.

CLAUSE 56: Use of approved Forms.

Approved.

CLAUSE 57: Regulations.

Approved.

CLAUSE 58: Repeal

Approved.

CLAUSE 59: Savings and Transitional Provisions.

Approved.

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short Title and Commencement.

TITLE: Airport Authority Amendment Bill 2011.

Tusa Misi Tupuola moved the Amendment on Clause 1 and the Title as follows:

“AMENDMENT:

Clause 1 and the Title:

To omit the numerals “2011 and thereby substitute with “2012” to be read as follows:

“AIRPORT AUTHORITY AMENDMENT BILL 2012”.

Amendment approved.

Clause 1 and the title approved with Amendment.

The Airport Authority Amendment Bill 2012 now progresses with Amendment. Proceedings of the Legislative Assembly were suspended at 10:21am and resumed at 10:56am.

MOTION TO SUSPEND ORDERS

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, “*That the Standing Orders 107(4) be suspended so that the third reading of the Bill is considered by the Legislative Assembly.*” Seconded by Hon Faumuina Tiatia Liuga / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuivalelei Falemoe Leiataua.

The suspension of the Standing Orders 107(4) now approved and third reading of the Bill will be considered by the Legislative.

Government Order of the Day No.10 called.

10. Limitation Amendment Bill 2012 – third reading

Hon Faumuina Tiatia Liuga moved, “*That the Limitation Amendment Bill 2012 be now read the third time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read the third time and had passed the Legislative.

Government Order of the Day No.11 called.

11. Stamp Duty Amendment Bill 2012 – third reading

Hon Faumuina Tiatia Liuga moved, “*That the Stamp Duty Amendment Bill 2012 be now read the third time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read the third time and had passed the Legislative Assembly.

Government Order of the Day No.12. called.

12. Public Bodies (Performance & Accountability) Amendment Bill 2012 – third reading

Hon Faumuina Tiatia Liuga moved, “*That the Public Bodies (Performance & Accountability) Amendment Bill 2012 be now read the third time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read the third time and has passed the Legislative.

Government Order of the Day No.13 called.

13: Airport Authority Amendment Bill 2012 – third reading

Hon Manualesagalala Enokati Posala (Minister of Works, Transport & Infrastructure) moved, “*That the Airport Authority Amendment Bill 2012 be now read the third time.*” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read the third time and had passed the Legislative Assembly.

- 6. Proceedings of the Legislative Assembly now adjourned at 11:24am until 9:00am on Tuesday, 6 March 2012 pursuant to Parliament Sitting Schedule 2012.**

**Hon Laauli Leuatea Polataivao Fosi
SPEAKER**

**Afioga Fepuleai Attila M. Ropati
CLERK**

TUESDAY, 6 MARCH 2012

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Saillele Neioti Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiamé Naomi Mataafa, Afioga Hon Faumuina Tiatia Liuga, Tofa Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Hon Tuiloma Lameko, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Tofa Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Sala Fata Pinati.

MEMBERS

Afioga Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaiomanu Taeu Masepau, Afioga Afualo Wood Uti Salele, Tofa Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Afioga Tufuga Gafaleata Faitua, Tofa Lautafi Fio Selafi Purcell, Hon Tusa Misi Tupuola, Tofa Alo Fulifulu Taveuveu, Tofa Tuiloa Anetelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Hon Gatoaifaana Amataga Alesana Gidlow, Susuga Hon Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. MEMBERS ABSENT:

Tofa Fagaavalu Kenrick Samu, Tofa Motuopuaa Uifagasa Aisoli Vaai, Afioga Muagututagata Faamausili Auimatagi Peter Ah Him.

3. The Legislative Assembly met 9.00am.

4. Mr Speaker took the Chair and said the Prayers.

5. MESSAGE FROM THE HEAD OF STATE

Mr Speaker announced the Message from His Highness, O Le Ao o le Malo permitting the Legislative Assembly to consider the Bills as follows:-

1. Family Safety Bill 2012.
2. Offences Bill 2012.
3. Counter Terrorism Bill 2012.

6. **OTHER ANNOUNCEMENTS BY MR SPEAKER**

The Speaker reminded members of yesterday's ruling regarding the old Fono House of Parliament. This requires all members to respect and recognize one another and there should be no in-fighting with one another. Speaker reminded that we now have sovereignty which is celebrating its 50 years independence anniversary. It is for this reason that the Speaker has decided to introduce this issue into the House, as members deserve to know and hear the views and especially to officially hear the decision of the Prime Minister and Cabinet on the issue.

The Hon. Prime Minister is scheduled today to fully unveil Cabinet's thinking and decision on the old Fono House of Parliament in order to be recognized by Parliament and the general public listening in.

The Speaker gave the opportunity to the Hon. Prime Minister for his Ministerial Statement.

MINISTERIAL STATEMENT BY THE HON. PRIME MINISTER, SUSUGA HON TUILAEPA FATIALOFA LUPESOLI'AI AIONO NEIOTI SAILELE MALIELEGAOI-6TH MARCH 2012.

Mr Speaker and Hon. Members of the Legislative Assembly, especially the whole of Samoa in its entire traditional setup listening in, we should be joining together in offering praises to our Supreme Master this morning, as He is God upon whom Samoa is founded and Who ensures peace for Mr Speaker and good health for all the members of the House as it proceeds with its session on this beautiful morning. I congratulate you all for the peace and goodwill and especially the good health that we are all enjoying. However, I respectfully rise to provide a brief clarification on what is to take place with the old Fono House of Parliament, as well as the long term plans of Government.

As all the members may have noted on their way to Parliament's session this morning, a high leveled ground has been built up to give this well known meeting ground of Tiafau a new and more attractive facelift. This therefore is bonus to this Parliament. In other words Tiafau as of now is completely flat and bare in its entire square shape. It will be waterlogged no more given its bare and flat outlook. There will be no more holes as it has been made completely leveled and flat making it more ideal for the foxtrot style of the entertainers. Even the parking areas have been completely built and upgraded. There should be no more sinking in due to the thickness of the mud during the rain while the ceremonies are taking place.

These are none other than the well planned preparations for normal major occasions and ceremonies that are normally celebrated here now and in future where most people of the country are expected to attend or participate in. As such this ground should be big enough and perfect in every respect to provide enough space for the people of our country.

These are normal aspects of the long term plans of our Government based on vision and far sightedness. There is nothing that is done that might turn out to be nasty making everything look ugly. Everything is done by Government with sincere hope to further enhance the beauty of the traditional meeting place of Tiafau, the only place where all the Samoans will come to for its major ceremonies such as the commemoration of our Independent sovereignty every year.

The old Maota Fono which is ideally located at the western end of the Malae has now become an eyesore especially now with the present high level of the reef, let alone the exterior outlook of the house which is most unsuitable and not attractive enough to the eye from the road and from the line of buildings on the inland side facing the old Fono House of Parliament which is lonely located on the seaward side in contrast to the new Court building to the west. This old ugly Fono House has been sited there for a long time when it is no longer used by Government for any function.

Just as most of our native houses are built of untreated wood from the forest, they are prone to rot easily let alone the damage done by the white ants threatening the safety of our people that congregate therein during the commemoration of special days, especially the one to come in future.

It is also the recommendation of the Ministry responsible for projects of this nature that it should be accepted by Government. It is therefore the contention of the professionals responsible for the decisions of Government to immediately dismantle this house as prevention is much better than to cure.

The present Parliament Building is where politics of the Government of Samoa are being conducted. The rundown house frame located to the seaward side has been referred to clearly in my submissions. To me, everything is simple, but the reason of its becoming difficult emanates from us when we make simple things difficult. The idea that a house be built as a reminder has been estimated to cost in the proximity of millions of tala, and that this amount of money is not that small. Whether a new commemorative house is to be built or not, the existing house should be pulled down for the safety of our people and that of course is the wisest move we should take. There are in process consultations for assistance from abroad towards the construction of a new commemorative building, as it is considered costly. When these consultations are completed successfully, Government will again consider the most appropriate plan. The current plan regarding the pulling down of the old building has been set for this Thursday to be in line with the Bidder's agreement to do the work. That of course is the unanimous decision of the majority party in Parliament of which as Leader, I am required to accordingly inform the Chair and the members of Parliament this morning as the issue of the Old Fono House was raised and discussed in our previous session, and as the whole perspective is now in the clear, I have to say that removing this old house is a move in the right direction. I wish our meeting every success.

7. PRESENTATION OF PAPERS

The Clerk read out the Papers submitted pursuant to Standing Orders 48.

1. S.R. 2012/1, General Price Order (No.1) 2012
2. S.R. 2012/2, Notice of Charge on Base Tariff for Supply of Electricity (No.1) 2012.

3. S.R. 2012/3, Notice of Charge on Base Tariff for the Supply of Electricity (No.2) 2012.
4. S.R. 2012/4, Notice of Charge on Base Tariff for the Supply of Electricity (No.3) 2012.
5. P.P. 2011/2012 No. 94, Annual Report of the Ministry of Health for the Financial Year 2009-2010.
6. P.P. 2011/2012 No. 95, Annual Report of the Samoa Life Assurance Corporation for the Year 2011.
7. P.P. 2011/2012 No.96, By-Election 2011 Report.
8. P.P. 2011/2012 No.97, Annual Report of the Development Bank of Samoa for 2011.

8. **PRESENTATION OF SELECT COMMITTEES REPORTS**

The Clerk read out the Reports of the Select Committees submitted pursuant to Standing Orders 51 (5).

1. P.P.2011/2012 No.98 Report of the Justice, Police & Prisons and Land & Titles Court on the Land and Titles Amendment Bill 2011.
2. P.P. 2011/2012 No.99, Report of the Government Administration Committee on the Composition of Boards of Public Bodies Bill 2011.
3. P.P.2011/2012 No.100, Report of the Primary Production, Commerce, Industry and labour Committee on the Samoa Tourism Development Bill 2011.
4. P.P. 2011/2012 No. 101, Report of the Foreign Affairs, Trade and Revenue Committee on the Customs Amendment Bill 2011.

9. **GOVERNMENT ORDER OF THE DAY –Reading of Bills**

Government Order of the Day No.1 called.

1. Family Safety Bill 2012 – first reading

Hon Fiame Naomi Mataafa (Minister for Justice & Courts Administration) moved, *“That the Family Safety Bill 2012 be now read the first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

Motion confirmed and Bill was read the first time.

Government Order of the Day No.2 called.

2. Crimes Bill 2012 – first reading

Hon Sala Fata Pinati moved, *“That the Crimes Bill 2012 be now read the first time”* Seconded by Hon Tolofuaivalelei Falemoe Leiataua / Hon Tuitama Talalelei Tuitama.

Government Order of the Day No.3 called

3. Terrorism Prevention Bill 2012 – first reading

Hon Sala Fata Pinati moved, *“That the Terrorism Prevention Bill 2012 be now read the first time.”* Seconded by Hon Faamoetaulua Ulaitino Faale Tumaalii / Hon Tuitama Talalelei Tuitama.

Motion approved and the Bill was read the first time.

Government Order of the Day No.4 called.

4. Constitution Amendment Bill 2012 – second reading

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, “*That the Constitution Amendment Bill 2012 be now read the second time and I wish to briefly clarify it.*” Seconded by Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

The Prime Minister clarified the Bill.

Debate.

Proceedings of the Legislative Assembly was suspended for its normal recess at 10:46am and resumed at 11:45am.

Debate continued.

MOTION FOR THE CHANGE OF TIME OF MEETINGS

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, “*That today’s meeting time schedule be altered say from 9:00 am to 1:00 pm and to again meet at 7:00pm until the hour of 11:00 p.m. commencing from tonight.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

Motion carried in the Affirmative and the altered meeting times commencing from this meeting days were approved as follows:-

Daily Meeting Times:

9:00am-1:00pm

7:00pm-11:00pm.

Debate continued on Constitution Amendment Bill 2012 second reading.

Proceedings of the Legislative Assembly was suspended at 1:00pm to be resumed at 7:00pm.

Proceedings of the Legislative Assembly resumed at 7:00pm.

Resumption of debate on the Second Reading of the Constitutional Amendment Bill 2012

Proceedings of the Legislative Assembly were suspended at 8:45pm and resumed at 9:10pm.

Debate resumed.

Motion approved and the Constitution Amendment Bill 2012 was read the second time.

Government Order of the Day No.5. called

5. Special Purpose International Companies Bill 2012 – second reading

Hon Faumuina Tiatia Liuga moved *“That the Special Purpose International Companies Bill 2012 be now read the second time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and Special Purpose International Companies Bill 2012 was read the second time.

Government Order of the Day No.6 called.

6. Samoa International Finance Authority Amendment Bill 2012 – second reading
Hon Faumuina Tiatia Liuga moved, *“That the Samoa International Finance Authority Amendment Bill 2012 be now read the second time.”* Seconded by Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Samoa International Finance Authority Amendment Bill 2012 was read the second time.

10. Proceedings of the Legislative Assembly were adjourned at 11:00 in the evening until 9:00 in the morning of Wednesday, 7 March 2012.

Hon Laauli Leuatea Polataivao Fosi
SPEAKER

Afioga Fepuleai Attila M.Ropati
CLERK

WEDNESDAY 7 MARCH 2012

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Saillele Neioti Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiamé Naomi Mataafa, Afioga Hon Faumuina Tiatia Liuga, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Tofa Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Sala Fata Pinati.

MEMBERS

Afioga Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Tofa Motuopuaa Uifagasa Aisoli Vaai Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaio manu Taeu Masipau, Afioga Afualo Wood Uti Salele, Tofa Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Afioga Tufuga Gafaleata Faitua, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifulu Taveuveu, Tofa Tuiloa Anetelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Hon Gatoaifaana Amataga Alesana Gidlow, Susuga Hon Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa

2. MEMBERS ABSENT

Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Fagaaivalu Kenrick Samu, Afioga Muagututagata Faamausili Auimatagi Peter Ah Him.

3. The Legislative Assembly met at 9.00am.

4. Mr Speaker took the Chair and said Prayers.

5. **GOVERNMENT ORDERS OF THE DAY- Reading of Bills**

Government Order of the Day No.1 called.

1. Excise Tax Amendment Bill 2011- consideration in detail

Tofa Sooalo Mene, (Chairman of Foreign Affairs, Trade and Revenue Committee) moved, *“That the Assembly approves the Committee Report which recommends Amendments to the Bill.”* Seconded by Afioga Tuisa Tasi Patea / Afioga Lafaitete Patrick Leiataualesa.

Question put and when the Ayes have it, the Foreign Affairs, Trade and Revenue Committee Report on the Excise Tax Rate Amendment Bill 2011 was approved.

CLAUSE 2: Amendments to the Schedule.

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Excise Tax Rate Amendment Bill 2011

Tofa Sooalo Mene moved an amendment for Clause 1 and Title to be as follows:-

“AMENDMENT:

“To omit the numeral “2011” and substitute thereby with numeral “2012” thus the title of the Bill will read: -

“EXCISE TAX RATE AMENDMENT BILL 2012.””

Amendment Approved.

Clause 1 and Title approved as amended.

The Excise Tax Rate Amendment Bill 2011 has progressed with Amendments.

Government Order of the Day No.2 called.

2. Accident Compensation Amendment Bill 2011- consideration in detail

Susuga Hon Papaliitele Niko Lee Hang (Chairman of the Finance and Expenditure Committee) moved, *“That the Assembly approves the Committee Report which*

recommends amendments to the Bill.” Seconded by Afioga Hon Gatoloaifaana Amataga Alesana Gidlow/ Afioga Tafua Maluelue Tafua.

Question put and was carried in the Affirmative, the Report of the Committee stood approved.

CLAUSE 2: Financial Functions and Powers

Approved

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Accident Compensation Amendment 2011

Afioga Hon Papaliitele Niko Lee Hang moved amendment,

“AMENDMENT:

“To omit the numeral “2011” and substitute thereby with numeral “2012” thus the title of the Bill will read as: -

“ACCIDENT COMPENSATION AMENDMENT BILL 2012.”

Approved.

Clause 1 and Title approved as amended.

The Accident Compensation Amendment Bill 2011 has progressed with Amendments.

Government Order of the Day No.3 called.

3. Cluster Munitions Amendment Bill 2011- consideration in detail

Afioga Tuisi Tasi Patea (Chairman of the Justice, Police & Prisons and Land & Titles Committee) moved, *“That the Assembly approves the Committee Report which recommends amendments to the Bill.”* Seconded by Afioga Lafaitale Patrick Leiataualesa/ Tofa Lenatai Victor Faafoi Tamapua/ Afioga Afoafouvale John Moors

Question put and was carried in the Affirmative, the Report of the Committee now stood approved.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Meaning of Cluster Munition.

Approved.

CLAUSE 4: **Application.**

Approved.

CLAUSE 5: **Purpose.**

Approved.

CLAUSE 6: **Offences.**

Approved.

CLAUSE 7: **Exceptions to offences in section 6 (1).**

Approved.

CLAUSE 8: **Liability of an officer of a corporation.**

Approved.

CLAUSE 9: **Application of this Division to certain explosive
bomblets.**

Approved.

CLAUSE 10: **Seizure, forfeiture, and destruction of cluster
munitions.**

Approved.

CLAUSE 11: **Application of Customs Act 1977.**

Approved.

CLAUSE 12: **Minister may authorize cluster munitions for certain
purposes.**

Approved.

CLAUSE 13: Purpose of this Division.

Approved.

CLAUSE 14: Supply of information.

Approved.

CLAUSE 15: Regulations.

Approved.

CLAUSE 16: Consequential Amendment.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Cluster Munitions Prohibition 2011

Afioga Tuisa Tasi Patea moved amendments to Clause 1 and the title as follows:

“AMENDMENT:

“To omit the numeral “2011” and substitute with numeral “2012” to read:-

“CLUSTER MUNITIONS PROHIBITION BILL 2012”””

Approved.

Clause 1 and Title approved as amended.

The Cluster Munitions Prohibition Bill 2012 progressed with amendments.

Government Order of the Day No.4 called.

4. Incorporate Societies Amendment Bill 2011- consideration in detail

Tofa Hon Tuuu Anasii Leota, (Chairman of the Government Administration Committee) moved, “That the Assembly approves the Committee Report which recommends amendments to the Bill.” Seconded by Hon Faumuina Tiatia Liuga/ Hon Lefau Harry Schuster /Tofa Lenatai Victor Faafoi Tamapua.

Question put and was carried in the Affirmative, the motion was approved and the Report stood approved.

CLAUSE 2: Interpretation.

Hon Tuuu Anasii Leota moved the Amendment on Clause 2 to be as follows:-

“AMENDMENT:

To omit the definition of the expression “panel” and substitute thereby the correct definition to ensure its clarity thus the new definition in Clause 2 will read:-

“Panel” means the list of people appointed under the section 41 from which the presiding member of a tribunal appoints 2 other members of the tribunal”.

Amendment approved.

Clause 2 approved as amended.

CLAUSE 3: Penalty for improper use of the word “Incorporated”.

Approved.

CLAUSE 4: Insertion of new provision.

Tofa Hon Tuuu Anasii Leota moved an Amendment to Clause 4 to be as follows:-

“AMENDMENT:

Clause 4 - Insertion of new provision.

To omit clause 7D as it appears in clause 4 of the Bill and substitute thereby the new sub clause 7D to read:-

“7D - Court may give directions or make orders-(1) The Court may, on the application of the Registrar or any person applying to restore a society to the Register, give any directions or make any orders that may be necessary or desirable for the purpose of placing a society restored to the Register under section 7C in as near as possible to the same position as if the society had not been removed from the Register.”

Amendment approved.

Clause 4 as Amended approved.

CLAUSE 5: Appeal from Registrar to Court.

Approved

CLAUSE 6: Insertion of new provisions.

Approved.

CLAUSE 7: Alteration of Rules.

Approved.

CLAUSE 8: Insertion of new provisions.

Approved.

CLAUSE 9: Division of surplus assets.

Approved.

CLAUSE 10: Insertion of new provision.

Approved.

CLAUSE 11: Insertion of new provision.

Hon Tuuu Anasii Leota moved an Amendment to Clause 1 and title to be as follows:-

“AMENDMENT:

To omit sub-paragraph (5)(b) in section 41 and substitute thereby the new paragraph (5)(b) to read:-

“41. Other tribunal members-(5) The Head of State, acting on the advice of Cabinet, may at any time to revoke the appointment of any person to the panel if such member:

“(b) is convicted in any jurisdiction within the previous 8 years of an offence punishable by death or imprisonment for a term of four years or more, or convicted or found guilty in Samoa of a corrupt practice and has not been removed from the Corrupt Practices List under section 32A”.

For section 42, omit the word “necessary” and substitute thereby the word “practical” thus Clause 42 will read:-

“42 Convening Tribunal hearings-- The Tribunal shall be convened by the presiding member as soon as is practical for the Tribunal to hear and determine any dispute referred to the Tribunal.”

Amendment approved.

Clause 11 approved as Amended.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Incorporate Societies Amendment Bill 2011.

Hon Tuuu Anasii Leota moved an Amendment,

“AMENDMENT:

Omit the figure “2011” and substitute thereby the figure “2012” thus the title will read:

“INCORPORATE SOCIETIES AMENDMENT BILL 2012.”

Amendment approved.

Clause 1 and Title approved as Amended.

The Incorporate Societies Amendment Bill 2012 has progressed with Amendments.

5. Customs Tariff Amendment Bill 2011- consideration in detail

Tofa Soalo Mene (Chairman of the Foreign Affairs, Trade and Revenue Committee) moved, “That the Assembly approves the Committee Report recommended to progress with the Customs Tariff Bill 2011 with Amendments”. Seconded by Afioga Afoafouvale John Moors /Afioga Tuisa Tasi Patea.

CLAUSE 2: Amendments to the First Schedule

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Customs Tariff Amendment 2011

Tofa Soalo Mene moved amendment on Clause 1 and Title of Act to be as follows:-

“AMENDMENT:

“To omit the numeral “2011” and substitute with numeral “2012” to read:-

“CUSTOMS TARIFF AMENDMENT BILL 2012.”

Amendment Approved.

Clause 1 and Title approved as amended.

The Customs Tariff Amendment Bill 2012 progressed with amendments.

Government Order of the Day No.6 called.

6. Special Purpose International Companies Bill 2012 - consideration in detail

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Citation of reference.

Approved.

CLAUSE 4: Related companies.

Approved.

CLAUSE 5: Application of Act

Approved.

CLAUSE 6: Permitted purposes of incorporation.

Approved.

CLAUSE 7: Special permission to be a Trustee.

Approved.

CLAUSE 8: Registrar.

Approved.

CLAUSE 9: Lodging documents.

Approved.

CLAUSE 10: Registered company auditors.

Approved.

CLAUSE 11: Registered company auditors.

Approved.

CLAUSE 12: Official Liquidator.

Approved.

CLAUSE 13: Appointment of Official liquidator.

Approved.

CLAUSE 14: Registers.

Approved.

CLAUSE 15: Formation of Special Purpose.

Approved.

CLAUSE 16: Issue of Founder's Rights Certificate

Approved.

CLAUSE 17: Requirements as to memorandum and alteration.

Approved.

CLAUSE 18: Powers of companies.

Approved.

CLAUSE 19: Pre-incorporation contracts.

Approved.

CLAUSE 20: Ultra vires transactions.

Approved.

CLAUSE 21: Names of companies.

Approved.

CLAUSE 22: Change of Name.

Approved.

CLAUSE 23: Articles of association.

Approved.

CLAUSE 24: Adoption of Table A.

Approved.

CLAUSE 25: Alteration of articles.

Approved.

CLAUSE 26: Effect of memorandum and articles.

Approved.

CLAUSE 27: Copies of memorandum and articles.

Approved.

CLAUSE 28: Transactions and Branches.

Approved.

CLAUSE 29: Persons having dealings with Special Purpose with Special Purpose. International Companies.

Approved.

CLAUSE 30: Power to issue debentures.

Approved.

CLAUSE 31: Company to maintain Registrar of Debentures.

Approved.

CLAUSE 32: Perpetual Debentures.

Approved.

CLAUSE 33: Charges and Filing of Charges.

Approved.

CLAUSE 34: Negation of the rule in re charge card services limited.

Approved.

CLAUSE 35: Filing of pre-existing charges.

Approved.

CLAUSE 36: Register of charges to be kept by Registrar.

Approved.

CLAUSE 37: Endorsement of Certificate of Registration on Debentures.

Approved.

CLAUSE 38: Filing of satisfaction and release of property from charge.

Approved.

CLAUSE 39: Extension of time and rectification of register of charges.

Approved.

CLAUSE 40: Documents made outside of Samoa.

Approved.

CLAUSE 41: Registered Office of Company.

Approved.

CLAUSE 42: Publication of name.

Approved.

CLAUSE 43: Directors.

Debate.

Clause 43 Approved.

CLAUSE 44: Restrictions on naming Director.

Approved.

CLAUSE 45: Qualification of Director.

Approved.

CLAUSE 46: Validity of Acts.

Approved.

CLAUSE 47: Power to restrain certain persons from managing companies.

Approved.

CLAUSE 48: Disclosure of interest in contracts, property, offices, etc.

Approved.

CLAUSE 49: Code for the establishment of liabilities of officers.

Approved.

CLAUSE 50: Limitation of liability of officers.

Approved.

CLAUSE 51: Secretary and agents.

Approved.

CLAUSE 52: Registers of directors, secretaries and resident agents.

Approved.

CLAUSE 53: Register of Founder's Rights Certificate.

Approved.

CLAUSE 54: Default in compliance.

Approved.

CLAUSE 55: Branch Registers.

Approved.

CLAUSE 56: Inspection and closing of Registers.

Approved.

CLAUSE 57: Power of Registrar to rectify Registers.

Approved.

CLAUSE 58: Accounts to be kept.

Approved.

CLAUSE 59: Accounts to be presented.

Approved.

CLAUSE 60: Statement of accounts.

Approved.

CLAUSE 61: Auditor to be appointed.

Approved.

CLAUSE 62: Appointment and removal of auditors.

Approved.

CLAUSE 63: Auditor ceasing to be registered

Approved.

CLAUSE 64: Partners of Auditors

Approved.

CLAUSE 65: Remuneration of Auditor

Approved.

CLAUSE 66: Auditor may attend meetings.

Approved.

CLAUSE 67: Auditor to audit.

Approved.

CLAUSE 68: Information and explanations required by an auditor.

Approved.

CLAUSE 69: Powers, duties and obligations of auditors.

Approved.

CLAUSE 70: Modes of winding-up

Approved.

CLAUSE 71: Government bound by winding-up rules.

Approved.

CLAUSE 72: Certificate as to winding-up.

Approved.

CLAUSE 73: Effects of winding-up.

Approved.

CLAUSE 74: Avoidance of disposition of property.

Approved.

CLAUSE 75: Costs of winding-up.

Approved.

CLAUSE 76: Custody and vesting of company's property.

Approved.

CLAUSE 77: Delivery of assets.

Approved.

CLAUSE 78: Avoidance of certain transactions.

Approved.

CLAUSE 79: Pending proceedings.

Approved.

CLAUSE 80: Power to stay winding-up.

Approved.

CLAUSE 81: Delegation of liquidator of Courts power.

Approved.

CLAUSE 82: Distribution of assets.

Approved.

CLAUSE 83: Admission of claims to proof.

Approved.

CLAUSE 84: Proof and ranking of claims.

Approved.

CLAUSE 85: Claims of creditors and distribution of assets.

Approved.

CLAUSE 86: Petition for winding-up.

Approved.

CLAUSE 87: Circumstances in which a company may be wound up compulsorily.

Approved.

CLAUSE 88: Commencement of compulsory winding-up.

Approved.

CLAUSE 89: Payment of costs.

Approved.

CLAUSE 90: Costs relating to winding-up.

Approved.

CLAUSE 91: Copy of order to be lodged.

Debate.

Approved.

CLAUSE 92: Appointment of liquidator.

Approved.

CLAUSE 93: Validation of proceedings in voluntary winding-up.

Approved.

CLAUSE 94: Statement of affairs.

Approved.

CLAUSE 95: Report of Liquidator.

Approved.

CLAUSE 96: Circumstances in which a company may be wound up voluntarily.

Approved.

CLAUSE 97: Declaration of solvency.

Approved.

CLAUSE 98: Conversion of voluntary winding-up to compulsory winding-up

Approved.

CLAUSE 99: Payment of claims by liquidator of company in voluntary liquidation.

Approved.

CLAUSE 100: Vacancy in office of liquidator.

Approved.

CLAUSE 101: Replacement of liquidator.

Approved.

CLAUSE 102: Validity of Liquidators Acts.

Approved.

CLAUSE 103: General provisions as to liquidators.

Approved.

CLAUSE 104: Powers of liquidators.

Approved.

CLAUSE 105: Exercise and control of liquidators' powers.

Approved.

CLAUSE 106: Payment by liquidator into bank.

Approved.

CLAUSE 107: Committees of inspection.

Approved.

CLAUSE 108: Sale of property by liquidator other than by cash.

Approved.

CLAUSE 109: Liquidator's book.

Approved.

CLAUSE 110: Liquidator's return.

Approved.

CLAUSE 111: Invoices, etc, of company in liquidation.

Approved.

CLAUSE 112: Books of liquidator and company.

Approved.

CLAUSE 113: Investment by liquidator.

Approved.

CLAUSE 114: Liquidator's expenses.

Approved.

CLAUSE 115: Dissolution.

Approved.

CLAUSE 116: Accountability of liquidators.

Approved.

CLAUSE 117: Voidable transactions.

Approved.

CLAUSE 118: Sales other than at proper value.

Approved.

CLAUSE 119: Disclaimer of onerous property.

Approved.

CLAUSE 120: Offences by officers of companies in liquidation.

Approved.

CLAUSE 121: Frauds of officers.

Approved.

CLAUSE 122: Powers of the Registrar to strike companies off the Register.

Approved.

CLAUSE 123: Registrar to act as representative of defunct company in certain events.

Approved.

CLAUSE 124: Outstanding assets of defunct company to vest in Registrar.

Approved.

CLAUSE 125: Service of documents on companies.

Approved.

CLAUSE 126: Rights of charities against company.

Approved.

CLAUSE 127: Further endowment of company.

Debate.

Approved.

CLAUSE 128: Costs before Registrar.

Approved.

CLAUSE 129: Security for Costs.

Approved.

CLAUSE 130: Power to grant relief.

Approved.

CLAUSE 131: Irregularities in proceedings.

Approved.

CLAUSE 132: Translation of documents.

Approved.

CLAUSE 133: Documents by electronic transfer.

Approved.

CLAUSE 134: Filed memorandum and articles.

Approved.

CLAUSE 135: Alteration of documents by the Registrar.

Approved.

CLAUSE 136: Retention of records of companies struck off the Register.

Approved.

CLAUSE 137: Distribution payable from earned surplus and capital surplus.

Approved.

CLAUSE 138: General penalty provisions.

Approved.

CLAUSE 139: Procedure where none laid down.

Approved.

CLAUSE 140: Regulations.

Approved.

CLAUSE 141: Rules of Court.

Approved.

CLAUSE 142: Appeals.

Approved.

CLAUSE 143: Power of exemption.

Approved.

CLAUSE 144: Prohibitions by Authority.

Approved.

CLAUSE 145: No action to lie against certain persons.

Approved.

CLAUSE 146: Enforcement of indemnity.

Approved.

CLAUSE 147: Confidentiality.

Approved.

CLAUSE 148: Court proceedings relating to confidential information.

Approved.

CLAUSE 149: Procedures for obtaining court order for the disclosure of confidential information.

Approved.

CLAUSE 150: No confiscation.

Approved.

CLAUSE 151: Forms of company Registers and records.

Approved.

CLAUSE 152: Emergency Trust.

Approved.

CLAUSE 153: Certificate of good standing.

Approved.

CLAUSE 154: Application of other Acts.

Approved.

CLAUSE 155: Exemption of non-resident recipients of income.

Approved.

CLAUSE 156: Application of Money Laundering Prevention Act 2007.

Approved.

CLAUSE 157: Application of Prevention and Suppression of Terrorism Act 2002.

Approved.

CLAUSE 158: Application of Trustee Companies Act 1988

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Special Purpose International Companies 2012.

Approved.

The Special Purpose International Companies Bill 2012 progressed without any amendments.

Government Order of the Day No.7 called.

7. Special Purpose International Companies Bill 2012 - third reading.

Hon Faumuina Tiatia Liuga (Minister of Finance) moved, “*That the Special Purpose International Companies Bill 2012 be now read a third time*”. Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Fiamē Naomi Mataafa / Hon Tuiloma Lameko.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No.8 called.

8. Land and Titles Amendment Bill 2011- consideration in detail

Afioga Tuisa Tasi Patea moved, “*That the Assembly approves the Committee Report which recommends amendments to the Bill*”. Seconded by Tofa Lenatai Victor Faafai Tamapua/ Afioga Afoafouvale John Moors.

Motion approved and the Report stood approved.

CLAUSE 2: Principal Act

Approved.

CLAUSE 3: Interpretation.

Approved.

CLAUSE 4: Repeal and substitution.

Debate.

Approved.

CLAUSE 5: Repeal and substitution.

Approved.

CLAUSE 6: Insertion of new sections.

Debate.

Clause 6 was approved.

CLAUSE 7: Insertion of new sections.

Afioga Tuisa Tasi Patea moved an Amendment on Clause 7 to be as follows:

“AMENDMENT:

Clause 7:

To insert a new section 7 between section 6 and the old section 7. The new section 7 will read:

“7. Register of Matais:- (1) Section 22 of the Land and Titles Act 1981 is amend by inserting the following after subsection(3)(b):

“(c) The deletion is requested in writing by the holder of the matai name or title”

(2) By deleting the word “Subsection” in subsection 22(7 and substituting the following) before “(3)”:

“Paragraph (a) and (b) of subsection”.

**(3) By inserting the following after the word “under” in subsection “(B)”:
“paragraph (a) or (b) of”.**

(4) By inserting after subsection (10) a new subsection (11) as follows:-

“(11) Where the matai name or title is deleted from the Registrer pursuant to paragraph © of subsection (3, that matai name or title must not be registered again in respect to of the person who has requested the deletion unless:

(a) a period of five years has passed from the date of deletion; and

(b) the person has again been appointed the holder of such matai name or title in accordance with the customs and usage of the Samoan people and pursuant to Part V of the Act”.

Amendments Approved.

Clause 7 Approved as Amended.

CLAUSE 8: Institution of proceedings.

Approved.

CLAUSE 9: Insertion of new section.

Approved.

CLAUSE 10: Repeal and Substitution.

Approved.

CLAUSE 11: Delivery of decisions.

Approved.

CLAUSE 12: Repeal.

Consequential Amendments:

“AMENDMENTS:

Re-arrange the clause to Bill pursuant to Amendment:

- (i) Clause 7 to be read as Clause 8.
- (ii) Clause 8 to be read as Clause 9.
- (iii) Clause 9 to be read as Clause 10.
- (iv) Clause 10 to be read as Clause 11.
- (v) Clause 11 to be read as Clause 12.
- (vi) Clause 12 to be read as Clause 13.

Amendments approved.

Consequential Amendments approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short title and commencement.

TITLE: Land and Titles Amendment Bill 2011.

Afioga Tuisa Tasi Patea moved amendment,

“AMENDMENT:

“To omit the numeral “2011” and substitute with the numeral “2012” to read”:-

“LAND AND TITLES AMENDMENT BILL 2012.””

Amendment Approved.

Clause 1 and Title approved with amendments.

The Land and Titles Amendment Bill 2012 progressed with amendments.

Government Order of the Day No.10 called.

9. Composition of Boards of Public Bodies Bill 2011- consideration in detail

Tofa Hon Tuuu Anasii Leota (Chairman of the Government Administration Committee) moved, “That the Assembly approves the Committee Report which recommends amendments to the Bill.” Seconded by Tofa Lenatai Victor Faafoi Tamapua / Hon Afoafouvale John Moors.

Motion approved and the Report stood approved.

CLAUSE 2: Accident Compensation Act 1989

Approved.

CLAUSE 3: Agriculture Store

Approved.

CLAUSE 4: Development Bank of Samoa Act 2010.

Approved.

CLAUSE 5: Electric Power Corporation Act 1980

Approved.

CLAUSE 6: Fire and Emergency Service Act 2007.

Approved.

CLAUSE 7: Land Transport Authority Act 2007.

Approved.

CLAUSE 8: Life Assurance Corporation Act 1976.

Approved.

CLAUSE 9: National Kidney Foundation of Samoa Act 2005.

Approved.

CLAUSE 10: National Provident Fund Act 1972.

Approved.

CLAUSE 11: National University of Samoa Act 2006.

Approved.

CLAUSE 12: Ports Authority Act 1998.

Approved.

CLAUSE 13: Public Trust Office Act 1975.

Approved.

CLAUSE 14: Samoa Sports Facilities Authority Act 2007.

Tofa Hon Tuuu Anasii Leota moved the Correction to Clause 14 under Schedule to read as follows:

“CORRECTION:

Correction to Clause 14:

“Insert the expression shall not after the word Culture, and before the word receive thus the new explanatory memorandum for the last part of Clause 14 reads: -

“(who shall be an ex officio director, and shall not receive remuneration for services as a director)”.

Motion approved.

Clause 14 approved with amendments.

Proceedings of the Legislative Assembly were suspended for its usual recess at 10:45am and resumed at 11:15am.

CLAUSE 15: Samoa Trust Estates Corporation Act 1977.

Approved.

CLAUSE 16: Samoa Water Authority Act 2003.

Tofa Hon Tuuu Anasii Leota moved an Amendment to Clause 16 to be read as follows:-

“AMENDMENT:

CLAUSE 16(1D):

“To omit the expression “General Manager” as it appears in the new subsection 16(1D) and substitute therewith the correct expression “Managing Director” as used in the Samoa Water Authority Act 2003, thus new Clause 16(1D) reads: -

“16(D) Unless the Board decides otherwise, the Managing Director must attend all Board meetings but shall have no voting rights.” and”.

Amendment Approved.

Clause 16 approved with amendments.

CLAUSE 17: Scientific Research Organisation of Samoa Act 2008.

Approved.

CLAUSE 18: Revocation of appointments.

Approved.

CLAUSE 19: Repeal.

Tofa Hon Tuuu Anasii Leota moved Amendment to Clause 19 as follows:

“AMENDMENT:

“To omit the expression Clause 38, as it appears in clause 19 of the Bill and substitute thereby the correct sequence Clause – 38, 38.1, and sub clause 38.2, thus new Clause 19 reads: -

“19. Repeal – Clause 38, 38.1 and 38.2 of Schedule 7 to the Public Bodies (Performance and Accountability) Act 2001 is repealed”.

Amendment approved.

Clause 19 approved with amendments.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Composition of Boards of Public Bodies Bill 211.

Tofa Hon Tuuu Anasii Leota moved amendment,

“AMENDMENT:

“To omit the numeral “2011” and substitute with the numeral “2012” to read”:-

“COMPOSITION OF BOARDS OF PUBLIC BODIES BILL 2012.””

Approved amendment.

Clause 1 and Title approved as amended.

The Composition of Boards of the Public Bodies Bill 2011 progressed with amendments.

Government Order of the Day No. 10 called.

10. Samoa Tourism Development Bill 2011- consideration in detail

Afioga Hon Leaupepe Toleafoa Apulu Faafisi (Chairman of the Primary Production, Commerce, Industry and Labour Committee) moved, “That the Assembly approves the Committee Report which recommends amendments to the Bill”. Seconded by Tofa Hon Tuuu Anasii Leota.

Motion approved and the Report stood approved.

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Objectives of this Act and the Guiding Principles

Debate

Approved.

CLAUSE 4: Application of other laws applying to the sector and the Authority.

Approved.

CLAUSE 5: Continuation of the Authority.

Hon Leaupepe Toleafoa Apulu Faafisi moved an Amendment to Clause 5 to be as follows:-

“AMENDMENT:

Clause 5:

Subclause (1): (Only Samoan Language).

- (i) *Omit the expression “faagaoioi” as it appears after the words “tatau ona” and before the word “ma” and substitute thereby the word “faagaoioia”.*
- (ii) *Omit the expression “pulea” as it appears after the word “ma” and before the words “e tusa” and substitute thereby the word “faafoeina” thus Sub Clause 1 will read:*

“(1) O le Pulega a Samoa mo Tagata Tafafao Maimoa ua faavaeina i lalo o le Tulafono o le Pulega a Samoa mo Tagata Tafafao maimoa 1984 e faaauau pea i lalo o lenei Tulafono, ma e tatau ona faagaoioia ma faafoeina e tusa ma aiaiga o lenei Tulafono”.

1.2 Subclause (2):

Omit subclause 2 and substitute thereby a new subclause (2) as follows:

“(2) The Management of the Authority shall be vested in its Board”.

1.3 Subclause (3), (4), and (5):

Omit subclause (3), (4), and (5).

1.4 Subclause (6): (Only Samoa Language)

Subclause 6 has been amended and will read as follows:

“(6) O se faasinomaga i le Ofisa a Samoa mo Tagata Tafafao Maimoa i soo se tulafono poo se pepa faaetulafono poo se pepa aloaia, e tatau ona faitauina ma faauigaina o se faasinomaga i le Pulega, seia vagana ua manaomia e le mataupu se isi uiga e ese mai ai”.

1.4 Renumber sub clause (6) to become sub clause (3) as follows:

“(3) A reference to the former Samoa Visitors Bureau in any law or instrument or document shall be read and construed as a reference to the Authority, unless the context requires otherwise”.

Amendment Approved.

Clause 5 approved as amended.

CLAUSE 6: Term of office of appointed directors.

Hon Leaupepe Toleafoa Apulu Faafisi moved an Amendment on Clause 6 to be as follows:-

“AMENDMENT:**Clause 6:**

Omit Clause 6 and substitute thereby a new Clause 6 as follows:-

“6. Board of Directors—(1) The Board of Authority shall be comprised of seven (7) members who shall be selected accordance with applicable law relating to the management of Public Bodies.

(2) The members of the Board of the Authority shall be appointed by the Head of States, acting on the advice of the Cabinet, and may removed from office by Cabinet.

(3) Cabinet shall appoint one of the directors to be the Chairperson, and may appoint a Deputy Chairperson.

(4) No person may be appointed or continue to hold office as a director while that person is a fulltime salaried employee of the Authority

(5) Unless the Board decides otherwise, the Chief Executive Officer must attend all boards meeting but shall have no voting rights.

(6) From 30 December 2011:

(a) no member of Parliament or a person employee in the public service shall be a director or be re-appointed as a director unless Cabinet has certified that such appointment or re-appointment, as the case may be necessary; and

(i) in the national interest; and

(ii) that the member of Parliament or the person has particular qualifications or business experience which the Authority requires on its Board and such qualification or business experience cannot be found elsewhere; and

(b) where a Member of Parliament or a person employed in the public service is appointed of re-appointed in accordance with this section, the Member of Parliament or a person shall not receive remuneration or other benefits from the Authority for services as a director.

(7) The Authority is a body corporate with perpetual succession and a common seal and;

(a) may enter into contract;

(b) conduct legal proceedings in its corporate name;

(c) shall have the power to acquire, hold and dispose of real and personal property; and

(d) may generally do all such acts and things that are necessary for or incidental to the performance of its function under this Act or any other law.

(8) The powers of the Authority shall not be affected by any vacancy in the membership of the Board.

(9) Every appointed director shall be appointed for a period not exceeding three (3) years, and shall be eligible for re-appointment:

Provident that appointment made after the commencement of this Act may be made for varying terms of office to provide that subsequent appointments are made on a staggered basis.

(10) Every appointment director shall continue to hold office only until the appointment of his or her successor is effective, even if the terms of his or her appointment has not expired.

(11) Subsection (9) shall not apply in the case of a director who vacates office in accordance with section 7.

Amendment Approved

Clause 6 Approved as Amended.

CLAUSE 7: Extraordinary vacancies.

Hon Leaupepe Toleafoa Apulu Faafisi moved an Amendment on Clause 7 to be as follows:

“AMENDMENT:

Clause 7:

Subclause (1): (Only Samoan Language)

Omit the expression “i se” as it appears after the word “mafai” and before the word “faatonu” thereby substituting the words “e se” thus Clause 1 will read:

“(1). E mafai e se faatonu tofia ona faamavae mai lona tofiga e ala i le tuuina atu o se faasilasilaga tusitusia i lea tulaga i le Minisita”.

Subclause (2) and subclause (3):

Omit subclause (2) and subclause (3):

Renumber subclause (4) to become a new subclause (2) and renumber subclause (5) to become a new subclause (3), thus Clause 7 reads:

“7. Extraordinary vacancies—(1) An appointed director may resign from office by delivering a notice in writing to that effect to the Minister.

(2) If an appointed director dies or resigns, or is remove from office, the director’s office shall become vacant and the vacancy shall be filled in the manner in which appointments to the office was made.

(3) Any person appointed to fill extraordinary vacancy shall be appointed for the reminder of the term for which the vacating member was appointed”

Amendment Approved

Clause 7 Approved as amended

CLAUSE 8: Nominated alternate directors.

Hon Leaupepe Toleafoa Apulu Faafisi moved an Amendment on Clause 8:

“AMENDMENT:

Clause 8:

(i) Omit subclause (1) and substitute thereby a new subclause (1) as follows:

“(1) A director appointed under section 6 may appoint a senior officer from the Ministry, agency, firm, corporation or organization to attend a meeting of the Board which he or she is unable to attend because of illness, absence or any other good cause”

(ii) Omit subclause (2)

(iii) Renumber subclause (3) to become a new subclause (2) and renumber subclause (4) to become a new subclause (3) thus reads:

“(2) No alternate director appointed under this section may act as Chairperson of the Board.

(3)The appointment of any alternate director, and any act done by an alternate director or done by the Board while an alternate director is acting as such, shall not be questioned in any proceedings on the ground that the occasion for his or her appointment had not arisen or had ceased to exist.

Amendments Approved

Clause 8 Approved as amended

CLAUSE 9: Meetings of the Board.

Hon Leaupepe Toleafoa Apulu Faafisi moved an Amendment on Clause 9 to be as follows:

“AMENDMENT:

Clause 9(3):

Omit the word “seven (7)” which appears after the word “Board” and before the word “directors” and substitute thereby the words “four (4)” thus subclause (3) will read:-

“(3) At any meeting of the Board, four (4) directors shall form the quorum”.

Amendment Approved

Clause 9 Approved as amended

CLAUSE 10: Allowances for directors.

Hon Leaupepe Toleafoa Apulu Faafisi moved an Amendment on Clause 10 to be as follows:-

“AMENDMENT:

Clause 10 (2):

Omit the words “1 July 2010” which appears after the word “From” and before the word “subsection” and substitute thereby the word “31 December 2011” thus sub clause (2) will read:

“(2) From 31 December 2011, subsection (1) shall only apply to those directors who are not Members of Parliament nor employed in the public service”

Amendment Approved.

Clause 10 Approved as amended

CLAUSE 11: Disclosure of conflicting interest.

Approved.

CLAUSE 12: Chief Executive Officer.

Approved.

CLAUSE 13: Officer and employees.

Approved.

CLAUSE 14: Committees of the Authority.

Approved.

CLAUSE 15: Delegation of powers by the Board.

Approved.

CLAUSE 16: Functions of the Authority.

Hon Leaupepe Toleafoa Apulu Faafisi moved an Amendment on Clause 16 to be as follows:-

“AMENDMENT:

CLAUSE 16(2) (b)

Omit the words “for the development of the” which appear after the word “scheme” and before the word “tourist” and subclause thereby the words “to develop” thus (b) reads:

“(b) formulating proposals for incentive scheme to develop tourism, and performing any function and exercising any power in relation to the approval of incentives for any tourism business in accordance with any law giving such a role to the Authority”

Amendment Approved

Clause 16 Approved as amended

CLAUSE 17: Powers of the Authority.

Approved.

CLAUSE 18: Reservation of Names and Use of Boards.

Approved.

CLAUSE 19: Role of Industry Associations.

Debate.

Approved.

CLAUSE 20: Gifts to the Authority.

Approved

CLAUSE 21: Funds of the Authority.

Approved.

CLAUSE 22: Management of Funds by the Authority.

Approved.

CLAUSE 23: Accounts, audit and annual report.

Hon Leaupepe Toleafoa Apulu Faafisi moved an Amendments on Clause 23 to be as follows:-

“AMENDMENT:

Clause 23(c):

Insert the word “this” after the word “with” and before the word “section” and omit the numeral “23” which appears after the word “section” and before the word “and” thus subclause (2) will read:

“(2) The Accounts of the Authority shall be audited each year by the Auditor in accordance with section and the requirements of other applicable laws”

Amendment Approved.

Clause 23 Approved as amended

CLAUSE 24: Audit of Accounts.

Approved.

CLAUSE 25: Powers of the Auditor.

Approved.

CLAUSE 26: Director’s responsibilities in relation to accounts and reports.

Approved.

CLAUSE 27: Other fiduciary obligations of directors.

Approved.

CLAUSE 28: Specific licensing requirements for tourism businesses.

Approved.

CLAUSE 29: Registration of tourism businesses.

Approved.

CLAUSE 30: Approved standards and systems of ratings and accreditations.

Hon Leaupepe Toleafoa Apulu Faafisi moved an Amendment to be as follows:

“AMENDMENT:

Clause 30(3)(c):

Omit the words “code of ethics” which appears after the word “Tourism” and before the word “approved” thus (3) (c) will read:

“(c) The Global Code of Ethics for Tourism approved by the World Tourism Organization”

Amendment Approved.

Clause 30 Approved as amended.

CLAUSE 31: Use of approved ratings and accreditations.

Approved.

CLAUSE 32: Controls over the use of ratings and accreditations.

Approved.

CLAUSE 33: Research, statistics and information.

Approved.

CLAUSE 34: Tourism Development Plans

Approved.

CLAUSE 35: Arrangements for district planning etc.

Approved.

CLAUSE 36: Access to tourism sites and access fees.

Approved.

CLAUSE 37: Failing to develop or improve declared tourist.

Approved.

CLAUSE 38: Preservation of the reputation.

Hon Leaupepe Toleafoa Apulu Faafisi moved an Amendment on Clause 38 to be as follows:

“AMENDMENT:

Clause 38(3)(c): (Samoan Language Only)

Omit the expression “luga o” as it appears after the words “naotia i” and before the words “se moliaga”

Omit the expression “ua faamaonia” as it appears after the word “moliaga” and before the word “faaletulafono”

Omit the expression “silia” as it appears after the words “e le” and before the word “le” and substitute thereby the words “itiiti ifo i lo”

Omit the expression “silia” as it appears after the words “po o” and before the word “faasalaga”.

Thus (3)(c) will read:

“(c) ua le⁻ mafia ona toe faafoi i tua le faamatalaga pe ia lomía faasalalau se faasaoga i le faiga ua manaomia e le Pulega, ua faia se soligatulafono ma e tataua ona noatia i se moliaga faaletulafono i se sala tupe e le⁻ itiiti ifo i lo le 50 iunite tau faasalaga, poo le nofosala i le falepuipui mo se vaitaimi e le⁻ silia le tolu (3) masina, poo faasalaga uma e lua

Amendment Approved

Clause 38 Approved as amended

CLAUSE 39: Installation of tourism signage.

Approved.

CLAUSE 40: Requirements to have insurance cover.

Approved.

CLAUSE 41: Liability of persons for acts of their agents and employees.

Approved.

CLAUSE 42: Powers of inspection etc.

Approved.

CLAUSE 43: Powers to prosecute.

Approved.

CLAUSE 44: Indemnities for directors and employees.

Approved.

CLAUSE 45: Savings and transitional provisions.

Approved.

CLAUSE 46: Forms and fees.

“CORRECTION: (For Samoan version only)

Clause 46(2):

Omit the expression “totogifuapauina” as it appears after the word “faamaonia” and before the words “e totogi” and substitute thereby the word “totogifuapauina” thus (2) will read:

(2)E tatau i le Minisita, e ala i se faasilasilaga ona faamaonia totogifuapauina e totogi mo so o se faamoemoega i lalo o lenei Tulafono”

Correction approved

Clause 46 approved as corrected

CLAUSE 47: Regulations.

Approved.

CLAUSE 48: Repeal of the Samoa Tourism Authority Act 1984

Approved.

SCHEDULE 1

Approved.

ARRANGEMENT OF PROVISION;

“AMENDMENT:

Clause 6:

Omit the words “Terms of office of appointed directors” and substitute thereby the words “Board of Directors” thus Clause 6 will read:

“6. Board of Directors”

Amendment approved

Arrangement of Provision approved as amended

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement.

TITLE: Tourism Development 2011.

Afioga Hon Leaupepe Toleafoa Apulu Faafisi moved amendments to Clause 1 and title of Act to be as follows:

“AMENDMENT:

“To omit the numeral “2011” and substitute with numeral “2012” to read:-

“TOURISM DEVELOPMENT BILL 2012.””

Amendment Approved.

Clause 1 and Title approved as amended.

The Samoa Tourism Development Bill 2011 progressed with amendments.

Government Order of the Day No.11 called:

11. Customs Amendment Bill 2011- consideration in detail

Tofa Soalo Mene moved, “That the Assembly approves the Committee Report which recommends amendments to the Bill.” Seconded by Afioga Tuisa Tasi Patea/ Tofa Lenatai Victor Faafoi Tamapua.

Question put and was carried in the Affirmative, motion approved and the Report stood approved.

CLAUSE 2: Increase annual licence fees for warehouses.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1 Short title and commencement.

TITLE: Customs Amendment 2011.

Tofa Soalo Mene moved amendments to Clause 1 and title of Act to be as follows:

“AMENDMENT:

“To omit the numeral “2011” and substitute with numeral “2012” to read:-

“CUSTOMS AMENDMENT BILL 2012.””

Approved.

Clause 1 and Title amendment approved.

The Customs Amendment Bill 2012 be progressed with Amendments.

MOTION TO SUSPEND STANDING ORDERS

Hon Tuilaepa Lupesoliai Sailele Malielegaoi moved, “That Standing Orders be suspended to permit third reading of Bills that had been considered by the Assembly on

this day.” Seconded by Tofa Hon Fonotoe Nuafesili Pierre Lauofo/ Afioga Hon Faumuina Tiatia Liuga/ Afioga Hon Fiame Naomi Mataafa.

Motion approved that Standing Orders be set aside to permit the third reading of Bill that had been considered by the Assembly on this day.

Government Order of the Day No.12 called:

12. Excise Tax Amendment Bill 2012 – third reading

Tofa Hon Tuiloma Lameko moved, *“That the Excise Tax Amendment Bill 2012 be now read a third time.”* Seconded by Tofa Hon Fonotoe Nuafesili Pierre Lauofo/ Afioga Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No. 13 called:

13 Accident Compensation Amendment Bill 2012 – third reading

Afioga Hon Faumuina Tiatia Liuga moved, *“That the Accident Compensation Amendment Bill 2012 be now read a third time.”* Seconded by Tofa Hon Tuiloma Lameko/ Tofa Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No. 14 called:

14. Cluster Munitions Prohibition Bill 2012 – third reading

Susuga Hon Tuilaepa Fatialofa Lupesoliai Sailele Neioti Malielegaoi moved, *“That the Cluster Munitions Prohibition Bill 2012 be now read a third time.”* Seconded by Tofa Hon Fonotoe Nuafesili Pierre Lauofo/ Tofa Hon Tuiloma Lameko.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No. 15 called:

15. Incorporated Societies Amendment Bill 2012 – third reading

Tofa Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That the Incorporated Societies Amendment Bill 2012 be now read a third time.”* Seconded by Tofa Hon Tuiloma Lameko/ Afioga Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No. 16 called:

16. Customs Tariff Amendment Bill 2012 – third reading

Tofa Hon Tuiloma Lameko moved, *“That the Customs Tariff Amendment Bill 2012 be now read a third time.”* Seconded by Tofa Hon Fonotoe Nuafesili Pierre Lauofo / Afioga Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No. 17 called:

17. Land and Titles Amendment Bill 2012 – third reading

Afioga Hon Fiame Naomi Mataafa moved, *“That the Land and Titles Amendment Bill 2012 be now read a third time.”* Seconded by/ Tofa Hon Fonotoe Nuafesili Pierre Lauofo / Afioga Hon Faumuina Tiatia Liuga.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No. 18 called:

18. Compensation of Boards of Public Bodies Bill 2012 – third reading

Afioga Hon Faumuina Tiatia Liuga moved, *“That the Compensation of Boards of Public Bodies Bill 2012 be now read a third time.”* Seconded by Tofa Hon Tuiloma Lameko/ Tofa Hon Fonotoe Nuafesili Pierre Lauofo/Tofa Hon Tolofuaivalelei Falemoe Leiatua.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No. 19 called:

19. Samoa Tourism Development Bill 2012 – third reading

Susuga Hon Tuilaepa Fatialofa Lupesoliai Sailele Neioti Malielegaoi moved, *“That the Samoa Tourism Development Bill 2012 be now read a third time.”* Seconded by Tofa Hon Tuiloma Lameko/ Tofa Hon Fonotoe Nuafesili Pierre Lauofo/ Afioga Faumuina Tiatia Liuga / Hon Tuiloma Lameko.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

Government Order of the Day No. 20 called:

20. Customs Amendment Bill 2012 – third reading

Tofa Hon Tuiloma Lameko moved, *“That the Customs Amendment Bill 2012 be now read a third time.”* Seconded by Tofa Hon Fonotoe Nuafesili Pierre Lauofo/ Afioga Faumuina Tiatia Liuga.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

6. Proceedings of the Legislative Assembly were adjourned at 12:25 in the afternoon until 9:00an Thursday, 29th March 2012.

Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER

Afioga Fepuleai Attila M. Ropati
CLERK

THURSDAY 29th MARCH 2012

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Sailele Neioti Malielegaoi, Tofa Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuiloma Lameko, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Tofa Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Sala Fata Pinati.

MEMBERS

Afioga Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Tofa Motuopuaa Uifagasa Aisoli Vaai, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaionanu Taeu Masepau, Afioga Afualo Wood Uti Salele, Tofa Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Tofa Fagaaivalu Kenrick Samu, Afioga Tusa Misi Tupuola, Afioga Tufuga Gafualeata Faitua, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifulu Taveuveu, Tofa Tuiloa Anetelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, , Afioga Hon Gatoaifaana Amataga Alesana Gidlow, Susuga Hon Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. MEMBERS ABSENT:

Afioga Fiaame Naomi Mataafa, Afioga Palusalua Faapo II, Afioga Tafua Maluelue Tafua

3. The Legislative Assembly met at 9.00am.pursuant to adjournment from 7th March, 2012.

4. Mr Speaker took the Chair and said the Prayers.

5. **MESSAGE FROM LE AO O LE MALO**

Mr Speaker communicated the text of the Message from Le Ao o le Malo permitting the Assembly to consider the following Bills:

1. Proceeds of Crimes Amendment Bill 2012.
2. Personal Property Securities Bill 2012.
3. Labour and Employment Relations Bill 2012.
4. Electric Power Corporation Amendment Bill 2012.
5. Tax Administration Bill 2012.
6. Income Tax Bill 2012.

6. **PRESENTATION OF PAPERS**

Mr Speaker laid on the Table of Parliament the P.P. 2011/2012 No.103, Report of the Samoa Parliament Delegation Visit to Australia on 4-10 February 2012 to be in line with Mr Speaker's decision dated 17th October 2000.

The Clerk read out the Paper tabled as per Standing Order 48.

- (i) P.P. 2011/2012 No.102, Annual Report of the Samoa Tourism Authority July 2009-June 2010.

7. **PRESENTATION OF SELECT COMMITTEE REPORT**

The Clerk read out the Report of the Select Committees tabled pursuant to Standing Orders 51(5).

- (i) P.P.2011/2012 No.104, Report of the Business Committee, Standing Orders, Maota Fono and General Elections P.P.2011/2012 No.88. on the Report of the Electoral Commissioner on the General Elections 2011.

8. **GOVERNMENT ORDERS OF THE DAY - Reading of Bills**

Government Order of the Day No. 1 called.

1. Proceeds of Crime Amendment Bill 2012 – first reading.

Afioga Hon Faumuina Tiatia Liuga moved, *“That the Proceeds of Crime Amendment Bill 2012 be now read a first time”*. Seconded by Tofa Hon Fonotoe Nuafesili Pierre Lauofo/ Tofa Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No. 2 called.

2. Personal Property Securities Bill 2012 – first reading

Tofa Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That the Personal Property Securities Bill 2012 be now read the first time”*. Seconded by Afioga Hon Faumuina Tiatia Liuga/ Tofa Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read a first time.

Government Order of the Day No. 3 called -

3. Labour and Employment Relations Bill 2012- first reading

Tofa Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Labour and Employment Relations Bill 2012 be now read the first time*”. Seconded by Afioga Hon Faumuina Tiatia Liuga/ Tofa Hon Tolofuaivalelei Falemoe Leiataua

Motion approved and the Bill was read the first time.

Government Order of the Day No. 4 called -

4. Electric Power Corporation Amendment Bill 2012 – first reading

Afioga Hon Manualesagalala Enokati Posala (Minister of Works, Transport & Infrastructure moved, “*That the Electric Power Corporation Amendment Bill 2012 be now read the first time*”. Seconded by Tofa Hon Faamoetauloa Ulaitino Faale Tumaalii / Hon Le Mamea Ropati.

Motion approved and the Bill was read a first time.

Government Order of the Day No. 5 called.

5. Tax Administration Bill 2012 – first reading

Tofa Hon Tuiloma Lameko (Minister of Revenue) moved, “*That the Tax Administration Bill 2012 be now read the first time*”. Seconded by Afioga Hon Faumuina Tiatia Liuga/ Tofa Hon Fonotoe Nuafesili Pierre Lauofo.

Motion approved and the Bill was read the first time.

Government Order of the Day No. 6 called.

6. Family Safety Bill 2012 – second reading

Susuga Hon Tuilaepa Lupesoliai Sailele Malielegaoui moved , “*That the Family Safety Bill 2012 be now read a second time and will appreciate enough time for me to elaborate on the Bill*”. Seconded by Afioga Hon Faumuina Tiatia Liuga/ Tofa Hon Tuiloma Lameko/Tofa Hon Fonotoe Nuafesili Pierre Lauofo.

The Prime Minister clarified on the Bill.

Debate.

Motion Approved and the Family Safety Bill 2012 was read the second a time.

Government Order of the Day No. 7 called -

7. Crimes Bill 2012- second reading

Afioga Hon Sala Fata Pinati moved, “*That the Crime Bill 2012 be now read the second time*”. Seconded by Afioga Hon Manualesagalala Enokati Posala / Tofa Hon Faamoetauloa Ulaitino Faale Tumaalii.

Debate.

Proceedings of the Legislative Assembly were suspended for its normal recess at 10:45am and resumed at 11:45am.

Debate continued.

Motion Approved and the Crimes Bill 2012 was read the second time.

Government Order of the Day No. 8 called.

8. Counter Terrorism Bill 2012 – second reading

Afioga Hon Sala Fata Pinati moved, *“That the Counter Terrorism Bill 2012 be now read the second time”*. Seconded by Tofa Hon Faamoetaulua Ulaitino Faale Tumaalii/ Afioga Hon Manualesagalala Enokati Posala.

Debate.

Motion approved, the Counter Terrorism Bill 2012 was read the second time.

9. CONSIDERATION OF SELECT COMMITTEES REPORTS

Order of the Day No.1 called.

1. P.P.2011/2012 No. 80, Report of the Business, Standing Orders, House and Electoral Committee on Electoral Petitions. P.P. 2011/2012 No. 18, 2011/ 2012 No. 19, 2011/2012 No. 20, 2011/2012 No. 22, 2011/2012 No. 23, 2011/2012 No. 24 & 2011/2012 No. 25 – Consideration

Tofa Agafili Patisela Eteuati Tolovaa (Deputy Chairman of the Business, Standing Orders, House and Electoral Committee) moved, *“That the Assembly takes not of the Committee’s Report containing its Findings, Resolutions and Recommendations.”* Seconded by Susuga Hon Papaliitele Niko Lee Hang.

The Deputy Chairman read out the Committee Findings, Resolutions and Recommendations.

Question put and carried in the Affirmative, P.P. 2011/2012 No. 80 stood approved.

Order of the Day No. 2 called.

2. P.P.2011/2012 No. 43, Report of the Health and Social Services, Internal Affairs, Community and Social Development Committee on P.P. 2011/2012 No. 12, Annual Report of the Samoa Life Assurance Corporation for the Year Ending 30th June 2012- Consideration

Hon Gatoloaifaana Amataga Alesana-Gidlow (Chairman of the Health and Social Services, Internal Affairs, Community and Social Development Committee) moved, *“That the Assembly takes note of the Committee’s Report of which its Findings, Resolutions and Recommendations are given.”* Seconded by Agafili Patisela Eteuati Tolovaa / Hon Papaliitele Niko Lee Hang.

The Chairman read out the Committee Findings, Resolutions and Recommendations.

Motion Approved and the P.P. 2011/2012 No. 43 stood approved.

Order of the Day No. 3 called.

3. P.P. 2011/2012 No. 44, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P. 2011/2012 No.15, Annual Report of the Ministry of Commerce, Industry and Labour for Financial Years July 2007-2008 and July 2008-June 2009 – Consideration

Hon Leaupepe Toleafoa Apulu Faafisi (Chairman of the Primary Production, Commerce, Industry and Labour Committee) moved, *“That the Assembly takes not of the Committee’s Report of which its Findings, Resolutions and Recommendations are given.”* Seconded by Tavui Tiafau Tafu Salevao / Hon Tuuu Anasii Leota.

The Chairman read out the Committee Findings, Resolutions and Recommendations.

Motion Approved and the P.P. 2011/2012 No. 44 stood approved.

Order of the Day No. 4 called.

4. P.P. 2011/2012 No. 50, Report of the Finance and Expenditure Committee on P.P.2011/2012 No.8, Annual Report of the Polynesian Airlines Co. Ltd for the Year 2010 – Consideration

Susuga Hon Papaliitele Niko Lee Hang (Chairman of the Finance and Expenditure Committee) moved, *“That the Assembly takes note of the Committee’s Report of which its Findings, Resolutions and Recommendations are given.”* Seconded by Tafua Maluelue Tafua/ Hon Gatoloaifaana Amataga Alesana-Gidlow/ Agafili Patisela Eteuati Tolovaa.

The Chairman read out the Committee Findings, Resolutions and Recommendations.

Motion Approved and the P.P. 2011/2012 No. 50 stood approved.

Order of the Day No. 5 called.

5. P.P.2011/2012 No. 51, Report of the Health & Social Services, Internal Affairs, Community and Social Development Committee on P.P.2011/2012 No.6, Annual Report of the Ministry of Women, Community and Social Development for the Financial Years July 2007- June 2008 & July 2008- June 2009 and P.P. 2011/2012 No. 7, Annual Report of the Ministry of Women, Community and Social Development for the Financial Year ended 30th June 2010 –Consideration

Hon Gatoloaifaana Amataga Alesana-Gidlow moved, *“That the Assembly takes not of the Committee’s Report of which its Findings, Resolutions and Recommendations are given.”* Seconded by Hon Papaliitele Niko Lee Hang/ Agafili Patisela Eteuati Tolovaa.

The Chairman read out the Committee Findings, Resolutions and Recommendations.

Debate.

Motion Approved and the P.P. 2011/2012 No. 51 stood approved.

Order of the Day No. 6 called.

6. P.P. 2011/2012 No. 52, Report of the Health & Social Services, Internal Affairs, Community and Social Development Committee on P.P. 2011/2012 No.17, Annual Report of the Ministry of Health for the Financial Year ended 30th June 2009 – consideration.

Hon Gatoloaifaana Amataga Alesana-Gidlow moved, *“That the Assembly takes not of the Committee’s Report of which its Findings, Resolutions and Recommendations are given.”* Seconded by Agafili Patisela Eteuati Tolovaa / Hon Papaliitele Niko Lee Hang.

The Chairman read out the Committee Findings, Resolutions and Recommendations.

Debate.

Question put and when carried in the Affirmative, P.P. 2011/2012 No. 52 stood approved.

Order of the Day No. 7 called.

7. P.P. 2011/2012 No. 53, Report of the Education, Science, Communication and Information Technology Committee on P.P. 2011/2012 No.9, Annual Report of the Scientific Research Organisation of Samoa for the Financial Year ended 30th June 2007, P.P. 2011/2012 No. 10, Annual Report of the Scientific Research Organisation of Samoa for the Financial Year ended 30th June 2008, & P.P. 2011/2012 No. 11, Annual Report of the Scientific Research Organisation of Samoa for the Financial Year ended 30th June 2009 – consideration.

Lenatai Victor Faafoi Tamapua (Chairman of the Education, Science, Communication and Information Technology Committee) moved, *“That the Assembly takes note of the Committee’s Report of which its Findings, Resolutions and Recommendations are given.”* Seconded by Tuisa Tasi Patea/Sooalo Mene / Afoafouvale John Moors.

The Chairman read out the Committee Findings, Resolutions and Recommendations.

Question put and when carried in the Affirmative, P.P.2011/2012 No. 53 stood approved.

Order of the Day No. 8 called.

8. P.P.2011/2012 No. 67, Report of the Regulations Review Committee on the Following Regulations:

- (i). S.R. 2011/1, Spatial Information Agency Act 2010-Notice of Commencement.
- (ii). S.R. 2011/2, Survey Act 2010-Notice of Commencement.
- (iii). S.R.2011/3, Land Valuation Act 2010-Notice of Commencement.
- (iv). S.R.2011/4, Notice of Charge on Base Tariff for Supply of Electricity (No.2) 2011.
- (v). S.R.2011/5, Notice of Charge on Base tariff for the Supply of Electricity (N0.2) 2011.
- (vi). S.R.2011/6, Notice of Charge on Base Tariff for the Supply of Electricity (No.3) 2011.
- (vii). S.R.2011/7, General Price Order (No.1) 2011.
- (viii). S.R.2011/8, Notice of Charge on Base Tariff for the Supply of Electricity (No,4) 2011.
- (ix). S.R. 2011/9, General Price Order (No.2) 2011.
- (x). S.R.2011/10, Notice of Charge on Base Tariff for the Supply of Electricity (No.5) 2011.
- (xi) S.R.2011/11, Notice of Charge on Base Tariff for the Supply of Electricity (No.6)2011 – Consideration

Tafua Maluelue Tafua (Chairman of the Regulations Review Committee) moved, *“That the Assembly takes note of the Committee Report of which its Findings,*

Resolution and Recommendations are given.” Seconded by Agafili Patisela Eteuati Tolovaa.

The Chairman read out the Committee Findings, Resolutions and Recommendations.

Motion Approved and the P.P. 2011/2012 No. 67 stood approved.

Order of the Day No. 9 called.

9. P.P. 2011/2012 No. 68, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P. 2011/2012 No. 16, Annual Report of the DBS for Year 2009/2010 – consideration.

Leaupepe Toleafoa Apulu Faafisi moved, *“That the Assembly takes note of the Committee’s Report of which its Findings, Resolutions and Recommendations are given.”* Seconded by Tialavea Fea Tionisio Seigafolava/ Tuisa Tasi Patea/ Tuuu Anasii Leota.

The Chairman read out the Committee Findings, Resolutions and Recommendations.

Question put and when carried in the Affirmative, P.P.2011/2012 No. 68 stood approved.

Order of the Day No. 10 called.

10. P.P. 2011/2012 No. 69, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P. 2011/2012 No. 35, Annual Report of the Samoa Trust Estates Corporation 2009/2010 – consideration.

Hon Leaupepe Toleafoa Apulu Faafisi moved, *“That the Assembly takes note of the Committee’s Report of which its Findings, Resolutions and Recommendations are given.”* Seconded by Tuisa Tasi Patea/ Hon Tuuu Anasii Leota.

The Chairman read out the Committee Findings, Resolutions and Recommendations.

Question put and was carried in the Affirmative, the Report of the Committee stood approved.

OTHER ANNOUNCEMENTS BY MR SPEAKER

Mr Speaker announced the royal visit of Her Excellence the Governor of Australia who is in Samoa and that she will be visiting our Parliament tomorrow morning. Speaker consulted the Opposition Party to notify their Leader to attend tomorrow’s session that we may together see for ourselves what opportunities will be granted us, especially the main reason behind the royal visit of Her Excellence the Governor General, and then decided on the procedure of our normal business.

9. Proceedings of the Legislative Assembly adjourned at 1:00pm until 9:00am on Friday morning 30th March 2012.

Hon Laauli Leuatea Polataivao Fosi
MR SPEAKER

Afioga Fepuleai Attila M. Ropati
CLERK

FRIDAY 30th MARCH 2012

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi.

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Sailele Neioti Malielegaoi, , Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuiloma Lameko, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Tofa Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Manualesagalala Enokati Posala, Afioga Sala Fata Pinati.

MEMBERS

Afioga Leaupepe Toleafoa Apulu Faafisi, Afioga Palusalua Faapo II, Tofa Hon Tuuu Anasii Leota, Tofa Motuopuaa Uifagasa Aisoli Vaai, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Afioga Afualo Wood Utu Salele, Tofa Levaopolo Talatonu, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Tofa Fagaaivalu Kenrick Samu, Afioga Tusa Misi Tupuola, Afioga Tufuga Gafualeata Faitua, Tofa Lautafi Fio Selafi Purcell, Tofa Alo Fulifuli Taveuveu, Tofa Tuiloa Anetelea, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Hon Gatoaifaana Amataga Alesana Gidlow, Susuga Hon Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa, Afioga Muagututagata A. Peter Ah Him. Afioga Tafua Maluelue Tafua.

2. MEMBERS ABSENT:

Tofa Hon Fonotoe Nuafesili Pierre Laufofo, Afioga Fiame Naomi Mataafa, Susuga Papalii Lio Faavaivaianu Taeu Masepau.

3. The Legislative Assembly met at 9.00am.

4. Mr Speaker took the Chair and said Prayers.

5. **PRESENTATION OF PAPERS**

The Clerk read out the Papers submitted pursuant to S.O.48.

- (i) P.P.2011/2012 No.105, Annual Report of the Ministry of Justice, Courts and Administration 2010-2011.

6. **GOVERNMENT ORDERS OF THE DAY – Reading of Bills**

Government Order of the Day No.1 called.

1. Income Tax Bill 2012 – first reading

Hon Tuiloma Lameko moved, *“That the Income Tax Bill 2012 be now read the first time.”* Seconded by Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

7. **CONSIDERATION OF SELECT COMMITTEE REPORTS**

Order of the Day No.1 called

1. P.P.2011/2012 No.70, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2011/2012 No.35, Annual Report of the Ministry of Agricultural and Fisheries for the year 2009-2010 – Consideration

Hon Leapepe Toleafoa Apulu Faafisi (Chairman of the Primary Production, Commerce, Industry and Labour) moved, *“That the Assembly takes note of the Committee Report of which its Findings, Resolutions and Recommendations are given.”* Seconded by Lafaitale Patrick Leiataualesa / Soalo Mene.

Question put and was carried in the Affirmative, P.P.2011/2012 No.70 stood approved.

Order of the Day No.2 called.

2. P.P.2011/2012 No.72, Report of the Works, Transport and Environment Committee on P.P. 2011/2012 No.42, Annual Report of the Airport Authority for the year July 2001 – June 2008 – Consideration.

Hon Tofa Tusa Misi Tupuola (Chairman of Works, Transport & Environment) moved, *“That the Assembly takes note of the Committee Report of which its Findings, Resolutions and Recommendations are given.”* Seconded by Hon Ifopo Matia Filisi / Afioga Afoafouvale John Moors.

Question put and was carried in the Affirmative, P.P.2011/2012 No.72 stood approved.

Order of the Day No.3 called.

3. P.P.2011/2012 No.73, Report of the Works, Transport & Environment on P.P.2011/2012 No.14, Annual Report of the Samoa Ports Authority for the financial year 30 June 2009 – Consideration.

**Tofa Tusa Misi Tupuola moved, “*That the Legislative Assembly takes note of the Committee Report of which its Findings, Resolutions and Recommendations are given.*”
Seconded by Afoafouvale John Moors / Ifopo Matia Filisi / Maualaivao Pat Ah Him.**

Members applauded to show appreciation by welcoming Her Excellence the Governor General of Australia and distinguished guests who have arrived into the House of Parliament today.

Proceedings of the Legislative Assembly were put aside as they welcome the arrival of the Governor General of Australia, Her Excellency Quentin Bryce and her official address.

SPEECH BY HER EXCELLENCE MS QUENTIN BRYCE, AC GOVERNOR-GENERAL OF THE COMMONWEALTH OF AUSTRALIA, TO THE PARLIAMENT OF SAMOA 30 MARCH, 2012

**“Your Highness, Head of State of the Independent State of Samoa,
Honorable Prime Minister,
Honorable Leader of the Opposition,
Honorable Speaker of the House and honorable members of Parliament.**

Distinguished guests, ladies and gentlemen, it is indeed an honor to be the first foreigner to address the Parliament of Samoa since 1980, when that great privilege was accorded to the then New Zealand Prime Minister, Sir Robert Muldoon.

It is a particular honor to address you in this, the fiftieth year of Samoa’s Independence. That you have afforded me this great compliment speaks volumes about the deep and enduring bonds between Australia and Samoa.

My time in your company is part of a program of visits to several Pacific island nations – our shared neighborhood, and a part of the world very close to the hearts of Australians.

In the course of the week so far, I have visited Kiribati and Tuvalu. On my way home, I will also go to New Caledonia, Nauru the Federated States of Micronesia, and Solomon Islands.

Today, I am absolutely delighted to be here in Samoa – the cradle of Polynesian.

In these days, with Australia’s island country neighbors, I am reminded of the great diversity of these countries. They have many common features. They face a number of similar challenges.

I have been highlighting the strong sense of partnership that Australia has with Pacific nations. We are fully committed to working with the region to address their challenges, and to build a better life for their peoples.

Today, I want to take the opportunity to have so graciously given to me, to explore further that key theme of partnership, at first in relation to Samoa and then in relation to broader challenges and opportunities in the region, noting in particular; strengthening democracy and empowering women.

Australia is a true friend of Samoa.

In 1962, Australia was quick to welcome warmly the independence of Samoa. Since then, our ties have grown stronger every year. The future is bright for Australia – Samoa relations.

Australia has over 40,000 citizens or residents of Samoan descent – most of them, I am pleased to say, in my home State, Queensland.

Our Samoan communities in Australia are steadily growing. Many are highly visible. Wallabies star Digby Ioane and many other players of Samoan heritage have made their mark in rugby union and rugby league in Australia, as has Aaron Edwards in Aussie Rules. I am sure there will be many more sports people to follow.

I want to reflect for a moment on the thousands of Samoans in Australia who capture less attention. They are found in high schools, vocational colleges and universities, in casual, semi-skilled and highly skilled jobs, forging exciting new futures in our country. They are members of Churches, community groups, charity organizations, bowling clubs, political parties and, of course, rugby teams.

As is the Samoan way, they work hard so they can care for their aiga, their wider family – both in Australia and at home here in Samoa.

They contribute a great deal to the fabric of modern Australia. We are happy they now call Australia home, and you can be justly proud of the way they represent their Samoan heritage.

I have observed with respect and gratitude the generous spirit of the community in Brisbane – delightful hospitality, music, song, touch, reaching out, drawing one in to a circle of care and family that is truly heartwarming. The partnership our two countries share is strong and broad.

Australia is Samoa’s leading donor partner, providing \$43million Australian dollars in development assistance this year. We have been contributing to Samoa’s development since early 1970s.

Education lies at the very heart of our links with Samoa. A strong education system is vital for every country. The roots of the world’s best-performing economies, and richest cultures, are found in education.

Every year, dozens of talented Samoans study in Australia under the Australia Awards scheme, or as private students. Prominent Samoans who have completed their tertiary education in Australia include your Deputy Prime Minister, Governor of the Central Bank of Samoa, Vice Chancellor of the National University of Samoa.

The bonds that Samoan students make in our country, and the qualifications they gain, will benefit both nations for decades to come – a very wise investment in the future.

I am truly delighted that Australian funding has helped Samoa phase out compulsory schools fees at all 167 primary schools, free primary education for 37,000 students.

Australian funding has assisted over 300 students with disabilities to attend mainstream schools. This afternoon, I will visit SENESE – one of the finest examples of what Australians and Samoans can achieve when we work together in education.

I am looking forward so much to meeting staff and students there. Education is also about lifelong learning. It is about equipping students with skills needed to face the future.

Australia's support of the Australian Pacific Technical College, since it started in 2008, has enabled 440 Samoan students to graduate with the skills needed to work in tourism and light industry. This has brought real benefits to Samoa's economy and will benefit Samoa for many years to come. This afternoon, I will also be talking to students at the Samoan campus of the APTC.

Your Highness, ladies and gentlemen, our relationship is defined not only by our shared achievements. Our shared sorrow, have brought us closer together. We saw that in the aftermath of the devastating earthquake and tsunami in 2009, 143 people, including 5 Australians, were lost that day.

The Government of Samoa has worked directly tirelessly to restore communities affected by the tsunami. The recovery rebuilding process that follows a disaster is not easy.

It takes years. Homes can be replaced but mothers, fathers, sons and daughters cannot. Australia knows all too well the pain that natural disasters bring.

We wanted to respond quickly to help you in the aftermath of the tsunami – Samoa's hour of need. 108 Australians left their job and their families to come here to help, including 72 medical staff.

Many of them were here within 24 hours of that terrible event, working side-by-side with Samoans at the hospital and in the field, helping to save lives and restore dignity to those in most need.

Our security cooperation is a significant part of our relationship. Under our security partnership, signed in 2008, Samoa's Pacific Patrol boat, Nafanua plays a vital role in border in marine resource protection and in search and rescue operations.

The connections between the Australian Federal Police and the Samoa Police Service are firm. Samoan police officers have made an important contribution to the region's security and stability through their participation in the Regional Assistance Mission to the Solomon Islands.

Samoan police and officials have served with distinction in other regional and international roles. Our strong government to government relationships, I am pleased to say, are reinforced by community and people-to-people to links.

Every year, several thousand Australian tourists visit Samoa. Several dozen work here in the private sector. Connections between church and community organizations are close.

So too are sporting links, I remember very well a rugby match, played last July, in which Samoa's Manu Samoa made a strong impression on Australia's Wallabies winning a thrilling victory.

Any partnership, to be effective, needs to be a two way relationship. And Samoa has led the region in your efforts to ensure that aid is used effectively and responsibly, in a transparent and accountable way.

I want to turn now to Australia's partnership with the wider Pacific region. This involves close relationships with the individual island countries and with the key regional organizations, and above all with the Pacific Islands Forum. Australia is the region's major economic partner its leading security partner and its largest development donor.

Australia and the Pacific island countries have deep rooted personal, business, sporting and community ties. That sense of personal connection has been underlined this week, as we came together for the funeral of the King of Tonga.

For Australia, it is an honor to count as close friends 21 states and territories that are home to almost 10 million people, spread across 65 million square kilometers of ocean.

The Pacific islands region will continue to be a central focus for Australia's development assistance program. Since 2008 we have increased our aid spending in the region from \$862 million to \$1.16billion per year – representing around half of all aid spent in the region.

Whether in health, education or climate change, Australia's development assistance is delivering tangible outcomes and promoting sustainable development across the region. Our development assistance is always delivered in close partnership with the recipient government.

Australia's desire is for a prosperous and thriving Pacific. Indeed, in this second decade of the 21st century, as individual countries and as a region, is of the utmost importance. Climate change, food and energy security, economic growth and a bulging youth population are some of the great challenges that Pacific island nations face.

Australia is working hand in hand with our Pacific partners to help tackle these challenges. For it is in all our interests to live in a stable and economically vibrant region.

Australia is also working towards global solutions, supporting the interests of Pacific nations in international fora, including in the G20.

Mr Speaker, at the core of many of the challenges that Pacific nations face, is strengthening economic and employment prospects for their people.

Fast growing and young populations present great challenges in delivering the necessary employment, health, education and other services. Australia understands that the Pacific's young people want to work. We also understand that people are the Pacific's greatest asset, and hold the key to future prosperity of the region.

It is with these things in mind, that the Australian Government recently, expanded the Pacific Seasonal Workers Scheme to include Samoa, Nauru, Solomon Islands and Tuvalu.

The scheme gives an important boost to the economies of these Pacific nations, particularly through remittances. It also gives workers vital employment experience and the chance to develop new skills to use on their return home.

Australia remains committed to broad and deep engagement with Samoa and other Pacific Islands Forum members. Australia is working to help increase Forum

member's prosperity, by realizing the benefits of greater trade and economic reform and integration.

This is why Australia, Samoa and other Forum members are supporters of the Pacific Islands Forum Leaders, decision to commence negotiations for a new regional trade and economic agreement in August 2009.

Our fundamental view is that the more Pacific nations are integrated with the wider global community – and the freer the flow of goods, services and investments in the Pacific. The better the prospects of genuine, stable and long-term economic growth in Samoa and other Pacific communities.

Australia's support for democracy is a central feature of our partnership with the region. Australia is a strong advocate for the democratic values we share with Samoa and our Pacific neighbors.

Democratic institutions ensure all people have a voice in their government's composing and policies. Democracy strengthens social inclusion and stability. It enables people to hold their elected representatives to account for their decisions in office, and to ensure that those representatives put the interests of the people ahead of their own.

Democracy promotes transparency, which lies at the heart of good governance. This, along with stability and social cohesion, is the bedrock on which strong communities and growing economies are built.

Samoa, like Australia, has a robust parliamentary democracy. Australia admires the skill with which Samoa combines respect for its deep cultural traditions, while making the adjustments necessary to meet the challenges of a changing world.

You have led the region in efforts to ensure that development assistance is used effectively and responsibly; that improves the lives of Samoans. We are proud to work with our Pacific neighbors in RAMS in Solomon Islands, helping to build a stronger foundation for responsible democratic government.

My friends, a key aspect of an effective democracy is the empowerment of women. Samoa has much to be proud of in this area. It has achieved equal access to education for boys and girls. Samoan women are prominent in the public sector.

The participation of women in political life – in leadership and decision-making is vital to a healthy democracy. I congratulate Samoa on the steps being taken to increase the number of women in this parliament.

This evening I will be hosting a function for senior Samoan women, to celebrate progress and look to the future. Empowering women to meet their full potential strengthens the fabric, resilience and wellbeing of every society. It strengthens government.

Your Highness, Prime Minister, Honorable Members, democracy's heart beats most strongly in its Parliament. It is the people's house. It is where you together to debate the pressing issues of the day, to celebrate, to mourn, to shape your nation's future.

In recognition of Samoa's 50th anniversary of Independence and of the continuing importance of institutions to Samoa's future, it is with great pleasure that I announce today that Australia will work with your Government on a major multi-million dollar refurbishment of your Parliament complex.

Australia's funding support gift will underline Australia's respect for the democratic tradition you have established in this place, which has, and will continue to ensure, that decisions you make in this chamber result in tangible improvements, in the lives of all the people of Samoa.

In addition, Australia, in cooperation with the United Nations Development Program, will provide AUD\$880,000 for training and skills enhancement for Parliamentarians and the Parliamentary secretariat, to help strengthen even further Samoa's democratic institutions.

I am also delighted to announce a further AUD\$6.5million round of funding over four years to 2015 for the Civil Society Support Program Parliamentary links between Australia and Samoa are thriving. These links are bipartisan. They operate at both the Australian federal and state levels. These links confirm a broad and strong Australian commitment to building its partnership with Samoa.

I thank you for our warm welcome today, and for the great honor you have given me in inviting me to your Parliament – your people's House.

May the spirit of friendship and partnership between the people of Samoa and the people of Australia grow ever stronger.

Thank You."

Members applauded to show appreciation towards Her Excellence Quentin Bryce speech, the Governor General of Australia.

PRIME MINISTER'S REMARKS OF APPRECIATION FOR THE ADDRESS OF AUSTRALIA'S GOVERNOR GENERAL AT PARLIAMENT ON FRIDAY, 30th MARCH 2012.

Your Excellence Governor General Quentin Bryce, I rise on behalf of His Highness the Head of State whom you have officially met earlier today, the Speaker and Members of Parliament, and the Government of the People of Samoa to thank you and to express our deep appreciation for your very gracious and thoughtful address.

Your Excellence, Samoa's Parliament maintains close links with Australia's Federal and State Parliaments. Many of the present and past Members of the House have had the opportunity to visit with their Australian counterparts. That experience has been beneficial individually as well as collectively in our work as MPs.

Your presence and address this morning Governor's General with your duties to Australia's Parliament establishes the highest watermark in the excellent arrangements enjoyed between the Parliaments of Samoa and Australia.

Your Excellence, your visit coincides with our legislation the government is promoting to increase the number of women in our Parliament.

The reason for introducing the legislation, as you would see in the composition of this chamber is patently obvious with only two women MPs sitting in our present Parliament of forty nine on this side of the House. In 50 years of Independence and 14 Parliaments we have never had more than 4 women MPs at any one time. More often there were fewer and there were no women at all.

The debate over the proposed legislation in our Parliament and across our society is intensive and robust reflecting the importance of this issue for women and for the progress of political development in Samoa. Despite the argument of the Government that the proposed legislation is the best option to begin redressing this imbalance, not all the views expressed have been supportive.

Your Excellency, your formidable record in championing human right and women's issues precedes you. But I would not dream of asking your help to persuade and cajole the unconvinced to support our legislation. I rather suspect however that there really is no need to try and involve you. Your presence in person here with us is enough. You provide powerful proof of the capacity and capability of women to rise to the very top when given the opportunity. And in your country Australia the very top political responsibilities are held by women.

Here in Samoa our women not only control our homes, but they already approach or overtake men in education, in business, and many professional occupational classes including the government services. They also enjoy a longer life span than us men. Parliament may therefore be viewed by some as the last remaining bastion for our male's gender's perceptions of dominance; and they worry that the legislation hastens the day when it too will be overwhelmed by women.

Humour aside, and to be completely serious and fair to the Parliamentary Opposition and people with different views on the legislation, our debate has been about options; it is not about whether women are deserving of greater representation in Parliament.

Your Excellency, your visit to Samoa provides a very rare opportunity for us to thank your government at its highest level, within our Parliamentary chamber, for Australia's tremendous help with Samoa's socio-economic development.

Australia's assistance extends to many key areas including education, health, agriculture and fisheries, energy, governance, security and law and order to name some. The in-depth involvement and wide coverage of Australia's assistance makes your country Samoa's largest bilateral development partner.

When parts of our islands were struck in 2009 by the Tsunami disaster which took many lives with heavy destruction to infrastructure, the immediate response of Australia, in conjunction with other friends of Samoa, was pivotal to the effective emergency response.

The great kindness of the Government and people of Australia at that time of tragedy and uncertain gave great comfort to our people and country. We are very grateful and through you to your Prime Minister, the Government and People of Australia.

Your Excellency, we have listened carefully to your address and we are glad and reassured by the continued high level of commitment of Australia to the Pacific region despite the many national interest imperatives for Australia that also demand the attention of your government.

From Samoa's perspective, I have already referred to the deep economic partnership and the generosity of Australia to Samoa in times of disaster. But the engagement between our country's very importantly also extends to our collaboration on regional arrangements and on international issues of mutual concern which have seen our countries work together on pressing issues like climate change and deployment missions such as RAMSI and UN Peacekeeping. The cooperation between Samoa and Australia in all these areas reflect the successful relationship and close friendship between our countries.

Finally, Your Excellency, I would like on behalf of Speaker and our Parliament to express our gratitude for the announcement you have made of the assistance Australia is making available to assist the infrastructural and institutional development of our Parliament.

Your Excellency, we are honored and privileged with your visit and address to our Parliament. Thank You. Soifua.

Members applauded to show appreciation toward the Prime Minister's address as well as Her Excellency, the Governor General from Australia, for her generous support and contribution to our Parliament and the Government of Samoa.

Proceedings of the Legislative Assembly were suspended for its usual recess at 11:25am and resumed at 12:00pm.

MOTION FOR ADJOURNMENT

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, "*That the Proceedings of the Legislative Assembly be now adjourned until Thursday, 31 May 2012.*" Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga.

Motion approved and proceedings of the Legislative Assembly were adjourned until Thursday, 31 May 2012.

8. Proceedings of the Legislative Assembly were adjourned at 12.10pm until 9:00am on Thursday, 31 May 2012.

Hon Laauli Leuatea Polataivao Fosi
SPEAKER

Afioga Fepuleai Attila M. Ropati
CLERK

