

THURSDAY, 30 MAY 2013

1. PRESENT MEMBERS:

FOFOGA FETALAI

Susuga Hon Laauli Leuatea Polataivao Fosi

KAPENETA

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoui, Afioga 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 Leiautaua, Afioga Hon Le Mamea Ropati, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala.

SUI USUFONO

Afioga Hon Leapepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Motuopuaa Aisoli Vaai, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaiomanu Taeu Masipau, Afioga Afualu 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 Gafotele Faitua, Tofa Alo Fulifuli Taveuveu, Tofa Tuiloa Anitelea, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Fafoi Tamapua, Tofa Soalo Mene, Afioga Taefu Lemi, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. MEMBERS ABSENT:

Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Lautafi Fio Selafi Purcell, Afioga Lafaitale Patrick Leiautaualesa, Tofa Tusa Misi Tupuola, Afioga Maualaivao Pat Ah Him.

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

4. The Speaker took the Chair and said the prayers.

5. OBITUARY SPEECH:

1. Mr Speaker announced the passing away of Tofa Hon TAUA Kitiona Tavaga Seuala in the month of April 2013 and Afioga Hon LENIU Avamagalo in the month of May 2013.

Tofa Hon TAUA Kitiona Tavaga Seuala was first elected as Member of Parliament for the Territorial Constituency of Aleipata Itupa i Luga for the XIIth Parliamentary term for the Years 1996-2001. Hon Tofa TAUA Seuala Kitiona Tavaga was re-elected in Parliament for the XIIIth Parliamentary term for the Years 2001-2006.

Tofa TAUA Seuala Kitiona Tavaga was re-elected in the XIVth Parliamentary term for the Years 2006-2011 for the Territorial Constituency of Aleipata Itupa i Luga.

The Years 1996-2001, Tofa TAUA Seuala Kitiona Tavaga Seuala was elected as Parliament Under-Secretary for the Minister of Land, Survey and Environment.

In the Years 2001-2006, Tofa TAUA Kitiona Tavaga Seuala was elected as Parliament Under-Secretary for the Minister of Transport.

Tofa Hon TAUA Kitiona Tavaga Seuala was elected as member of the Revenue and Expenditure Committee of the Government, Health and Internal Affairs Community, Labour and Primary Production in the Years 1996-2001.

In the Years 2001-2006 Tofa TAUA Kitiona Tavaga Seuala was member of the Transport Committee and the Committee of Education. He was also a member of the Revenue and Expenditure Committee of the Government, Primary Production Committee and Special Position Committee.

Tofa Hon TAUA Kitiona Tavaga Seuala was also elected as the Minister of Agriculture and Fisheries in the XIVth Parliament in the Years 2006-2011.

He was also a member of the Human Rights Protection Society.

2. Afioga Hon LENIU Tofaeono Avamagalo was first elected as member of Parliament for the Territorial Constituency of Vaimauga Sasae in the XIth Parliamentary term for the Years 1991-1996.

Afioga Hon LENIU Tofaeono Avamagalo was re-elected in Parliament as member of the Territorial Constituency of Vaimauga Sasae in the XIIth Parliamentary term for the Years 1996-2001.

Afioga Hon LENIU Tofaeono Avamagalo was elected Chairman of the Bills Committee in the Years 1992-1996.

Afioga Hon LENIU Tofaeono Avamagalo was elected as Minister of Women in the Years 1996-1998.

In the Years 1999-2001, he was elected as member of Minister of Internal Affairs Community, Broadcasting, Samoa Television Corporation, Village Mayors Committee and Savali Newspaper.

On behalf of the Parliament, we wish to extend our deepest condolences to the districts, parents, spouses, children and extended families and relatives of members who have passed away.

He was also a member of the Human Rights Protection Society.

Members were upstanding for a minute to show respect to members who passed.

6. MESSAGE FROM THE AO O LE MALO:

The Clerk read out the Message from the Head of State permitting the Legislative Assembly to consider the following Bills:-

- (i) Telecommunications Amendment Bill 2013
- (ii) Trade, Commerce and Industry Amendment Bill 2013
- (iii) Supplementary Appropriation Bill (No.2) 2012/2013.
- (iv) Supplementary Appropriation Bill 2013/2014.

7. PRESENTATION OF PAPERS

The Clerk read out the Papers pursuant to Standing Orders 48:-

- (i) S.R.2013/5, General Price Order (No.2) 2013.
- (ii) S.R.2013/6, Casino and Gambling Control Act (Fees) Regulations 2013.
- (iii) P.P. 2013/2014 No.1, Annual Report of the Ministry of Women, Community and Social Development for the period ended 30th June 2012.
- (iv) P.P.2013/2014 No.2, Annual Report of the Parliamentary Pension Scheme for the Year 2012.
- (v) P.P.2013/2014 No.3, Annual Report of the Unit Trust of Samoa (Management) Ltd for the Year ended 30th June 2012.
- (vi) P.P.2013/2014 No.4, Statement of Corporate Objectives of the Electric Power Corporation for 2013-2015.
- (vii) P.P.2013/2014 No.5, Annual Report of the Development Bank of Samoa for 2012.
- (viii) P.P.2013/2014 No.6, Annual Report of the Samoa Airport Authority 2010.
- (ix) P.P.2013/2014 No.7, Samoa Water Authority Statement of Corporate Objectives 2013-2015

8. MINISTERIAL STATEMENT OF THE HON PRIME MINISTER – LAUNCHING OF “PALEMENE” NEWSPAPER

Susuga Hon TUILAIPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI (Prime Minister): Mr Speaker I rise to officially announce to our Parliament as well as Samoans tuning in on this day, Thursday 30th May 2013 the launching of our Parliament Newspaper which will publish government and parliamentary committees business with the objective to enhance parliamentary support services.

Before I go further about the Newspaper, I congratulate all members for the effort to participate this morning; as such we give grace to the Almighty for His love, guidance and protection upon us.

The power of His Holy Spirit has strengthened our minds and souls to continue our mission regardless different beliefs and foes which weaken our faith. Mr Speaker and our Parliament, I firmly believe that God whom we worship continues to care for us as promised by our ancestors; Samoa is founded on God. We have witnessed on televisions the wars and natural disasters that happened in other countries affecting their

economies. Even our neighboring countries have accepted the beliefs which contradict with our Christian values and the cause of many disasters in Sodom and Gomorrah. As such Mr Speaker and members of the House, we must believe in the power of prayers so that no matter how the enemies try to harm us, we have the strength to stand against because we are founded on God.

Mr Speaker, that is a special reminder and words of encouragement for us, so as the purpose of this Newspaper is to remind our people of what's happening in our Parliament. Modern technology only supply few information to a few population however, this would be a great opportunity to publish government business for public awareness and for them to make comments and contribution.

All Bills tabled in the Parliament will be published in this paper so that our people are aware of the purposes of these Acts, moreover the Select Committees reports on various Bills as well as the annual reports of government ministries and corporations which identified how they spent their approved funds. This means that our people are being informative of parliament issues but also encourage to make submissions to Bills but only a minority shows support or perhaps, the majority have given their trust on us to make decisions. The laws are establish for our people and for betterment of our country therefore, one needs to voice his/her opinions regarding any issues that is publish in this Newspaper.

As one of our saying “ole tele o sulu e mau ai figota” (many lights catch many fishes) and this reflected that this is our collective responsibility, and the success of any democratic parliament is through collective bargaining and mutual understanding. The role of any elected member of parliament is to represent his/her constituency and I believe that the newspaper will also provide an insight of parliamentary services to any citizens. Furthermore, a member has different roles and positions to play such as being a member of party, a member of a selected committee or sometimes stand as a member of parliament on behalf of the constituency, but never forget that despite numerous responsibilities, always keep in mind the role as a leader of the country therefore, a professional manner is expected.

Mr Speaker and members of the House, I am mindful of the challenges and the needs of various constituencies but, with publications of this newspaper, I believe people will be aware of the flexible duties of members and prevent them from asking to provide what they must do for themselves. So this morning I am proud to announce the first publication of our Parliament Newspaper with the purpose as said earlier.

Mr Speaker, we have just begun our journey after the celebration of the 50 years of our Independence and together with our God to lead the way, I believe that this paper is a great achievement of our new journey to another 50 years. Our prayers, may the Lord continues to guide and protect us always and may He bless this newspaper as well as all the public servants.

Best wishes for the celebration of our 51st years of Independence, may God bless our meeting and our whole country who are tuning in. Soifua.

Hon Tolofuaivalelei Falemoe Leiataua moved, *“That the Ministerial Statement by the Prime Minister be published and tabled as a paper for consideration in accordance to Standing Order 62(3) recorded in Parliament records.”* Seconded by Hon Faumuina Tiatia Liuta / Hon Leao Tuitama Talalelei Tuitama / Hon Tuisugaletaua Sofara Aveau.

Motion approved.

9. PRESENTATION OF SELECT COMMITTEES REPORTS

The Clerk read out the Reports of the Select Committees Reports tabled before Parliament pursuant to Standing Ordes 51(5):-

- (i) P.P.2013/2014 No.10, Report of the Justice, Police & Prisons and Land and Titles Committee on the Constitution Amendment Bill 2012.
- (ii) P.P.2013/2014 No.11, Report of the Foreign Affairs, Trade and Revenue Committee on the Income Tax Amendment Bill 2012.

10. MOTION OF THE BUSINESS, STANDING ORDERS, HOUSE AND ELECTORAL COMMITTEE

Hon Agafili Patisela Eteuati Tolovaa (Deputy Chairman) moved, "That in accordance with *Standing Orders 46, Lapsed Business from the 2012/2013 session be carried forward as printed in the Supplementary Order Paper 2013/2014 No.1.*" Seconded by Hon Gatoloaifaana Amataga Alesana-Gidlow / Hon Papaliitele Niko Lee Hang.

Motion was approved and Lapsed Business from 2012/2013 was carried forward.

11. GOVERNMENT ORDERS OF THE DAY – Reading of Bills:-

Government Order of the Day No.1.

1. Trade, Commerce and Industry Amendment Bill 2013– first reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, "*That the Trade, Commerce and Industry Amendment Bill 2013 be now read the first time,*" Seconded by Hon Faumuina Tiatia Faaolatane Liuga.

Motion approved and the Bill was read the first time.

To be in line with Standing Orders, the Bill will be second read on the third day of our next scheduled Meeting.

Government Order of the Day No.2.

2. Telecommunications Amendment Bill 2013 – first reading

Hon Tuisugaletaua Sofara Aveau moved, "*That the Telecommunications Amendment Bill 2013 be now read the first time.*" Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiatatau.

Motion approved and the Bill was read the first time.

To be in line with Standing Orders, the Bill will be read second on the third day of our next scheduled Meeting.

Government Order of the Day No.3.

3. Supplementary Appropriation Bill (No.2) 2012/2013 – first reading

Hon Faumuina Tiatia Faaolatane Liuga moved, "*That the Supplementary Appropriation Bill (No.2) 2012/2013 be now read the first time.*" Seconded by Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiatatau.

Motion approved and the Bill was read the first time.

Government Order of the Day No.4.

4. Supplementary Estimates (No.2) 2012/2013 – Tabling

Hon Faumuina Tiatia Faaolatane Liuga tabled the Supplementary Estimates (No.2) 2012/2013 pursuant to Standing Orders 131.

Government Order of the Day No.5. called.

5. Supplementary Appropriation Bill (No.2) 2012/2013 – motion for second reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “*That the Supplementary Appropriation Bill (No.2) 2012/2013 be now read the second time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tuiloma Lameko / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiatua.

Motion approved and the Bill was read the second time.

Pursuant to Standing Orders 132, debate on the Supplementary Appropriation Bill (No.2) 2012/2013 will be adjourned not less than 14 days after the Supplementary Appropriation Bill (No.2) 2012/2013 stands referred to the Committee of Finance and Expenditure before reporting back to the Legislative Assembly.

Government Order of the Day No.6.

6. Appropriation Bill 2013/2014 – first reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “*That the Appropriation Bill 2013/2014 be now read the first time.*” Seconded by Fonotoe Nuafesili Pierre Lauofo / Hon Tuiloma Lameko / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiatua.

Motion approved and the Appropriation Bill 2013/2013 be now read the first time.

Government Order of the Day No.7. called.

7. Main Estimates 2013/2014 – Tabling

Hon Faumuina Tiatia Faaolatane Liuga tabled the Main Estimates 2013/2014 pursuant to Standing Orders 131.

Government Order of the Day No.8. called.

8. Appropriation Bill 2013/2014 – motion for second reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “*That the Appropriation Bill 2013/2014 be now read the second time.*” Seconded by Hon Tuiloma Lameko / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiatua.

Government Order of the Day No.9 called

9. Financial Statement 2013/2014

Hon Faumuina Tiatia Faaolatane Liuga delivered the Financial Statement 2013/2014.

This is a copy of his speech:-

FINANCIAL STATEMENT 2013/2014

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 2013/2014 fiscal year.

I. BUDGET SETTING

Mr Speaker and Members of Parliament,

The 2013/14 budget is formulated against a background of positive but slow economic growth, Real GDP is expected to grow by only 1.3% in 2012/13 which is lower than pre-cyclone forecasts reflecting the significant damages and losses sustained as a result of cyclone Evan. Over the medium term, GDP is expected to stabilize at around 2.5% per annum as reconstruction and expected recovery in agriculture and tourism sectors takes hold.

Internationally, there is optimism that things have finally turned for the better. World output growth is forecast to reach 3.3% in 2013 and 4% in 2014. Global recovery is driven by emerging and developing economies expected to grow by 5.3% in 2013 and 5.7% in 2014. Growth in the US economy is forecast to be 1.9% in 2013 and 3.0% in 2014. While the euro area is forecast to contract by 0.3% in 2013 it is expected to rebound in 2014 to post a 1.1% positive growth.

With global recovery driven largely by the Asian economies (China, India & Indonesia), Samoa stands a better chance to benefit from it given the strong association of the Asian market and the Australian and New Zealand economies – Samoa's key trading partners. The scenario do reinforce the positive outlook for the Samoan economy in the medium term.

II. BUDGET STRATEGY

The expected slowdown in economic activity in the immediate term and the need to rebuild after Cyclone Evan form the basis for an expansionary 2013/14 budget. The fiscal deficit is expected to be around 4.8% of GDP. Whilst this level is considered unsustainable, it is appropriate given the need to rebuild following the cyclone as well as to provide the financial stimulus to generate economic activity. This policy option is consistent with the monetary indicators. The underlying annual average inflation is 0.2% in March 2013, at the same time official reserves is equivalent to 5.3months of import.

On the revenue side the government will not resort to raising any taxes or tariff. Instead the fees and charges for the service provided by a selected number of Ministries and SOEs will be adjusted to reflect the true cost of providing that service. I would also like to note that we have received tremendous support from our development partners in terms of scaling up resources and opting to provide more grants in response to our rebuilding efforts. This reflects the partners confidence and respect that Samoa will manage these funds and its economy in a prudent manner.

The 2013/14 budget deficit is expected to be fully funded by highly concessional borrowings.

Going forward, the government intends to gradually claw back to its long term goal of 3.5% of GDP in the medium term.

III. BUDGET SUMMARY

Mr Speaker,

I would now like to summarize the main aggregates of the 2013/2014 budget as follows:

<u>Revenue</u>		\$760,393,859
Ordinary Revenues	\$538,290,566	
Extenral Grants	\$222,103,293	
<u>Expenditure</u>		\$841,240,564
Statutory Expenditure	\$85,588,385	
Expenditure Programs	\$549,702,468	
Development Expenditure	\$189,458,637	
Unforeseen Expenditures	\$ 16,462,454	
<u>Overall Budget Deficit</u>		(\$80,846,705)
Financed by:		
Soft Term Financing	\$120,340,939	
<u>Cash Surplus after Borrowing</u>		\$39,494,234

The 2013/2014 financial year budget is projected to achieve a déficit of \$80.84 million tala, largely due to the implementation of the Cyclone. Recovery Program and preparation for Samoa's hosting of the Small Island Developing States (SIDS) conference to be held in 2014. This overall déficit expressed in the GFS format is equivalent to 4.8% of GDP and will be financed through concessional borrowings and soft term loans totaling \$120.3 million tala.

The reduction in the budget déficit from 6.1% in 2012/2013 to 4.8% in 2013/2014 is a reflection of the government's commitment to meeting its fiscal déficit target in the médium term of 3.5% of GDP. Simultaneously, the continous support from the development partners and the international community through increased grant financing and support for the budget further ease the pressure on the fiscal position.

IV. REVENUE MEASURES

Mr Speaker,

I am pleased to note that the government will not entertain raising taxes and tariff to finance the reconstruction program. As a responsible government we are very conscious of the impact of such a policy on the public and it is considered inappropriate to do so at this point in time.

Instead government is proposing to review the fees and charges for eight (8) pilot Ministries and SOEs to reflect the true cost of providing that service. It must be noted that careful consideration was given to ensure that the new fees and charges would have minimal effect on the public and businesses and that access to essential services is not restricted for everyone. The proposed adjustments to non tax revenues for the pilot ministries will apply from 1st July 2013 and is estimated to collect an additional \$5.3million tala for Government.

V. EXPENDITURE PRIORITIES

Mr Speaker and Honorable Members,

The proposed total expenditure program for the 2013/2014 budget amounts to \$841.2 million tala representing an increase of 7% over the previous year. Despite the changing economic circumstances following the immense devastations of Cyclone Evan, Government will continue to support the key priority sectors identified in the 2012-2016 Strategy for the Development of Samoa.

I will now highlight the key expenditure priorities the Government will implement during 2013/2014.

1. Cyclone Recovery Program

Cyclone Evan has been considered the worst cyclones to hit Samoa since Cyclone Val in 1991 causing widespread destruction around the country. To underscore Government's commitment to facilitating an early recovery from the impact of Cyclone Evan, major budget allocations have been earmarked in the 2013/2014 budget towards the following sectors under the Cyclone Recovery Programme, made possible through the kind assistance and continuous support from the development partners:

• Samoa Water Authority	\$4.0 miliona
• Ministry of Women	\$1.0 miliona
• Housing	\$7.5 miliona
• Ministry of Environment	\$3.0 miliona
• Ministry of Agriculture	\$5.66 miliona
• Land Transport Authority	\$4.52 miliona
• Electric Power Corporation	\$8.68 miliona
• Ministry of Education	\$9.46 miliona
• National Health Services	\$7.97 miliona
• Ministry of Health	\$0.66 miliona
• Samoa Tourism Development	\$7.57 miliona
• Samoa Ports Authority	\$4.0 miliona

2. Education Sector

The Government will commit \$95.7 million tala in education as part of its investment in the sector. This allocation represents an increase of 12.7% when compared to FY 2012/2013. In support of Government's ongoing commitment towards the development of education, the following key allocations have been incorporated in the 2013/2014 budget:

- \$51.0 million to the Ministry of Education, Sports and Culture for daily operations
- 6.0 million grant for Private and Mission Schools.
- 2.4 million for the Samoa Qualification Authority
- \$10.9 million grant for the National University of Samoa
- \$2.2 million to fund stationeries for all Government Schools
- \$2.03 million government contribution towards the School Fee Relief Scheme which is jointly funded by the Australian and New Zealand governments with earmarked funds to be channeled through budget support.

3. Health Sector

A total allocation of \$87.6 million tala is earmarked for the Health Sector, being one of the priority sectors of Government. The following major provisions are included to support the ongoing initiatives of this sector:

- \$6.5 million is provided towards the Ministry of Health operations
- \$72.9 million grant (including cyclone rehabilitation costs) to support the National Health Services, representing an increase of 21% compared to the previous year.
- \$5.0 million grant is earmarked for the National Kidney Foundation
- \$10.55 million has been provided to cover the cost of the overseas medical treatment scheme.
- \$960,000 million government contribution towards the Oceania University of Medicine (OUM)
- The Diabetes Association Clinic will receive:
 - \$50,000 grant for its operations;
 - \$30,000 for Samoa Aids Foundation;
 - \$40,000 for Samoa Cancer Society

4. Agriculture Sector

The 2013/2014 Budget continues to support government's commitment to revitalizing the Agriculture Sector. To reinforce this focus, the budget for the Agriculture Sector has been increased by \$6.37 million (including cyclone rehabilitation costs) compared to 2012/2013. The total \$19.34 million budget allocation includes the following:

- \$10.78 million is provided to support the Ministry's daily operations.
- 0.30 million is provided for the continuation of the Agriculture stimulus program
- The budget allocation for the Agriculture Show has increased from \$0.30 million in 2012/2013 to \$0.550million in 2013/2014.
- \$0.50 million for construction of a packhouse at the Matautu Wharf

5. Infrastructure

Electricity:

A total of \$10.54 million is allocated to EPC to support ongoing developments. Of this amount, \$6.5 million is provided to compensate EPC for VAGST payments on fuel with the balance of \$4.04 million earmarked for community service obligation (CSO)

Water:

The Samoa Water Authority will receive a budget allocation of \$16.32 million. Of this amount, \$3.46 million will go towards community service obligation (CSO) with \$12.86 million financing for key wáter investment priorities under the EU budget support.

Roads and Bridges:

Total Government grant to the Land Transport Authority (LTA) in the 2013/2014 budget is \$39.2 million representing an increase of 21% compared to the previous year's allocation. This investment will further reaffirm government's continous commitment in the improvement of roads and bridges around the country.

Telecommunications:

Telecommunications is another key priority sector to Government. To reinforce this commitment to the telecommunication sector, the following budget allocations have been confirmed for 2013/2014.

- \$2.34 million budget is allocated to meet the Ministry of Communication's operations
- \$1.23 million is allocated to fund the operations of the Office of the Regulator.
- \$0.50 million has been earmarked as government contribution to the National Broadband Highway Project.

6. Tourism

As a key priority sector and in recognizing of the tourism sector's contribution to Samoa's economy, Government will allocate a total grant of \$19.44 million (including cyclone rehabilitation costs) to the Samoa Tourism Authority to support its operations in 2013/2014.

7. Small Island Developing States Conference (SIDS 2014)

Following Samoa's succesful bid to host the 2014 Small Island Developing States meeting, Government is allocating a budget of \$15 million in the 2013/2014 to prepare the facilities and complete all necessary arrangements.

8. Cost of Living Adjustment

The Government is in the process of reviewing the impact of inflation on the salaries and wages and all other benefits across the public service including the Senior Citizens' pension scheme. The last adjustment was done more than five years ago

and a review is long overdue. With the results available, government will consider implementation and funding towards the second half of 2013/2014.

VI UNFORESEEN EXPENDITURES

A provision of \$16.4 million tala has been provided to cover unforeseen expenditures that may arise during the course of the next fiscal year.

VII. SECOND SUPPLEMENTARY ESTIMATES 2012/2013

The Government is also proposing to table a Second Supplementary Budget for the financial year 2012.2013. The supplementary budget includes a total of \$0.702 million tala of additional expenditures and will be financed through reallocation of existing resources within Ministries' budgets of \$0.755 million tala. With the second supplementary estimates included, the overall movement in cash balances will improve by \$0.053 million tala.

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VIII. FORWARD ESTIMATES

Mr Speaker,

The forward estimates for the next three years show that the projected debt level increase and the continuous decline in the State's net worth are outside the range that is considered prudent in the medium term. However it is worth noting that Government will have to be rigorous in monitoring the fiscal risks where appropriate and adjust policy measures where necessary to counter any macroeconomics risks that may arise. Also, it is important for government to vigilantly monitor the fiscal risks associated with the policy actions it decides upon to drive its cyclone rehabilitation program and at the same time strengthen the economy by promoting efficiency and containing government spending.

IX. CONCLUSION

Mr Speaker and Honorable Members,

This budget has been framed along the theme, "Rebuilding our Economy". This is the reality of today's global economy that despite the economic challenges we face every day, we have to rebuild and move on.

Against this backdrop, government will continue to build economic resilience through the realignment of its policies to underpin macroeconomics stability. This budget provides the means for stimulating economic activity through increased funding towards capital development.

On the revenue side, we need to look at revenue measures that will not only realize our revenue objectives, but at the same time does not impose hardship on the community and business development.

These are some of the challenges for 2013/2014. What is clear though is that the implementation will not be an easy task for us all. It may require sacrifices on both the weak and the strong and I call on your support as we strive to put our economy back to pre-cyclone growth levels.

Mr Speaker,

In closing, I would like on behalf of the Government and the people of Samoa, to express our sincere gratitude to our development partners for their generosity and continuous support during our time of need.

To the people of Samoa, we thank you for your support and may God continue to bless you as we prepare to celebrate our 51st Independence Anniversary.

Mr Speaker,

I commend the 2013/2014 Budget to the House.

Soifua.

Government Order of the Day No..9. called.

9. Prisons and Corrections Bill 2012 – consideration in detail

Tuisa Tasi Patea (Chairman) moved, “*That the Legislative Assembly confirms that Report of the Justice, Police and Prisons and Land & Titles Court Committee for Prisons and Corrections Bill 2012*”. Seconded by Lenatai Victor Faafoi Tamapua / Soalo Mene.

Motion approved.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Guiding Principles under this Act

Approved.

CLAUSE 4: Samoa Prisons and Corrections Service

Approved.

CLAUSE 5: Commissioner of Prisons and Corrections and Assistant Commissioner

“AMENDMENT:

Clause 5

To delete the expression “Deputy Commissioner” as it appears in Clause 5 and any other part of the Bill and substitute therewith the expression “Assistant Commissioner” thus new clause 5(1) reads:-

“5. Commissioner of Prisons and Corrections and Assistant Commissioner –(1) The Head of State, acting on the advice of Cabinet, may appoint a qualified and fit and proper person to be:

- a) **The Commissioner of Prisons and Corrections, and;**
- b) **The Assistant Commissioner of Prisons and Corrections, if the Commissioner recommends to Cabinet that the appointment is necessary for the proper management of the Service”.**

Clause 5 was approved with Amendments.

CLAUSE 6: Members of the Service.

Approved.

CLAUSE 7: Termination of Commissioner and the Assistant Commissioner.

Approved.

CLAUSE 8: Suspension of the Commissioner and the Assistant Commissioner

Approved.

CLAUSE 9: Termination of other members

Approved.

CLAUSE 10: Other employment related provisions

Approved.

CLAUSE 11: Uniforms, insignias and identity cards.

Approved.

CLAUSE 12: General obligations of members

Approved.

CLAUSE 13: Powers, protections and priveleges of sworn members.

Approved.

CLAUSE 14: Disciplining members.

Approved.

CLAUSE 15: Prisons and Corrections Officers Associations.

Approved.

CLAUSE 16: Establishment of prisons, temporary prisons and corrections facilities

Approved

CLAUSE 17: Appointment of officers-in-charge and senior officers

Debate

Clause 17 Approved

CLAUSE 18: Authorisation of members to act in the other positions within prisons.

Approved.

CLAUSE 19: Appointment of Visiting Medical Officers

Approved.

CLAUSE 20: Prisons inspections

Debate

Clause 20 approved

CLAUSE 21: Visits by Visiting Medical Officers

Debate

Clause 21 approved.

CLAUSE 22: Visiting Justices

Approved.

CLAUSE 23: Other arrangements for official visits

Approved

CLAUSE 24: Investigation by Ombudsman and other agencies

Approved.

CLAUSE 25: Role of Chaplain, church ministers and community leaders

Approved.

CLAUSE 26: Power to order prison inquiries

Approved

CLAUSE 27: Admission of prisoners

Approved.

CLAUSE 28: Arrangements for certain prisoners upon admission

Approved

CLAUSE 29: Information to be provided on admission

Approved.

CLAUSE 30: Medical examination

Approved.

CLAUSE 31: Initial classification

Approved.

CLAUSE 32: Remission of sentence

Approved.

CLAUSE 33: Diet and food rations.

Debate.

Clause 33 approved.

Proceedings of the Legislative Assembly was now suspended for its usual recess at 10:45 and resumed at 11:22am.

CLAUSE 34: Transfer from prison

Approved.

CLAUSE 35: Provision of medical treatment.

Approved.

CLAUSE 36: Access to other medical and related services

Approved.

CLAUSE 37: Keeping of medical records.

Approved.

CLAUSE 38: Dealing with infectious diseases

Approved.

CLAUSE 39: Objectives in classifying prisoners

Approved.

CLAUSE 40: Prisoner classification procedures

Approved.

CLAUSE 41: Prison offences

Approved

CLAUSE 42: Impermissible for prison offences

“AMENDMENT:

Clause 42(1)(f)

To delete paragraph “(f)” as it appears in Clause 42(1) which reads:-

“(f) solitary confinement”.

Clause 42 approved.

CLAUSE 43: Proceedings for prison offences.

Approved.

CLAUSE 44: Use of forcé

Approved

CLAUSE 45: Firearms not to be kept or used by Service

Approved.

CLAUSE 46: Use of instruments of restraint

Approved.

CLAUSE 47: Approved prison labour.

Approved.

CLAUSE 48: Work for unconvinced prisoners

Approved.

CLAUSE 49: Prison enterprises

Approved.

CLAUSE 50: Early release and pre-release programmes

Approved.

CLAUSE 51: Weekend and short term release

Approved.

CLAUSE 52: Discharge of prisoners

Approved.

CLAUSE 53: Parole of prisoners

Approved.

CLAUSE 54: Support for prisoners after release.

Approved.

CLAUSE 55: Offences by members

Approved.

CLAUSE 56: Inciting and harbouring

Approved.

CLAUSE 57: General offences concerning prison management

Approved.

CLAUSE 58: Transfer of assets, records etc

Approved.

CLAUSE 59: Prisons and Corrections Service Fund

Approved

CLAUSE 60: Regulations, Commissioner’s Orders etc.

“AMENDMENT:

To insert new paragraph “(w)” after paragraph “(v)” which reads:

“(w) to impose solitary confinement”.

Clause 60 approved.

CLAUSE 61: Repeal

Approved.

CLAUSE 62: Transitional arrangements and savings

Approved.

CLAUSE 63: Amendments to other laws

Approved.

SCHEDULE 1:

Approved.

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Prisons and Corrections 2012.

“CORRECTION:

Clause 1

To omit numeral “2012” and substitute thereby the number “2013” thus Title of Act reads:-

“Tulafono o Falepuipui ma le Toefuataiga 2013.

Clause 63 approved with Corrections

MOTION TO SUSPEND STANDING ORDERS

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi (Palemia) moved, “That Standing Orders 107(4) be set aside to allow the third Reading of the Prisons and Corrections 2013 at today’s meeting.” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tuiloma Lameko / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tuisgaletaua Sofara

Motion approved and the Standing Orders 107(4) was suspended.

Government Order of the Day No.10.

10. Prisons and Corrections Bill 2013 – third reading

Hon Sala Fata Pinati moved, “That the Prisons and Corrections Bill 2013 be now read the third time.” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Faamoetauloa Ulaitino Faale Tumaalii / Hon Manualesagalala Enokati Posala.

Motion was approved and the Bill was read the third time.

To be in line with Standing Orders, the second Reading of the Bill is set to proceed in our third scheduled Meeting.

Government Order of the Day No.11.

11. Ombudsman (Komesina o Sulufaiga) Bill 2013 – second reading

Hon Tolotuaivalelei Falemoe Leiataua moved, “That the Ombudsman (Komesina o Sulufaiga) Bill 2013 be now read the second time and I wish to briefly clarify it.” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Tuisugaletaua Sofara Aveau / Hon Le Mamea Ropati.

The Minister clarified the Bill.

Debate

Motion approved and the Bill was read the second time.

Government Order of the Day No.12.

12. Ombudsman (Komesina o Sulufaiga) Bill 2013 – consideration in detail

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Objectives

Approved.

CLAUSE 4: Act binds Government

Approved.

CLAUSE 5: Continuation and legal personality.

Approved.

CLAUSE 6: Independence

Approved

CLAUSE 7: Appointment

Approved.

CLAUSE 8: Selection and criteria

Approved.

CLAUSE 9: Oath of office.

Approved.

CLAUSE 10: Terms of office.

Approved.

CLAUSE 11: Remuneration.

Approved

CLAUSE 12: Ombudsman to hold no other office

Approved.

CLAUSE 13: Acting Ombudsman

Approved.

CLAUSE 14: Resignation

Approved

CLAUSE 15: Removal and suspension

Approved.

CLAUSE 16: Automatic vacations of office.

Approved.

CLAUSE 17: Vacancy

Approved

CLAUSE 18: Powers to investigate administrative decisions

Approved.

CLAUSE 19: Referral of matters by parliamentary committees or Prime Minister

Approved.

CLAUSE 20: Overriding powers

Approved.

CLAUSE 21: Matters not to be investigated.

Approved.

CLAUSE 22: Mode of complaint.

Approved.

CLAUSE 23: Refusal to investigate complaint

Approved.

CLAUSE 24: Proceedings

Approved.

CLAUSE 25: Right to be heard and consultation

Approved .

CLAUSE 26: Referral of matters to appropriate authority

Approved

CLAUSE 27: Other procedures

Approved.

CLAUSE 28: Procedures after investigation.

Approved.

CLAUSE 29: Right to be heard on any adverse comments.

Approved.

CLAUSE 30: Complainant to be informed of result of investigation

Approved.

CLAUSE 31: Proceedings not to be questioned or to be subject to review

Approved.

CLAUSE 32: Ombudsman not to give evidence.

Approved.

CLAUSE 33: Functions.

Approved.

CLAUSE 34: Initiating inquiries.

Approved

**CLAUSE 35: No inquiry on matters before the courts
Debate.**

Clause 35 approved.

CLAUSE 36: Inquiry reports

Approved.

CLAUSE 37: Parliamentary scrutiny

Approved.

CLAUSE 38: Complaints

Approved.

CLAUSE 39: Advisory groups and experts

Approved

CLAUSE 40: State of human rights reports

Approved.

CLAUSE 41: Establishment and functions

Approved.

CLAUSE 42: Application

Approved.

CLAUSE 43: Production of documents, information and evidence

Approved.

CLAUSE 44: Secrecy protected.

Approved.

CLAUSE 45: Priveleges and immunities

Approved.

CLAUSE 46: Allowances and fees

Approved.

CLAUSE 47: Disclosure of certain matters not to be required.

Approved

CLAUSE 48: Power to enter premises.

Approved.

CLAUSE 49: National interest matters.

Approved.

CLAUSE 50: Confidentiality of information

Approved.

CLAUSE 51: Directives for non-disclosure of information

Approved.

CLAUSE 52: Delegation of powers

Approved.

CLAUSE 53: Establishment

Approved.

CLAUSE 54: Appointment and remuneration of staff

Approved.

CLAUSE 55: Guidelines for employment

Approved.

CLAUSE 56: Funds

Approved.

CLAUSE 57: Annual Reports

Approved.

CLAUSE 58: Offences of obstruction, non-compliance, false statements, etc

Approved.

CLAUSE 59: Offence of failure to attend or provide documents.

Approved .

CLAUSE 60: Offence of refusal to give evidence.

Approved

CLAUSE 61: Perjury

Approved

CLAUSE 62: Contempt

Approved.

CLAUSE 63: Victimisation.

Approved.

CLAUSE 64: Exemption from fees.

Approved.

CLAUSE 65: Exemption from personal liability

Approved.

CLAUSE 66: Non-derogation

Approved.

CLAUSE 67: Regulation

Approved

CLAUSE 68: Repeals, savings and transitional

Approved

SCHEDULE 1:

Approved

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Ombudsman (Komesina o Sulufaiga Act 2013).

Approved.

Government Order of the Day No. 13.

13. Ombudsman (Komesina o Sulufaiga) Bill 2013 – third reading

Hon Tolofuaivalelei Falemoe Leiataua moved, “That the Ombudsman (Komesina o Sulufaiga) Bill 2013 be now read the third time.” Seconded by Hon e Hon Faumuina Tiatia Faaolatane Liuga / Hon Tuisugaletaua Sofara Aveau / Hon Le Mamea Ropati.

Motion approved and the Ombudsman (Komesina o Sulufaiga) Bill 2013 had passed the Legislative Assembly.

- 12. Proceedings of the Legislative Assembly now adjourned at 12.30pm until 9:00am Tuesday, 18 June 2013.**

Susuga Hon Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

TUESDAY 18th JUNE 2013

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi.

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Afioga 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 Leiataua, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala.

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 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 Gafotele Faitua, Tofa Alo Fulifuli Taveuveu, 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 Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliiitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. MEMBERS ABSENT:

Tofa Lautafi Fio Selafi Purcell, Afioga Hon Le Mamea Ropati.

3. **The Legislative Assembly met at 9.00am.**

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

5. **MESSAGE BY THE HEAD FROM 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 following Bills:

1. Agriculture Store Corporation Repeal Bill 2013.

6. **OTHER ANNOUNCEMENTS BY MR SPEAKER**

Mr Speaker announced that the Legislative Assembly has its Open Week this week and schools and colleges from Upolu and Savaii are joining to take part and be aware of what's happening in Parliament of Samoa. This programme is put together in collaboration by the UNDP and the Tasmanian Government and is funded by the Government of Samoa. The importance highlights the true significance of the Parliament of Samoa for students to learn, experience and be aware of. Speaker welcomed schools who are with us today and hoped that they will learn and carry with them something important from Parliament proceedings when they return.

7. **PRESENTATION OF PAPERS:**

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

- 1. P.P.2013/2014 No.12, Report of the Controller and Chief Auditor to the Legislative Assembly for July 2010-June 2011.**
- 2. P.P.2013/2014 No.13, Annual Report of the Samoa Housing Corporation for the year 2010.**
- 3. P.P.2013/2014 No.14, Betting (Totalisator) Agency Board Financial Statements for the Year 30 June 2012.**
- 4. P.P.2013/2014 No.15, Annual Report of the Electric Power Corporation for the Year 2011-2012.**

8. **PRESENTATION OF SELECT COMMITTEES REPORTS**

The Clerk read out the Select Committees Reports tabled in pursuant to S.O.51.

- 1. P.P.2013/2014 No.16, Report of the Finance and Expenditure Committee on the Second Supplementary Estimates 2012/2013 of the Receipts and**

Payments of the Government of Samoa for the Year Ending 30th June 2013, P.P.2013/2014 No.8.

2. P.P.2013/2014 No.17, Report of the Finance and Expenditure Committee on the Main Estimates of Receipts and Payments of the Government of Samoa for the Financial Year Ending 30th June 2014, P.P.2013/2014 No.9.

9. **MINISTERIAL STATEMENT BY THE HON PRIME MINISTER, Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi**

I greet you Mr Speaker and the members of the Legislative Assembly this new morning. I also acknowledge the presence of the students with us today.

To begin, I advise you all to pursue the science disciplines because they result in scholarships or choose a sport to excel in because these are the areas that Samoa needs development in.

I advise this using our everyday language because 99% of the Speakers comments were too complicated as he used oratory language but these simple terms you will understand. As a result you can pursue the disciplines I mentioned because in the long run, it will benefit our country.

I greet the dignity of Samoa in all its honorific salutations and this is a wonderful morning indeed. The reason being that our national rugby team; Manu Samoa has been victorious against Italy and Scotland and we will await the final match between South Africa to be played this Saturday. Let us pray for strength to be upon them and that the Lord may turn their weaknesses into their strengths as witness to His greatness on which Samoa is founded.

We witnessed last week on television the victorious bout of one of our own in the boxing ring; Joseph Parker and the end of this month we will watch the Rugby Sevens Series. Wherever in the world one of our own are involved in sports they need your encouragement and support. It is because of this that the Manu Samoa was victorious and as a result there were no reports of domestic violence at the Ministry of Police, expectant mothers gave birth happily and I believe our proceedings will progress without any contradiction and conflict.

In six months we will move from being a least developed country to a middle income level country and this is indication of a success. Since independence 51 years ago, our previous leaders contributed to this success. We are now striving and working for the development of our country to be in line with the current trends for the benefit of our people.

It is a continuous task for those in the position that we are in now to strive but like all other countries we are affected by the lack of resources.

Prioritizing is the only solution that is available when considering the needs of the people and the increase in population. This is done across all the sectors of the country from families to business to governments. Common sense is then used to decide on what to prioritize first and then funds are either requested by way of grants or loaned to implement these priorities.

If we do not do this, we will be relying solely on our own resources and we will fall into a state of national poverty. Overseas countries and organizations are always keen to assist and loan funds to us at low interest costs because they know that we are utilizing these funds wisely

We were the first Pacific Island to loan four years after Independence with the Asia Development Bank in 1966;. Millions was loan from the ADB to construct the Faleolo Airport in 1971 with the repayment of \$31,000 annually and this is appropriated in the budget. This is not a concern we should stop persistently broadcasting on TV that our country is in debt because of these loans.

For the next Financial Year, revenue inclusive of grants amounts to \$760million and \$45million will be used to repay our loans leaving \$715million for other purposes. These loans are spread out through a period of 4-5years to fund developments such as the hospital. You can see in the Budget that these loans are not new ones; they are old ones that are still being used for these developments. This is why I was surprised to see one of the members on television stating that if these loans are added our national debt would amount to billions. These appropriations have been delivered to you beforehand and still you do not understand but you have the opportunity to call the Ministry of Finance or the CEO for clarification. I have become uncertain whether I should use the English language or Chinese to explain these matters.

In the Congregational Christian Church book of worship there is a verse that states if you overstep your boundaries you may end up in a ditch. When you make loans for a cabbage patch, in time that cabbage patch will repay that loan and the same goes for our loans for infrastructural developments. The amount of the loan is not important. What is important is the ability of the government to repay these loans annually.

The private sector is also important in providing other services the government cannot provide and at times they may take over developments the government initiates. This is why the government provides assistance to the private sector.

There are wharves in Savaii and Upolu that the government constructs and the private shipping companies can dock their ships there. This is the same for the roads. The government constructs them and the people use it.

The government has increased its appropriation from 5 to 6million to Church and private schools.

Billions has also been poured into the Hotel Industry which employs many of our locals and the owners need to do their part and set cheaper rates than Fiji. However, that is not the case. They want the government to also carry out their part.

Mr Speaker, it is our duty to motivate our people to work and be self-reliant. We should not make speeches that encourage dependency and free services. If everything was free, what will we then use to fund our developments? Do not be compelled to be interviewed by the young media personnel as I am unsure if they reached Form 2.

We should not forget that our country is educated and they know enticement when they see it. I am sympathetic of the Opposition and their enticing comments which should be stopped because it is not healthy for the country. A persistent government uses connections and good relations with the outside world to attract investors to invest and establish companies within the country for the employment of the young graduates and national revenue.

This is the system used by New Zealand, Australia, China, Japan, Germany, the United States of America as well as Arab Countries. These countries have resources and yet they also try to persuade investors to invest in their countries. There are thousands of Toyota companies from Japan in America and vice versa for American companies in Japan. Samoa only has one Japanese company which is Yazaki. American based Car Company Ford is also in Germany and I observed this during my employment in Europe. Yazaki is the only company that we could lure into the country and although they have longed to relocate, we have an agreement that is too attractive to pass up. The truth is, this is the only big company that will ever invest in Samoa and the next best option is to target the overseas hoteliers to invest in Samoa to provide employment opportunities for the youth.

Any member that is against foreign investors has doomed the youth to a future of lack of employment opportunities. We should always be mindful of the benefits to our country. During our debate of this Appropriation I will monitor carefully your

speeches and with the country listening in, the member that is against foreign investors in Samoa should not return in the next elections.

Mr Speaker, the countries that I mentioned before do not care about the appearance of the investor. What matters is the appearance of the money that will be used to fund economic developments. Enticement should only be used to attract foreign investors but instead we protest when we see a Chinese businessman; assuming that Samoa will be overtaken by Chinese. These assumptions are preposterous and to think that they originate from within this Chamber.

China has a population exceeding a billion and they are currently the biggest export market and governments are flocking to have an opportunity to trade with them. No one ever thought that Communist China would ever be in this situation and there are rumors that next year they will be the leading trading market. New Zealand has had a long trading relationship with China exporting dairy products and meat.

The Deputy Prime Minister explained our policies regarding foreign companies the night before. A thorough background check which can take 4-5 years is done by experts before a decision is made. It is not a rushed process. Investors do not invest instantly, they analyze the pros and cons of investing in Samoa and negotiations can take up to 4 years.

Do you recall the Taumeasina issue which resulted in a Legislation being passed in 1970? It has been 43 years and we have only just found an investor to develop this project. Perhaps some of you were still in kindergarten when this issue was discussed therefore you must leave Moses and his prophets to do their work. In the words of a wise man; it is better to be silent for it is when you speak that your ignorance is known. The government policies were not drafted yesterday. Like a building engineer, the layout is first considered before a building is erected. A new government building is being proposed.

There is no building that is constructed without an architectural blueprint from a qualified architecture and they are also paid. This profession is costly. After the blueprint is made, it must then be checked for any other modifications and then it is redone because it is never done right the first time. A million dollar project is never rushed. If a building was being built with the guest tree (fu'afu'a) and the erythrina species (gatae) then it would only take a day to build but this is not the case with projects costing million dollars.

Rushed work Mr Speaker is never done thoroughly. The Fugalei market road is being planned thoroughly and there is no need to be concerned about when it will be completed. There are many markets in the Apia area and within a 4-5 mile radius of town. Since the establishment of this Political Party in 1982, we resolved to use everyday Samoan to make our proceedings understandable and save time in trying to clarify issues that are raised.

The importance of this resolution is so that when serious accusations are made against a member it must be clarified and corrected because the listening public will assume these accusations are fact if they are not corrected instantaneously.

Issues that are being raised on this budget cannot be brushed aside. Our primary policy is to make our responsibility clear and it is not a crime to do so for the comprehension of the country.

Mr Speaker, that is a brief statement as the Leader of the Government as an introduction to this Budget. Thank you and God bless this House.

Hon Tuisugaletaua moved, *“That the Ministerial Statement of the Hon Prime Minister be printed and laid on the table as a Paper of Consideration.”* Seconded by Hon Palusalua Faapo II.

Motion approved.

10. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Supplementary Appropriation Bill (No.2) 2012/2013 & Appropriation Bill 2013/2014 - second reading.

Proceedings of the Legislative Assembly was suspended at 10:45am and resumed at 11:20am

Debate resumed.

MOTION FOR CHANGE OF SITTING HOURS

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, *“That the Standing Orders 31(1) be set aside so that Sitting Hours be changed for today commencing at 9:00am until 1:00pm, resume at 3:00pm until 7:00pm.”*

Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Faumuina Tiatia Liuga.

Amended Sitting Hours Schedule:

9:00am – 1:00pm

3:00pm – 7:00pm

Motion approved.

Debate resumed over second reading of the Supplementary Appropriation Bill (No.2) 2012/2013 and Appropriation Bill 2013/2014.

Proceedings of the Legislative Assembly now suspended at 1:00pm until 3:00pm.

Levaopolo Talatonu moved, *“That the honorable member be given an extension of 5 minutes.”* Seconded by Toeolesulusulu Cedric Salesa Pose Schuster / Lealailepule Rimoni Aiafi.

Consensus of the House was not reached.

Proceedings of the Legislative Assembly was set aside for its normal recess at 1:00pm and resumed at 3:00pm.

Debate continued.

Proceedings suspended at 4:45pm and resumed at 5:15pm.

Debate resumed.

Lafaitale Patrick Leiataualesa moved, *“That an extended half an hour be granted to complete the wonderful speech of the member (Afioga Maualaivao Pat Ah Him).”*

Motion denied.

11. Proceedings of the Legislative Assembly now adjourned at 7:00pm until 9:00am Wednesday, 19th June 2013.

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

WEDNESDAY 19th JUNE 2013

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Afioga 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 Leiataua, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala.

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 Faavaivaioamanu 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 Fagaavalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, Tofa Alo Fulifuli

Taveuveu, 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 Muagututagata Faamausili Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. **MEMBERS ABSENT:**

Tofa Lautafi Fio Selafi Purcell, Afioga Hon Le Mamea Ropati

3. The Legislative 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. Supplementary Appropriation Bill (No.2) 2012/2013 and Appropriation Bill 2013/2014 – debate over second reading continue – Day 2.

Debate resumed

Hon Tuu’u Anasii Leota moved, *“That an extended hour be granted for the speech of the Minister so that our meeting is dragged (Hon Tuitama Talalelei Tuitama).”*

Motion denied.

Debate continued.

Hon Palusalua Faapo II moved, *“That 2 minutes be added on top of this minute for the speech of the member (of Faasaleleaga No.4, Peseta Vaifou Tevaga).” Seconded by Levaopolo Talatonu / Fagaivalu Kenrick Samu.*

Motion was not granted.

Debate continued.

Proceedings of the Legislative Assembly were suspended at 10:45am and resumed at 11:20am.

MOTION FOR AMENDMENT OF SITTING HOURS:

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, *“That Sitting Hours be amended for today as follows, from 9:00am - 1:00pm, resume at 3:00pm - 7:00pm and from 8:00pm - 11:00pm.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga / Afioga Peseta Tevaga

Amended Sitting Hours Schedule:

9:00am - 1:00pm
 3:00pm - 7:00pm
 8:00pm - 11:00pm

Motion approved and Scheduled Sitting Hours were amended.

Debate continued over second reading of Supplementary Appropriation Bill (No.2) 2012/2013 and Appropriation Bill 2013/2014

Proceedings of the Legislative Assembly were suspended at 1.00pm until 3:00pm.

Debate resumed.

Proceedings suspended at 4:46pm and resumed at 5:15pm.

Debate continued.

Proceedings were set aside for its normal recess at 7:00pm and resumed at 8:00pm.

Debate was carried out.

Proceedings suspended at 9:20pm and resumed at 9:44pm.

Debate continued over second reading of Supplementary Appropriation Bill (No.2) 2012/2013 and Appropriation Bill 2013/2014.

Tofa Hon Tolofuaivalelei Falemoe Leiataua moved, *“That the following words spoken by member of Falealupo, Aeau Peniamina be removed from Hansard: “Hold your horse, ok”*

Speaker instructed the words spoken by Member of Falealupo Aeau Peniamina to be removed from Hansard: *“Hold your horse, Barking at the wrong side of the tree”*

6. Business of the Legislative Assembly was adjourned at 11:10pm until 9:00am Thursday, 20th June 2013.

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

THURSDAY 20th JUNE 2013

1. **MEMBERS PRESENT:**

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti 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 Tuitama Talalelei Tuitama, Afioga Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala.

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 Faavaivaioamanu 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 Gafotele Faitua, Tofa Alo Fulifuli Taveuveu, 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 Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. **MEMBERS ABSENT:**

Tofa Lautafi Fio Selafi Purcell, Afioga Hon Le Mamea Ropati

3. **The Legislative Assembly met at 9.00am.**

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

5. ANNOUNCEMENT BY MR SPEAKER

Mr Speaker announced the second lot of students participating in the Parliament Open Week Program, Years 12 and 13 as scheduled this morning. Joining us today is another lot of students to witness and partake in the proceedings and the undertakings of the Parliament Proceedings and sitting to broaden their experience and understanding in the Order of Parliament work conducted this morning. Speaker welcomed teachers and students who are present here today.

6. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Supplementary Appropriation Bill (No.2) 2012/2013 and Appropriation Bill 2013/2014 – Day 3.

Debate ensued from Day 2 over second reading of the Supplementary Appropriation Bill (No.2) 2012/2013 and Appropriation Bill 2013/2014.

Levaopolo moved, “That minutes be granted for the old man as his getting old, to complete his speech (Hon Aeau Peniamina Leavaiseeta).”

Motion was not granted.

Hon Aeau Peniamina moved, “That Levaopolo Talatonu bring forth information and confirmation as evidence of dishonesty for the Ministry of Revenue officials”.

Motion approved and motion to bring forth evidence and information to confirm allegations made by the member of Gaegaemauga No.2.

Debate ensued from Day 2 over second reading of the Supplementary Appropriation Bill (No.2) 2012/2013 and Appropriation Bill 2013/2014.

Proceedings suspended at 10:44am as per normal recess hours and resumed at 11:20am.

Debate continued.

Proceedings suspended at 1:00pm until 3:00pm.

Debate resumed at 3:00pm.

Proceedings suspended at 4:46pm and resumed at 5:15pm.

Debate continued.

Proceedings were interrupted at 7:00pm until 8:00pm

Debate continued.

Proceedings were set aside for normal recess hours at 9:23pm until 9:50pm.

Debate continued.

MOTION FOR EXTENSION OF SITTING HOURS

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, “*That the Supplementary Appropriation Bill (No.2) 2012/2013 and the Appropriation Bill 2013/2014 be progressed until it is passed.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga / Hon Tuisugaletaua Sofara Aveau.

Motion approved.

Question put and motion was approved as moved on the 30th May, 2013 and the Bill was read the second time for the Supplementary Appropriation Bill (No.2) 2012/2013 and the Appropriation Bill 2013/2014.

Government Order of the Day No.3 called.

3. Supplementary Appropriation Bill (No.2) 2012/2013 – consideration in detail

**FIRST SCHEDULE
VOTES AND APPROPRIATIONS
ADDITIONAL APPROPRIATIONS**

<u>MINISTRY:</u>	<u>TOTAL ADDITIONAL EXPENDITURE:</u>
WEATHER:	\$239,290
<i>Approved</i>	
NATURAL RESOURCES & ENVIRONMENT:	\$396,010
<i>Approved.</i>	
COMMUNICATIONS & INFORMATION TECHNOLOGY:	\$66,222
<i>Approved.</i>	
TOTAL ADDITIONS IN EXPENDITURE 2012/2013:	\$701,522
<i>Approved</i>	

The Schedule was approved as part of the Act.

**SECOND SCHEDULE
REDUCTIONS IN APPROPRIATIONS**

<u>MINISTRY:</u>	<u>REDUCTION IN EXPENDITURE:</u>
WEATHER:	(\$263,000)
<i>Approved.</i>	
NATURAL RESOURCES & ENVIRONMENT:	(\$445,393)
<i>Approved.</i>	
WORKS, TRANSPORT & INFRASTRUCTURE:	(\$47,008)
<i>Approved.</i>	
TOTAL REDUCTIONS IN EXPENDITURE 2012/2013:	(\$755,401)

Approved.

CLAUSE 2: Grant and Appropriations of \$701,522 out of Treasury Fund.

Approved.

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

Approved.

Schedule was approved as part of the Act

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Supplementary Appropriation Bill (No.2) 2012/2013

Approved.

The Supplementary Appropriation Bill (No.2) 2012/2013 be progressed without Amendments.

Government Order of the Day No.3 called.

3. Supplementary Appropriation Bill (No.2) 2012/2013 – third reading

Hon Faumuina Tiatia Liuga moved, “That the Supplementary Appropriation Bill 2012/2013 (No.2) be now read the third time.” Seconded by Hon Tuisugaletau Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiatua.

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

Government Order of the Day No.4 called.

4. Appropriation Bill 2013/2014 – consideration in detail

**FIRST SCHEDULE
VOTES AND APPROPRIATIONS**

<u>MINISTRY:</u>	<u>TOTAL EXPENDITURE:</u>
AGRICULTURE:	\$19,344,572
<i>Approved.</i>	
COMMERCE, INDUSTRY AND LABOUR:	\$26,470,656
<i>Approved.</i>	
COMMUNICATIONS & INFORMATION TECHNOLOGY:	(\$4,697,618)
<i>Approved.</i>	
EDUCATION, SPORTS & CULTURE:	\$95,754,478
<i>Approved.</i>	
FINANCE:	\$88,992,607
<i>Approved.</i>	
FOREIGN AFFAIRS AND TRADE:	\$20,850,329
<i>Approved.</i>	
HEALTH:	\$87,638,161
<i>Approved.</i>	
JUSTICE AND COURTS ADMINISTRATION:	\$9,147,566
<i>Approved.</i>	
NATURAL RESOURCES & ENVIRONMENT:	\$30,045,575
<i>Approved.</i>	

POLICE & PRISONS:	\$26,509,219
<i>Approved.</i>	
PRIME MINISTER:	\$7,673,363
<i>Approved.</i>	
REVENUE:	\$11,911,131
<i>Approved.</i>	
WOMEN, COMMUNITY & SOCIAL DEVELOPMENT:	\$10,230,335
<i>Approved.</i>	
WORKS TRANSPORT & INFRASTRUCTURE:	\$86,662,896
<i>Approved.</i>	
ATTORNEY GENERAL:	\$3,659,914
<i>Approved.</i>	
AUDIT:	\$3,136,087
<i>Approved.</i>	
OFFICE OF THE COMMISSIONER:	\$1,655,416
<i>Approved.</i>	
LEGISLATIVE ASSEMBLY:	\$5,382,621
<i>Approved.</i>	
OMBUDSMAN:	\$560,173
<i>Approved.</i>	
PUBLIC SERVICE COMMISSION:	\$3,799,425
<i>Approved.</i>	
STATISTICS:	\$4,330,229
<i>Approved.</i>	

SAMOA LAW REFORM COMMISSION: \$1,246,097

Approved.

TOTAL APPROPRIATION FOR MINISTRIES 2013/2014: \$549,702,468

Approved.

Schedule Approved.

CLAUSE 2: Grant and Appropriation of \$549,702,468 out of the Treasury Fund.

Approved.

CLAUSE 3: Grant and Appropriation of \$662,926 out of the Public Trustee's Account.

Approved.

CLAUSE 4: Grant and Appropriation of \$16,491,074 out of the Treasury Fund.

Approved

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Appropriation Bill 2013/2014.

Approved.

The Appropriation Bill 2013/2014 be progressed without Amendment.

Government Order of the Day No.5 called.

5. Appropriation Bill 2013/2014 – third reading.

Hon Faumuina Tiatia Liuga moved, “That the Appropriation Bill be now read the third time.” Seconded by Hon Tuisutaletaua Sofara Aveau / Hon Tuiloma Lameko / Hon Tolofuaivalelei Falemoe Leiatua.

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

Members showed appreciation by clapping their hands.

Proceedings of the Legislative Assembly now adjourned at 12:00am until 9:00am Friday, 21st June 2013.

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

FRIDAY 21st JUNE 2013

1. MEMBERS PRESENT:

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti 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 Tuitama Talalelei Tuitama, Afioga Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala.

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 Faavaivaioamanu 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 Fagaavalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, Tofa Alo Fulifuli Taveuveu, 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 Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. MEMBERS ABSENT:

Tofa Lautafi Fio Selafi Purcell, Afioga Hon Le Mamea Ropati

3. The Legislative Assembly met at 9.00am.

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

5. OTHER ANNOUNCEMENTS BY MR SPEAKER

1. MEDIA

Speaker issued a ruling pertaining to the media as stated and instructed on the 19th June 2013 – perchant for erroneous reporting of Parliamentary debates other than the official records of Parliament. This is due to some members reporting and giving out false information other than Parliament official records (Hansard).

Speaker stated that failure to take heed of this ruling pursuant to Powers and Priveleges Ordinance 1960 will result in banning of media from entering chamber.

Speaker advised all members to avoid talks whilst proceedings are in progress to prevent false information being collected and recorded by the media, when these are not confirmed or official records from within Parliament.

2. EVIDENCE BY LEVAOPOLO

Speaker requested Levaopolo Talatonu to bring forth ‘evidence’ pursuant to motion moved by member of Falealupo in yesterday’s sitting.

Member of Gagaemauga No.2 tabled supporting documents to prove his allegations pursuant to motion moved on Thursday, 20 June 2013.

Pursuant to Standing Orders 82(6) for the member of Gagaemauga No.2 to bring forth evidence to support his accusations.

1. The allegations made against the officials of the Ministry of Revenue, starting from the Chief Executive Officer and all government officials inside the Ministry; as the government officials cannot answer to allegations laid agains them inside Parliament.

2. The Speaker should take the lead in protecting the rights of the public officials who are unable to answer to laid allegations against them and for those officials who are employeed under the Government.

As witnessed by the Chamber this morning, the member has submitted evidence to support claims from yesterday. If documents are proven correct and accounted for, this is another crucial part that must be looked into. As evident, these documents are quite thick, hence the Legislative may have to spend the Sunday here, Speaker announced – there is a need for the officials of the Ministry for Revenue to come forth and answer to the claims made. The Minister for Revenue supported this motion.

A Special Investigation Committee was appointed to investigate this matter. This Committee was selected for this task, including the Criteria for Consideration of Committee:

- | | | |
|---|---|-----------------|
| 1. Tofa Lautafi Fio Selafi Purcell | - | Chairman |
| 2. Tofa Lefau Harry Schuster | - | Deputy Chairman |
| 3. Afioga Tialavea Fea Tionisio Seigafolava | - | Member |
| 4. Afioga Afualo Wood Uti Salele | - | Member |
| 5. Afioga Taefu Lemi | - | Member |

6. Afioga Papalii Lio Faavaivaio manu Taeu Masepau -Member
7. Afioga Tuisa Tasi Patea - Member
8. Afioga Fepuleai Atilla M Ropati - Member

CRITERIA FOR CONSIDERATION OF TASKS OF COMMITTEE:

The Committee to consider and report back to the Legislative Assembly in the next ensuing meeting on the 6 August 2013:

1. The Committee is required to investigate documents tabled by Levao and prove whether or not the employees were dishonest in collecting revenues.
2. Guidelines and policies for the Legislative to follow through given cases like these where an employee or public servant is charged by MPs.
3. They are to come up with a judgement for parliament to make a decision upon if the MP is found to have not proven his accusations.

This matter is raised under Standing Orders 90:

“Mr Speaker in the Assembly and the Chairman in any Committee shall be responsible respectively for the observance of order in the Assembly and in Committee and of the rules of debate, and their decision upon any point of order shall not be open to appeal and shall not be reviewed by the Assembly except upon a substantive motion made after notice.”

Hence, I wish to notify the Legislative Assembly:

1. The progression of the allegations by the member of Gagaemauga No.2 from yesterday 20 June against the officials of the Ministry for Revenue, and the evidence brought forth by member this morning, 21 June to support his claims;
2. This matter has been referred to the Special Investigation Committee for their investigations and recommendations and report back to the Legislative Assembly on the 6 August 2013 pursuant to the Policies and Guidelines of the Works Committee being read out.

After this case is being investigated by the Special Investigation Committee, the Committee will then be dispersed.

I call upon the members of Parliament, not to discuss this matter in Parliament until reports and findings are referred back by the Special Investigating Committee.

6. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Constitution Amendment Bill 2012 – consideration in detail

Hon Tuilaepa Lufesoliai Aiono Neioti Sailele Malielegaoi moved, *“That this Bill be set aside as there are some amendments that needs to reviewed and will report back to the Legislative Assembly next week.”*

Motion approved and the Bill was set aside until next week.

Government Order of the Day No.2 called.

2. Attorney General's Office Bill 2012 – consideration in detail

Tuisa Tasi Patea moved, "That the Assembly approves the Committee's report which recommends the Attorney General's Office Bill 2012 progresses without amendments."

Seconded by Lafaitale Patrick Leiauaalesa / Sooale Mene / Afoafouvale John Moors

Motion approved.

"AMENDMENTS:

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Establishment, composition and Minister responsible

"AMENDMENTS:

Tuisa Tasi Patea moved the Amendments to Clause 3 as follows:

Clause 3:

To delete "one (1) or more Deputu Attorney General" and substitute the expression "heads of each legal division" thus new Clause 3(1)(b) reads:-

(b) heads of each legal division";

Amendment approved.

Clause 3 was approved as amended.

CLAUSE 4: Functions

Approved.

CLAUSE 5: Divisions

"AMENDMENT:

Tuisa Tasi Patea moved the Amendments to Clause 5 as follows:

To delete "Deputy Attorney General" and substitute thereby the expression "legal officer" thus new paragraph (5)(a) reads:

(5) The Attorney General may:

(a) assign a legal officer to head and supervise each of the Civil Division, the prosecution Division, and the Legislative Drafting Division (including any other legal division established under subsection (4)); or”

Amendment approved.

Clause 5 now approved as amended.

CLAUSE 6: Functions of Attorney General

“AMENDMENT:

Clause 6(7)(a)

To delete the word “no” after the expression “will” and substitute thereby the correct word “a” thus new subclause 6(7)(a) reads:-

“(a) there is or will be a conflict of interest in giving the legal service to the agency; or”

Correction approved.

Clause 6 approved as corrected.

CLAUSE 7: Independence

Approved.

CLAUSE 8: Directions and delegation

Debate.

Approved.

CLAUSE 9: Legal officers

Approved.

CLAUSE 10: Values, principles and code of conduct

Approved.

CLAUSE 11: Appointments

Approved.

CLAUSE 12: Secondment, transfer and consultation with the Public Service Commission

Approved.

CLAUSE 13: Guidelines for employment

Approved.

CLAUSE 14: Salaries, allowances and other terms of employment

Approved.

CLAUSE 15: Corporate plan and annual reports

Approved.

CLAUSE 16: Funds and audit

Approved.

CLAUSE 17: Exemption from personal liability

Approved.

CLAUSE 18: Manuals and codes of practice

Approved.

CLAUSE 19: Regulations

Approved.

CLAUSE 20: Public Service At amendment

Approved.

CLAUSE 21: Saving and transitional

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Attorney General's Office Bill 2012

“CORRECTIONS:

Clause 1:

To omit numera “2012” and substitute thereby the numeral “2013” thus Title of Act reads:-

“Attorney General’s Office Act 2013”

Corrections approved.

Clause 1 approved as corrected.

The Attorney General’s Office Bill 2012 now progressed with Amendments.

Government Order of the Day No.3 called.

3. Income Tax Amendment Bill 2012 – consideration in detail

Sooalo Mene moved, *“That the Legislative approves the Committee’s Report which recommends that the Legislative Assembly progresses with amendments.”* Seconded by Lenatai Victor Faafoi Tamapua / Afoafouvale John Moors.

Motion approved and the Income Tax Amendment Bill 2012 had passed the Legislative Assembly.

CLAUSE 2: Amendment to Clause 1

Approved.

CLAUSE 3: Amendment to Schedule 2

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Income Tax Amendment Bill 2012

Approved.

“CORRECTIONS:

Sooalo Mene moved the Amendments to Clause 1 as follows:-

Clause 1:

To delete the number 2012 and substitute thereby the number 2013 thus the Title of the bill reads:

“INCOME TAX AMENDMENT BILL 2013”

Correction approved.

Clause 6 approved with corrections.

The Income Tax Bill Amendment 2013 progressed with corrections.

4. Road Traffic Amendment 2013 – second reading

Hon Manualesagalala Enokati Posala moved, “*That the Road Traffic Amendment 2013 be now read the second time and wish to clarify it.*” Seconded by Hon Faamoetauloa Ulaitino Faale Tumaalii.

The Minister clarified the Bill.

Debate.

Proceedings of the Legislative was suspended at 10:30am and resumed at 11:04am.

Debate resumed over second reading of the Road Traffic Amendment Bill 2013.

Pursuant to Standing Orders 132, the Bill was referred to Environment Committee for their deliberation and report back to the Legislative Assembly in the future.

Government Order of the Day No.5 called.

5. National Health Service Bill 2013 – second reading

Hon Tuitama Leao Talalelei Tuitama moved, “*That the National Health Service Bill 2013 be now read the second time and I wish to briefly clarify it.*” Seconded by Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

The Minister clarified the Bill.

Debate.

- 7. Proceedings of the Legislative Assembly now adjourned at 12:03pm until 9:00am, Monday 24th June 2013.**

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

MONDAY 24th JUNE 2013

1. **MEMBERS PRESENT:**

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti 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 Tuitama Talalelei Tuitama, Afioga Hon Faamoetauloa Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Le Mamea Ropati.

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 Faavaivaio-manu 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 Fagaavalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, Tofa Alo Fulifuli Taveuveu, 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 Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Agafili Patisela Eteuati Tolovaa.

2. **MEMBERS ABSENT:**

Tofa Lautafi Fio Selafi Purcell, Afioga Motuopuaa Aisoli Vaai, Susuga Papalii Lio Faavaivaio-manu Taeu Masepau, Afioga Muagututaga Faamausili Peter Ah Him.

3. **The Legislative Assembly met at 9.00am.**

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

5. PRESENTATION OF SELECT COMMITTEES REPORTS

1. P.P. 2013/2014 No.18, Report of the Justice, Police & Prisons and Land & Titles Committee on the P.P.2012/2013 No.43, Samoa Law Reform Commission Annual Report for the Financial Year 2010/2011.
2. P.P.2013/2014 No.19, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2012/2013 No.3, Samoa Tourism Authority Annual Report for the Financial year ended 30th June 2011.

6. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Attorney General’s Office Bill 2013 – third reading

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi (Prime Minister) moved, *“That the Attorney General’s Office Bill 2013 be now read the third time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiautaua.

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

Government Order of the Day No.2 called.

2. Income Tax Amendment Bill 2013 – third reading

Hon Tuiloma Lameko moved, *“That the Income Tax Amendment Bill 2013 be now read the third time.”* Seconded by Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiautaua / Hon Fonotoe Nuafeili Pieree Lauofo.

The motion was approved and the Bill was read the third time and had the Legislative Assembly.

Government Order of the Day No.3 called.

3. Constitution Amendment Bill 2012 – consideration in detail

Tuisa Patea moved, *“That the Legislative Assembly approves the Committee’s report which recommends that the Attorney General’s Office Bill 2013 progresses without amendments.”* Seconded by Lafaitale Patrick Leiautaualesa / Lenatai Victor Fafoi Tamapua / Soalo Mene / Taefu Lemi / Afoafouvale John Moors.

Motion approved.

CLAUSE 2: Members of the Legislative Assembly

“AMENDMENT:

To delete the expression “Speaker” and substitute thereby the correct expression “Electoral Commissioner” thus the new subclause (1F) reads:

“(1F) If, in the selection of the required women under clause (1B), (1D) or (1E), two (2) or more candidates have equal number of votes, the additional Member shall be selected by lot before the Electoral Commissioner with the presence of the candidates or their authorized representative and at least two (2) police officers”.

Debate.

Speaker instructed that the following words be removed from Parliament records/
Hansard: “E le’o se pusi a’o le afa pusi (It’s not a complete cat but half a cat.”

Approved.

Amendment approved.

Clause 2 approved as amended.

CLAUSE 3: Interpretation of “Public Services”.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Constitution Amendment Bill 2012

Approved.

Tuisa Patea moved corrections to Clause 1 as follows:

“CORRECTION:

Clause 1 and Title:

To omit the number 2012 and substitute thereby the number 2013 thus Clause 1 and Title reads:

“CONSTITUTION AMENDMENT BILL 2013”

Correction approved.

Clause 1 approved as corrected.

The Constitution Amendment Bill 2013 progressed with amendments and corrections.

MOTION TO SET ASIDE STANDING ORDERS

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi (Prime Minister)
moved, *“That Standing Orders shall be set aside to allow the ringing of the bell whilst*

vote calls to indicate their approval of the Constitution Amendment Bill 2013.”
**Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Fiamē Naomi Mataafa /
 Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiataua.**

Government Order of the Day No.4 called.

4. Constitution Amendment Bill 2013 – third reading

Hon Tuilaepa Sailele Malielegaoi moved, “*That the vote calls proceeds for the third reading of the Bill.*” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Fiamē Naomi Mataafa / Hon Faumuina Tiatia Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

The Speaker instructed the Clerk to ring the bell.

DIVISION:

1. **Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi**
2. **Tofa Fonotoe Nuafesili Pierre Laufo**
3. **Hon Fiamē Naomi Mataafa**
4. **Hon Tuiloma Lameko**
5. **Hon Faumuina Tiatia Liuga**
6. **Hon Tuisugaletaua Sofara Aveau**
7. **Hon Tolofuaivalelei Falemoe Leiataua**
8. **Hon Le Mamea Ropati**
9. **Hon Tuitama Leao Talalelei**
10. **Hon Magele Mauiliu**
11. **Hon Faamoetaulua Ulaitino Faale Tumaalii**
12. **Hon Manuaelsagalala Enokati Posala**
13. **Hon Sala Fata Pinati**
14. **Hon Leaupepe Toleafoa Apulu Faafisi**
15. **Tofa Tuuu Anasii Leota**
16. **Afioga Toelesulusulu Cedric P.Salesa Schuster**
17. **Tofa Tapuai Toese Ah Sam**
18. **Tofa Aveau Nikotemo Palamo**
19. **Tofa Tuileutu Alavaa Voi**
20. **Tofa Lealailepule Rimoi Aiafi**
21. **Afioga Afualo Wood Eti Salele**
22. **Tofa Levaopolo Talatonu**
23. **Tofa Lefau Harry Schuster**
24. **Afioga Hon Aeau Peniamina Leavaiseeta**
25. **Afioga Hon Palusalua Faapo II**
26. **Tofa Fagaivalu Kenrick Samu**
27. **Afioga Tufuga Gafualeata Faitau**
28. **Tofa Alo Tafuefue Taveuveu**
29. **Tofa Tuiloa Anetelea**
30. **Afioga Lafaitale Patrick Leiataualesa**
31. **Afioga Tuisa Tasi Patea**
32. **Tofa Lenatai Victor Faafoi Tamapua**
33. **Afioga Sooalo Mene**

34. Afioga Taefu Lemi
35. Afioga Afoafouvale John Moors
36. Afioga Ifopo Matia Filisi
37. Afioga Tialavea Fea Tionisio Seigafolava
38. Afioga Tusa Misi Tupuola
39. Afioga Maualaivao Pat Ah Him
40. Afioga Peseta Vaifou Tevaga
41. Afioga Tafua Maluelue Tafua
42. Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow
43. Susuga Papaliitele Niko Lee Hang
44. Tofa Agafili Patisela Eteuati Tolovaa

AYES - 44

None objected.

Motion approved and the Constitution Amendment Bill 2013 was read the third time and had passed the Legislative Assembly.

Pursuant to Standing Orders, the Speaker announced that the Constitution Amendment Bill 2013 is now approved.

Government Order of the Day No.4 called.

4. National Health Services Bill 2013 – second reading

Hon Tuitama Leao Talalelei Tuitama continued clarifying the Bill as from Friday, 21st June 2013.

Question put and when the Ayes have it, the Report of the National Health Services Committee was read the second time.

Pursuant to Standing Orders 132, the Bill was referred to Health and Social Services, Internal Affairs and Community and Social Development Committee and report back to the Legislative Assembly meeting in the future.

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

Government Order of the Day No.5 called.

5. Trade, Commerce and Industry Amendment Bill 2013 – second reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Trade, Commerce and Industry Amendment Bill 2013 was now read the second time and I wish to briefly clarify it.*” Seconded by Hon Faumuina Tiatia Liuga / Hon Tuisugaletaua Sofara Aveau.

The Minister clarified the Bill.

Debate.

Proceedings of the Legislative Assembly were set aside for 6 minutes due to difficulties with the sound system.

Seconded by Hon Palusalua Faapo II.

Motion approved and the Trade, Commerce and Industry Amendment Bill 2013 was read the second time.

Pursuant to Standing Orders 132, the Bill was referred to the Primary Production, Commerce and Industry Committee and report back to the Legislative Assembly meeting in the future.

MOTION BY THE PRIME MINISTER:

Hon Tuilaepa Fatialofa Lupesoliai Neioti Aiono Sailele Malielegaoi moved, “*That proceedings be continued until it is completed and then we can rest.*” Seconded by Hon Palusalua Faapo II.

Pursuant to Standing Orders, the Report of the Committee was referred to the Primary Production, Commerce, Industry and Labour Committee and report back to the Legislative in the future.

7. ANNOUNCEMENT BY MR SPEAKER

The Speaker announced a special gathering of Parliament tomorrow, Tuesday 25 June 2013 at 1:00pm, a special invitation for all members of Parliament by the President of the Red Cross of Samoa le Afioga Matataualiitia Afa Lesa, to officially attend the launching of a special book for the Parliament of Samoa (Promoting Respect of International Humanity Law a Handful for Parliamentarians of Samoa). At 1:00pm, members are invited at Luafatasaga Hall to attend this important event.

8. Proceedings of the Legislative Assembly now adjourned at 11:37am until 9:00am Tuesday, 6 August 2013, pursuant to Parliament Sitting Schedule Program 2013/2014.

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

TUESDAY 6 AUGUST 2013

1. **MEMBERS PRESENT:**

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

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

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 Faavaivaioamanu 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 Gafotele Faitua, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, 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 Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Lautafi Fio Selafi Purcell, Afioga Motuopuaa Aisoli Vaai, Susuga Papalii Lio Faavaivaioamanu Taeu Masepau, Afioga Muagututagata Faamausili Peter Ah Him.

2. **MEMBERS ABSENT:**

Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Alo Fulifuli Taveuveu, Tofa Tuiloo Anitelea, Afioga Taefu Lemi, Tofa Agafili Patisela Eteuati Tolovaa.

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 communicated the text of the Message from the Head of State permitting the Legislative Assembly to consider the following bills:

1. Agriculture Store Corporation Repeal Bill 2013
2. National Payment System Bill 2013
3. Apprenticeship Bill 2013
4. Alternative Dispute Resolution Amendment Bill 2013
5. Unit Titles Amendment Bill 2013
6. Income Tax Amendment Bill 2013
7. Food Bill 2013

6. CERTIFICATE OF URGENCY

Mr Speaker tabled the Certificate of Urgency of the Bill submitted and report back to the Legislative Assembly on Tuesday, 6th August 2013.

1. Alternative Dispute Resolution Amendment Bill 2013
2. Income Tax Amendment Bill 2013

7. OBITUARY SPEECH

1. Speaker announced the passing away of Tofa Hon MULITALO Siafausa, who was a member of the constituency for Faasaleleaga No.4 in Parliament XII in the years 1996-2001. He was also a Deputy Speaker in the same Parliament. He was the Chairman of the Courts Administration, Police and Prison as well as the Primary Production, Commerce, Industry and Labour Committee, Standing Orders Committee and the Parliament Union Committee.

Tofa Hon MULITALO Siafausa was again elected in the year 2001-2006, and was Minister of Health. He was a member of the HRPP.

2. Speaker also announced the passing of Afioga TOOMATA Leota Ropati, who was elected as a member for the Constituency of Faaalalafaga o Salega in Parliament XI in the years 1992-1996.

He was also a Parliament Under-Secretariat for Public Trust in 1992-1996. He was also a member of the Bills Committee in 1992-1995. He was a member of the Human Rights Protection Society (HRPP).

Members stood for a minute to pay respect for the passing members.

8. OTHER ANNOUNCEMENTS BY MR SPEAKER

The Speaker announced the presence of Youth members in Chamber today, who are partaking in the continuation of the Parliamentary Program that marks and commemorates the “Know your Parliament” Program by the Office of the Legislative Assembly, carried out from the month of May this year.

9. PRESENTATION OF PAPERS:

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

1. P.P.2013/2014 No.20, National University of Samoa Annual Report July 2010-June 2011.
2. P.P.2013/2014 No.21, Samoa Life Assurance Corporation Annual Report of the Year 2012.
3. P.P. 2013/2014 No.22, Samoa Water Authority Annual Report July 2010-June 2011.
4. P.P.2013/2014 No.23, Samoa Water Authority Annual Report July 2011-June 2012.
5. P.P.2013/2014 No.24, Annual Report of the Office of the Regulator for the Period ended 30 June 2009.
6. P.P.2013/2014 No.25, Annual Report of the Office of the Regulator for the Period ended 30 June 2010.
7. P.P.2013/2014 No.26, Annual Report of the Ministry of Education, Sports and Culture 1 July 2011-30 June 2012.

10. PRESENTATION OF SELECT COMMITTEES REPORTS

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

1. P.P. 2013/2014 No.27, Report of the Works, Transport and Environment Committee on the Road Traffic Amendment Bill 2013.
2. P.P. 2013/2014 No.28, Report of the Finance and Expenditure Committee on the Constitution Amendment Bill (No.2) 2012.
3. P.P.2013/2014 No.29, Report of the Finance and Expenditure Committee on the Audit Bill 2012.
4. P.P.2013/2014 No.30, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.92, Corporate Plan of the Office of the Clerk of the Legislative Assembly 2013-2015.
5. P.P.2011/2012 No.86, Annual Report of the Samoa International Finance Authority for the Financial Year 2010.
6. P.P.2013/2014 No.32, Report of the Finance and Expenditure Committee on P.P.2011/2012 No.95, Annual Report of the Samoa Life Assurance Corporation for the Financial Year 2011.
7. P.P.2013/2014 No.33, Report of the Regulations Review Committee on SR 2011/12-SR 2011/22.
8. P.P.2013/2014 No.34, Report of the Regulations Review Committee on SR 2011-23-SR2011-31.
9. P.P. 2013/2014 No.35, Report of the Regulations Review Committee on SR 2012/1-SR 2012/20.
10. P.P. 2013/2014 No.36, Report of the Justice, Police & Prisons and Land and Titles Committee on P.P. 2012/2013 No.4, Report of the Samoa Law Reform Commission on the Coroners Ordinance 1959, Report 02/11.
11. P.P.2013/2014 No.37, Report of the Justice, Police & Prisons and Land and Titles Committee on P.P. 2012/2013 No.93, Report of the Samoa Law Reform Commission on the Commission of Inquiry Act 1964, Report 06/11.
12. P.P.2013/2014 No.38, Report of the Officers of Parliament Committee on the Financial Statements of the Parliamentary Pension Scheme for the financial Year ended 30th June 2010.

11. **MOTION OF THE SPECIAL INQUIRY COMMITTEE**
 Tofa Lautafi Fio Selafi Purcell moved, *“That the Parliament approves an extension of 3 months for the Special Investigation Committee so that final preparations could be added to the report and it will be submitted for your enquiry on the 17th December 2013.”* Seconded by Peseta Tevaga / Papalii Lio Taeu Masipau / Tuisa Tasi Patea / Lafaitale Patrick Leiataualesa.

Motion approved.

12. **GOVERNMENT ORDERS OF THE DAY – Reading of Bills**
 Government Order of the Day No.1 called.
 1. **Telecommunications Amendment Bill 2013 – second reading**
 Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi (Prime Minister) moved, *“That the Telecommunications Amemdment Bill 2013 be now read the second time and I wish to clarify it.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga.

The Prime Minister clarified the Bill.

Debate.

Motion approved and the Bill was read the second time.

Pursuant to Standing Orders 132, the Bill was referred to the Education, Science, Communication and Information Technology Committee for consideration and report back to the Legislative Assembly in the next meeting.

- Government Order of the Day No.2 called.
 2. **Agriculture Store Corporation Repeal Bill 2013 – first reading**
 Hon Faumuina Tiatia Faaolatane Liuga moved, *“That the Agriculture Store Corporation Repeal Bill 2013 be withdrawn due to unforeseen matters.”* Seconded by Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

- Government Order of the Day No.3 called.
 3. **National Payment System Bill 2013 – first reading**
 Hon Faumuina Tiatia Faaolatane Liuga moved, *“That the National Payment System Bill 2013 be now read the first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Peseta Vaifou Tevaga.

Motion approved and the Bill was read the first time.

Government Order of the Day No.4 called.

4. Apprenticeship Bill 2013 – first reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Apprenticeship Bill 2013 be now read the first time.*” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No 5 called.

5. Alternative Dispute Resolution Amendment Bill 2013 – first reading

Hon Fiame Naomi Mataafa moved, “*That the Alternative Dispute Resolution Amendment Bill 2013 be now read the first time.*” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.6 called.

6. Unit Titles Amendment Bill 2013 –first reading

Hon Faamoetauloa Ulaitino Faale Tumaalii moved, “*That the Unit Titles Amendment Bill 2013 be now read the first time.*” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Leao Tuitama Talalelei Tuitama / Hon Fonotoe Nuafesili Pierre Lauofo.

Motion approved and the Bill was read the first time.

Government Order of the Day No.7 called.

7. Income Tax Amendment Bill 2013 – first reading

Hon Tuiloma Lameko moved, “*That the Income Tax Amendment Bill 2013 be now read the first time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approve and the Bill was read the first time.

Government Order of the Day No.8 called.

8. Food Bill 2013 – first reading

Hon Tuitama Talalelei Tuitama moved, “*That the Food Bill 2013 be now read the first time.*” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Le Mamea Ropati / Hon Faamoetauloa Ulaitino Faale Tumaalii / Hon Fiame Naomi Mataafa / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.9 called.

9. Alternative Dispute Resolution Amendment Bill 2013 – second reading

Hon Fiame Naomi Mataafa moved, “That the Alternative Dispute Resolution Amendment Bill 2013 be now read the second time and I wish to clarify it.” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

The Minister clarified the Bill.

Debate.

Motion approved and the Bill was read the second time.

Proceedings of the Legislative Assembly was suspended for its normal recess at 10:45am and resumed at 11:27am.

Government Order of the Day No.10 called.

10. Income Tax Amendment Bill 2013 – second reading

Hon Tuiloma Lameko moved, “That the Income Tax Amendment Bill 2013 be now read the second time and I wish to briefly elaborate on it.” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

The minister briefly commented on the Bill.

Debate.

Motion approved and the Bill was read the second time.

Government Order of the Day No.11 called.

11. Alternative Dispute Resolution Amendment Bill 2013 – consideration in detail

CLAUSE 2: Section 2 amended

Approved.

CLAUSE 3: New Part IIA inserted

Approved.

CLAUSE 4: Section 7 amended

Approved.

CLAUSE 5: Section 8 substituted

Approved.

CLAUSE 6: Section 9 amended

Approved.

CLAUSE 7: Section 11 substituted

Approved.

CLAUSE 8: Section 13 amended

“AMENDMENT:

Fiame moved the Amendment to Clause 8 as follows:

To insert the word “appeal” after the words “A party to any mediation may”

Amendment approved

Clause 8 approved with Corrections.

CLAUSE 9: New Sections 13(A) and 13(B) inserted

Approved.

CLAUSE 10: Section 16 substituted

Approved.

CLAUSE 11: Consequential amendment

Approved.

CLAUSE 12: Transitional

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Alternative Dispute Resolution Amendment Bill 2013

Approved.

The Alternative Dispute Resolution Amendment Bill 2013 progressed with amendment.

Government Order of the Day No.12 called.

12. Income Tax Amendment Bill 2013 – consideration in detail

CLAUSE 2: New Division inserted

Approved.

CLAUSE 3: Transitional

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Income Tax Amendment Bill 2013

Approved.

The Income Tax Amendment Bill 2013 has been passed and has progressed with Amendments.

Government Order of the Day No.13 called.

13. Alternative Dispute Resolution Amendment Bill 2013 – third reading

Hon Fiame Naomi Mataafa moved, “*That the Alternative Dispute Resolution Amendment Bill 2013 be now read the third time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga.

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

Government Order of the Day No.14 called.

14. Income Tax Amendment Bill 2013 – third reading

Hon Tuiloma Lameko moved, “*That the Income Tax Amendment Bill 2013 be now read the third time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga.

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

13. CONSIDERATION OF SELECT COMMITTEES REPORTS

Order of the Day No.1 called.

1. P.P.2012/2013 No.30, Report of the Works, Transport and Environment Committee on P.P. 2011/2012 No.36, Annual Report of the Samoa Ports Authority for the financial Year ended 30th June 2010.

Hon Tusa Misi Tupuola (Chairman of Works, Transport and Environment Committee) moved, *“That this Assembly confirms the Committee’s Report outlining its Findings, Resolutions and Recommendations.”* Seconded by Afoafouvale John Moors.

Motion approved and the Chairman presented the Committee’s Report.

Debate.

Question put and the report of the Committee was approved.

Order of the Day No.2 called.

2. P.P.2012/2013 No.31, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2011/2012 No.97, Annual Report of the Development Bank of Samoa for the Financial Year ended 30th June 2011.

Hon Leaupepe Toleafoa Apulu Faafisi (Chairman) moved, *“That this Assembly considers the Committee’s Report outlining its Findings, Recommendations and Resolutions.”* Seconded by Tuuu Anasii Leota / Lautafi Fio Selafi Purcell.

Motion approved.

OTHER ANNOUNCEMENTS BY MR SPEAKER

The Speaker announced that there is a very special program by the Red Cross of Samoa at Luafatasaga Club after our session this afternoon, hence I call upon all members to attend this very important session otherwise known as the ‘Promoting Respect for Parliamentary Humanitarian Law’ hosted and presented by the President and staff of the Red Cross Samoa.

- 14. Proceedings of the Legislative Assembly now adjourned at 12:53pm until 9:00am on Wednesday, 7th August 2013.**

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

WEDNESDAY 7 AUGUST 2013

1. **MEMBERS PRESENT:**

MR. SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi

CABINET

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

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 Faavaivaio-manu 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 Gafotele Faitua, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, 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 Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Lautafi Fio Selafi Purcell, Susuga Papalii Lio Faavaivaio-manu Taeu Masepau, Afioga Muagututaga Faamausili Peter Ah Him.

2. **MEMBERS ABSENT:**

Afioga Hon Tuisugaletaua Sofara Aveau, Tofa Alo Fulifuli Taveuveu, Afioga Motuopuaa Aisoli Vaai, Tofa Tuiloa Anitelea, Afioga Taefu Lemi, Tofa Agafili Patisela Eteuati Tolovaa.

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 communicated the text of the Message from the Head of State permitting the Legislative Assembly to consider the following bills:

1. Agricultural Store Corporation Repeal Bill 2013

6. CERTIFICATE OF URGENCY

Mr Speaker tabled the Certificate of Urgency to the Agriculture Store Corporation Repeal Bill 2013.

7. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Road Traffic Amendment Bill 2013 – Consideration in detail

P.P.2013/2014 No.27, Report of the Works, Transport and Environment Committee on the Road Traffic Amendment Bill 2013

Tofa Tusa Misi Tupuola (Chairman) moved, “*That the Assembly approves the Report of the Committee permitting the Bill to progress with Amendments.*” Seconded by Lafaitale Patrick Leiauaalesa /Afoafouvale John Moors.

Motion approved.

CLAUSE 2: Section 40 amended

“AMENDMENT:

Tusa Misi Tupuola moved the Amendment to Clause 2 which reads:-

Clause 2:

- i) To omit subclause (3C); and
- ii) To renumber subclause (3D) to become the new subclause (3C)

Approved.

Clause 2 approved with Amendments.

CLAUSE 3: Section 40D repealed

Approved.

CLAUSE 4: Section 40E amended

Approved.

CLAUSE 5: Section 40K amended

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement
TITLE: Road Traffic Amendment Bill 2013

Approved.

The Road Traffic Amendment Bill 2013 was approved and progressed with Amendments.

Government Order of the Day No.2 called.

2. Constitution Amendment Bill (No.2) 2012 – consideration in detail

-P.P.2013/2014 No.28, Report of the Finance and Expenditure Committee on the Constitution Amendment Bill (No.2) 2012.

Papaliitele Niko Lee Hang moved, “That this Assembly approved the Report of the Committee allowing the Bill to progress with Amendments” Seconded by Tafua Maluelue Tafua.

Motion was approved.

CLAUSE 2: Article 83 amended

Hon Papaliitele Niko Lee Hang moved the Amendment to Clause 2 which reads:

“CORRECTION:

A. General Correction to the Bill

Ina ia aveesea upu “Aoa” mai soo se mea o aliali mai ai i le Tulafono Tau Faaofi ma suia i le upu “Sili” ina ia faitauina ai le tofiga o le Suetusi e faapea:-

“(h) Pule ma Suetusi Sili, ma isi tagata ofisa ma tagata faigaluega o le Ofisa o Suetusi ua faamaotiina i lalo o le Mataupu 97; poo””.

Corrections approved.

Clause 2 now approved with corrections.

CLAUSE 3: Article 97 substituted

Papaliitele moved the Amendment to Clause 3 as follows:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“CONTROLLER AND CHIEF AUDITOR”

Corrections approved.

Clause 3 now approved with corrections.

CLAUSE 4: New Article 97 added

Papaliitele moved the Amendment to Clause 4 as follows:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“CONTOLLER AND CHIEF AUDITOR”

Corrections approved.

Clause 4 now approved with corrections.

CLAUSE 5: Article 98 substituted

Papaliitele moved the Amendment to Clause 5 as follows:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“CONTOLLER AND CHIEF AUDITOR”

Corrections approved.

Clause 5 now approved with corrections

CLAUSE 6: New Articles 99 amended.

Papaliitele moved the Amendment to Clause 6 as follows:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“CONTOLLER AND CHIEF AUDITOR”

Corrections approved.

Clause 6 now approved with corrections.

CLAUSE 7: New Articles 99A to 99F added

Papaliitele moved the Amendment to Clause 7 as follows:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“CONTOLLER AND CHIEF AUDITOR”

Corrections approved.

Clause 7 along with its corrections

CLAUSE 8: Saving

Papaliitele moved the Amendment to Clause 8 as follows:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“CONTOLLER AND CHIEF AUDITOR”

Corrections approved.

Clause 8 now approved with corrections.

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Constitution Amendment Bill (No.2) 2012

Papaliitele moved the corrections to Clause 1 as follows:

“CORRECTIONS:

To omit the number 2012 and substitute thereby the number 2013, thus the name of the Bill reads:-

CONSTITUTION AMENDMENT BILL (NO.2) 2013”

Corrections Approved.

Clause 1 and Title approved with corrections.

The Constitution Amendment Bill (No.2) 2013 has been passed with additional Corrections.

Government Order of the Day No.3 called.

3. Audit Bill 2012 – consideration in detail

- P.P.2013/2014 No.29, Report of the Finance and Expenditure Committee on the Audit Bill 2012.

Hon Papaliitele Niko Lee Hang moved, “That this Assembly approves the Report of the Committee which permits the consideration of the Bill with Corrections and Amendments”. Seconded by Gatoloaifaana Amataga Alesana-Gidlow / Tafua Maluelue Tafua.

Motion approved.

Papaliitele moved the corrections to the Clause 2 as follows:

“CORRECTIONS:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“CONTROLLER AND CHIEF AUDITOR”

Corrections approved.

Clause 3 now approved with corrections

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Purpose of this Act

Approved.

CLAUSE 4: Extra-territorial application of Act

Approved.

CLAUSE 5: Act binds Government

Approved.

CLAUSE 6: Other Acts to be read subject to this Act

Approved.

CLAUSE 7: Criteria for appointment of Controller

Approved.

CLAUSE 8: Disqualification

Approved.

CLAUSE 9: Declaration of office by Controller

Approved.

CLAUSE 10: Salary, allowances and other benefits of the Controller

Approved.

CLAUSE 11: Establishment of the Audit Office

Papaliitele moved the Amendment to Clause 11(1)(b) as follows:-

“AMENDMENT:

1.) To delete the expression “Deputy Controller” as it appears in Clause 11(1)(b) and any other part of the bill and substitute therewith the expression “Assistant Auditor” thus it reads:

“11(1)(b) the Assistant Auditor:and”

2.) To delete the expression “Deputy Controller” as it appears in 11(3) and substitute therewith with the term “Assistant Auditor” thus it reads:-

“11(3) The Controller has sole power to employ, which includes power to structure, appoint, manage, and fix remuneration and salaries of the Assistant Auditor, Officers, employees and other persons of the Audit Office on terms that the Controller thinks fit.”

“11(b)

Amendment approved.

Clause 11 was approved along with Amendments.

CLAUSE 12: General Powers

Papaliitele moved the Amendment to Clause 12 as follows:-

“AMENDMENT:

To insert the expression “and auditing” after the word “accounting” and before the word “principles thus the new clause 12(c) reads:-

“12(c) generally accepted accounting and auditing principles and practices and”.

Amendments approved.

Clause 12 was approved with Amendments.

CLAUSE 13: Ancillary powers

Approved.

CLAUSE 14: Functions or powers under other Acts

Approved.

CLAUSE 15: Management letters

Approved.

CLAUSE 16: Appointment of person to audit

Approved.

CLAUSE 17: Delegation

Approved.

CLAUSE 18: Certification and return of receipts and annual return

Approved.

CLAUSE 19: Submission, examination and approval of claims for payment

Approved.

CLAUSE 20: Power to obtain information

Papaliitele moved the Amendment to Clause 20 as follows:

“AMENDMENT:

To omit the expression “5 penalty units” and substitute thereby the expression “50 penalty units” thus Clause 20(6) reads:-

“20(6) A person who, without reasonable excuse, fails within 14 days of receiving the direction to comply with a direction under this section, commits an offence and is liable on conviction to a fine not exceeding 50 penalty units or to imprisonment for a term not exceeding two (2) years, or both.”

Amendments approved.

Clause 20 now approved with Amendments.

CLAUSE 21: Controller’s access to accounts, information, money and property

Approved.

CLAUSE 22: Duty to give information overrides other duties and rights

Approved.

CLAUSE 23: Legal professional privileges cannot be claimed

Approved.

CLAUSE 24: Disclosure of information by Controller

Approved.

CLAUSE 25: Confidential information

Papaliitele moved the Amendment to Clause 25 as follows:-

“AMENDMENT:

To omit the expression “Deputy Controller” and substitute therewith the expression “Assistant Auditor” thus Clause 25(1)(c) reads: -

“25(1)(c) the Assistant Auditor or an officer or employee of the Audit office”

Amendments approved.

Clause 25 was approved with Amendments.

CLAUSE 26: Power to surcharge

Approved.

CLAUSE 27: Power to recover unsatisfied surcharge

Approved.

CLAUSE 28: Appeals against surcharge

Approved.

CLAUSE 29: Audit of public assets, public liabilities, public equity and public money

Approved.

CLAUSE 30: Audit of financial statements of public bodies and related entities

Approved.

CLAUSE 31: Audit of subsidiaries of public bodies

Approved.

CLAUSE 32: Accountable authorities of public bodies and audited subsidiaries

Approved.

CLAUSE 33: Submission of financial statements by accountable authorities

Approved.

CLAUSE 34: Functions of related entities

Approved.

CLAUSE 35: Audit of non-controlled entities

Approved.

CLAUSE 36: Audit of statutory and local authorities

Approved.

CLAUSE 37: Request for audits

Approved.

CLAUSE 38: Audit for examination or investigation

Approved.

CLAUSE 39: Comments on proposed audit report

Approved.

CLAUSE 40: Audit reports of public bodies

Approved.

CLAUSE 41: Audit reports on any examination or investigation

Approved.

CLAUSE 42: Tabling of audit reports

Approved.

CLAUSE 43: Performance audits

Approved.

CLAUSE 44: Requirements for performance audits

Approved.

CLAUSE 45: Requirements for environmental audits

Approved.

CLAUSE 46: Requirements for IT audits

Approved.

CLAUSE 47: Performance audit of public bodies

Approved.

CLAUSE 48: Special power to inspect private bank accounts

Approved.

CLAUSE 49: Exemption from liability

Papaliitele moved the Amendment to Clause 49 as follows:-

“AMENDMENT:

To omit the expression “deputy controller” as it appears in Clause 49 and any other part of the bill and substitute thereby the expression “Assistant Auditor” thus the new Clause 49 reads:

“49. Exemptions from liability – The Controller and Auditor General, the Assistant Auditor and any officer or employee of the Audit office, or any other person acting on behalf of, or with the authority of the Controller, is not liable for anything done or omitted to be done, or purported to have been done or omitted to be done, or purported to have been done or omitted in good faith in carrying out the functions, duties and powers under this Act or any other Act.”

Amendments Approved.

Clause 49 now approved with Amendments.

CLAUSE 50: Resolution of disputes

Approved.

CLAUSE 51: Payment of public money if receipts lost or destroyed

Approved.

CLAUSE 52: Audit fees

Approved.

CLAUSE 53: Regulations

Approved.

CLAUSE 54: General offences and penalties

Approved.

CLAUSE 55: Repeal and consequential amendments

Approved.

CLAUSE 56: Delegations under the Ordinance

Approved.

CLAUSE 57: Appointments under the Ordinance

Approved.

CLAUSE 58: Fees under the Ordinance

Approved.

CLAUSE 59: References to “Controller and Chief Auditor” in other Acts

Approved.

CLAUSE 60: Rights of Audit Office employees preserved

Approved.

CLAUSE 61: Transitional regulations

Approved.

Schedule

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Audit Bill 2012

Papalitele moved the corrections to Clause 1 and the Title which reads:-

“CORRECTIONS:

To remove numerals “2012” and thereby substitute it with numerals “2013” where Title of the Act be read as:

“Audit Bill 2013””

Corrections approved.

Clause 1 and the Title approved with corrections.

Motion approved and the Audit Bill 2013 now progressed with Amendments and Corrections.

Government Order of the Day No.4 called.

4. Agriculture Store Corporation Repeal Bill 2013 – first reading

Hon Faumuina Tiatia Faaolatane Liuga moved, *“That the Agriculture Store Corporation Repeal Bill 2013 be now read a first time.”* Seconded by Hon Tolofuaivalelei Falemoe Leiautau.

Motion approved and the Bill was read a first time.

Government Order of the Day No.5 called.

5. Agriculture Store Corporation Repeal Bill 2013 – second reading

Hon Faumuina Tiatia Faaolatane Liuga moved, *“That the Agriculture Store Corporation Repeal Bill 2013 be now read the second time and I wish to briefly clarify it.”* Seconded by Hon Tolofuaivalelei Falemoe Leiautau.

The Minister clarified the Bill.

Debate.

Proceedings of the Legislative Assembly was suspended at 10:44am and resumed at 11:17am.

OTHER ANNOUNCEMENTS BY MR SPEAKER

The Speaker announced the Code of Conducts and constitution as outlined and stated in the Standing Orders pertaining to conduct of members where all must abide with the Speaker’s instructions during Parliament proceedings. Speaker re-emphasises that all members must take heed of Speaker’s chairing and that all thoughts and opinions must be taken seriously so as to maintain the dignity of the House.

Debate ensued on the second reading of the Agriculture Store Corporation Repeal Bill 2013.

Motion approved and the Bill was read the second time.

Government Order of the Day No.6 called.

6. Agriculture Store Corporation Repeal Bill 2013 – consideration in detail

CLAUSE 2: Dissolution of the Corporation

Approved.

CLAUSE 3: Validation of incorporation

Approved.

CLAUSE 4: Transfer and vesting of assets, etc.

Approved.

CLAUSE 5: Monopolisation

Approved.

CLAUSE 6: Transitional and saving

Approved,

CLAUSE 7: Conditions

Approved.

CLAUSE 8: Repeal

Approved.

Schedule:

Approved.

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Agriculture Store Corporation Repeal Bill 2013

Approved.

Motion approved and the Bill was progressed without Amendments.

Government Order of the Day No.7 called.

7. Agriculture Store Corporation Repeal Bill 2013 – third reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “That the Agriculture Store Corporation Repeal Bill 2013 be now read the third time.” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiatua / Hon Tuitama Talalelei Tuitama.

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

- 8. Proceedings of the Legislative Assembly now adjourned at 11:37am until 9:00am on Tuesday, 8th October 2013 pursuant to Scheduled Parliament Sitting Program 2013.**

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

TUESDAY 8 OCTOBER 2013

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Afioga Hon Fonotoe Nuafesili Pierre Laufo, Afioga Hon Fiamé Naomi Mataafa, Tofa Hon Tuiloma Lameko, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Sala Fata Pinati, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Le Mamea Ropati, Afioga Hon Tuisugaletaua Sofara Aveau.

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 Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaiomanu Taeu Masipau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, Tofa Lenatai Victor Faafoi Tamapua, Tofa Soalo Mene, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maulaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Afioga

Motuopuaa Aisoli Vaai, Susuga Papalii Lio Faavaivaiomanu Taeu Masepau, Afioga Muagututaga Faamausili Peter Ah Him, Tofa Agafili Patisela Eteuati Tolovaa, Afioga Taefu Lemi, Tofa Alo Fulifuli Taveuveu, Tofa Tuileutu Alavaa Voi.

2. ABSENT MEMBERS:

Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Faamoetaulaoa Ulaitino Faale Tumaalii, Tofa Tuiloa Anitelea, Tofa Lefau Harry Schuster, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Lautafi Fio Selafi Purcell.

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 communicated the text of the Message from the Head of State permitting the Legislative Assembly to consider the following bills:

- 1. Allied Health Professions Bill 2013**
- 2. Health Promotion Foundation Bill 2013**
- 3. Lands, Survey and Environment Amendment Bill 2013**
- 4. Police Offences Amendment Bill 2013**
- 5. Medical Practitioners Amendment Bill 2013**

6. OTHER ANNOUNCEMENT BY MR SPEAKER -1

1. WOMEN'S PARLIAMENTARY FORUM

The Prime Minister gave an encouraging speech to the women participants attending the Women Parliamentary Forum Programme to Encourage and Promote the Participation and contribution of Women in the Decision Making of the Government.

The main objective is to make known the stance and tradition of Samoan Parliament and to understand Parliament Constitution particularly the official roles and functions of Parliamentarians. The aim is to design a background program for Parliament to assist women who are willing to become candidates in the next election given any subject matter that they require assistance with. This program is coordinated by the United Nations Support Project (SPSP), Government of Australia and Office of the Clerk of the Legislative Assembly. The Speaker welcomed women participants in the House who have gathered inside the House this morning.

Members of Parliament showed respect and appreciation by applauding to accept women participants who are present here this morning.

7. **MINISTERIAL STATEMENT OF THE PRIME MINISTER (S.O.56), Tuilaepa, Sailele Fatialofa Lupesoliai Aiono Neioti Malielegaoi ON WOMEN'S PARLIAMENTARY FORUM.**

I believe there is no other time for me to take the floor as a representative of the House. Therefore I also give praises unto the Lord this morning for his honest love that is shown towards us every single day.

I also welcome all our members of the House for your attendance to carry out our duties least the support of our country, everything is good in Jesus like the words of the EFKS hymns, also stated by the Methodist hymn, "God is good, he is good."

Mr Speaker I move in respect to add onto your welcoming remarks to our guests this morning, welcome to all women present today with utmost respect on titles bestowed upon you.

I do not want to second the statement given by the Speaker of the Maota but I just want to clarify that these are some of the duties of the government, to signify the importance of women in every part of the country as seen many are Heads of Ministries and government organizations, because they were some of the well educated young women of the country.

It has only been a while since Parliament passed the Bill that 10% of House members should be held by women. The truth is this could be done without implementation because of the will of Samoan women as depicted in myths and well known legends of our country also the service towards government ministries and organizations. The only area where there is a small percentage of women is parliament, although I strongly believe that this will change in 2016.

The important thing that needs to be understood is the increase of women members within the Maota, it all depends on the willingness of young women and the incentive to be a part of the decision making body of the government of Samoa. It is not to say that your normal duties as a woman like looking after the children and family will be taken lightly. The Parliament is not asking you to leave your duties behind, if it comes first then make it your first priority if rejected it will be a sin before God.

For those who are willingly to take part because their children have grown up and the gift of God is no more, the only thing left to do is to serve your country that is the time - or else for those who are not lucky attaining a husband. If you want to be a part of it then use the gift God has given you.

The 10% is assistance by the government to implement ideas and an approach to strive for something better because it is no doubt that your participation is important in the decisions made for Samoa. There is no question that men need your assistance in decisions made that does not favor them.

I stand to encourage those who have thoughts on running for the Elections in 2016. The truth is it is not something easy because there are times when your family is affected by what people say, yet those are the challenges of becoming a leader. I am not saying this to weaken your spirit but it is to encourage you because it is not a duty for the weak it is for the strong to carry the duties to serve Samoa. And remember the calling is an important order from God; it is not for everyone but only for those who are chosen.

Lastly, I wish you well on the program planned and I hope that some of you attending today will become the stronger members of our future Parliament. Good day and be blessed.

OTHER ANNOUNCEMENT BY MR SPEAKER - 2

2. RESULT OF CASE FOR MEMBER OF PARLIAMENT, A'ANA ALOFI NO.3, TOEOLESULUSULU CEDRIC SCHUSTER

Speaker announced the results for the member of Aana Alofi No.3, Toeolesulusulu Cedric Shuster's case given the verdict by the District Court finding him guilty over four charges, including unlawful assembly in relation to the roadblock that resulted in a near confrontation between his village, Satapuala and armed Police officers last year. The member's conduct became a subject of investigation which resulted in charges against him and his village. Speaker noted that it is clear in Clause 4 of the Standing Orders 14, "breaches of this Code dealt with by the Privileges and Ethics Committee or as determined by Parliament." Given that there are no clear guidelines and eligibility for members to breach the Code of Parliamentary Ethics and reference to the Code of Parliamentary Ethics Committee, hence the matter is now before the Legislative Assembly.

Toeolesulusulu stood before the House and apologised to the Prime Minister, Speaker, Members of Parliament and the country. Tuilaepa responded by accepting in good faith and in the spirit of forgiveness where such a spirit was in accordance with Samoan tradition and the 'heart of the work of our saviour'. Opposition leader, Palusalua Faapo II took the floor and acknowledged the Prime Minister's decision. Speaker concluded with a heart of thanks to all members spoken today, in particular, to the whispering of the Holy Spirit upon all members of Parliament to forgive and forget.

Speaker announced that food will be prepared for all by Toeolesulusulu as an addition to his penalty, in our next ensuing sitting in December 2013.

8. PRESENTATION OF PAPERS:

The Clerk read out the Reports of the

1. S.R. 2013/7, Attorney General's Office Act 2013 – Notice of Commencement
2. P.P. 2013/2014 No.39, Annual Report of the Scientific Research Organisation of Samoa for the Financial Year 2011-2012.
3. P.P. 2013/2014 No.40, Annual Report of the Samoa Tourism Authority for July 2011-June 2012.
4. P.P.2013/2014 No.41, Government Responses to P.P.2013/2014 No.31, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2011/2012 No.97, Annual Report of the Development Bank of Samoa for the Financial Year ending 30 June 2011.
5. P.P.2013/2014 No.42, National Health Service Annual Report for 2009-2010.

9. PRESENTATION OF SELECT COMMITTEE'S REPORTS

The Clerk read out the Select Committees Reports tabled in accordance to the Standing Order 48:-

1. P.P. 2013/2014 No.43, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.18, Annual Report of the Accident Compensation Corporation for the Financial Year 2011.

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

Government Order of the Day No.1 called.

1. Road Traffic Amendment Bill 2013 – third reading

Hon Manualesagalala Enokati Posala moved, *“That the Road Traffic Amendment Bill 2013 be now read the third time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiataua / Hon Tuitama Talalelei Tuitama.

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

Government Order No.2. called.

2. Audit Bill 2013 – third reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That the Audit Bill 2013 be now read the third time.”* Seconded by Hon Tuiloma Lameko / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

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

Government Order of the Day No.3 called.

3. National Payment System Bill 2013 – second reading

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegoai moved, *“That the National Payment System Bill 2013 be now read the second time and would like to briefly elaborate on it.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Fiame Naomi Mataafa.

The Prime Minister briefly clarified the Bill.

Motion approved and the Bill was read the second time.

Government Order of the Day No.4 called.

4. Apprenticeship Bill 2013 – second time

Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That the Apprenticeship Bill 2013 be now read the second time and I wish to briefly elaborate on it.”* Seconded by Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

The Minister clarified the Bill.

Debate.

Motion approved and the Bill was read the second time.

Government Order of the Day No. 5. called.

5. Unit Titles Amendment Bill 2013 – second reading

Hon Tuilaepa Sailele Fatiafaloa Lupesoliai Aiono Neioti Malielegaoi moved, “*That the Unit Titles Amendment Bill 2013 be now read the second time and I wish to briefly clarify it.*” Seconded by Hon Fonotoe Nuafesili Pierre Laufofo / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

Proceedings of the Legislative Assembly suspended at 10:43am for its usual recess until 11:21am.

The Prime Minister clarified the Bill.

Debate.

Motion approved and the Bill was read the second time.

Government Order of the Day No.6 called.

6. Food Bill 2013 – second reading

Hon Tuitama Talalelei Tuitama moved, “*That the Food Bill 2013 be now read the second time and I wish to briefly elaborate on it.*” Seconded by Hon Le Mamea Ropati / Hon Mauiliu Magele.

The Minister briefly clarified the Bill.

Debate.

Motion approved and the Bill was read the second time.

Government Order of the Day No.7 called.

7. Allied Health Professions Bill 2013 – first Reading

Hon Tuitama Talalelei Tuitama moved, “*That the Allied Health Professions Bill 2013 be now read the first time.*” Seconded by Hon Tuisugaletaua Sofara Aveau / Hon Tuiloma Lameko / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.8 called.

8. Health Promotion Foundation Bill 2013 – first reading

Hon Tuitama Talalelei Tuitama moved, “*That the Health Promotion Foundation Bill 2013 be now read the first time.*” Seconded by Hon Manu’alesagalala Enokati Posala / Hon Le Mamea Ropati / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.9 called.

9. Lands, Survey and Environment Amendment Bill 2013 – first time.

Hon Tuilaepa Sailele Fatialofa Lupesoliai Aiono Neioti Malielegaoi moved, *“That the Lands, Survey and Environment Amendment Bill 2013 be now read the first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.10 called.

10. Police Offences Amendment Bill 2013 – first time.

Hon Sala Fata Pinati moved, *“That the Police Offences Amendment Bill 2013 be now read the first time.”* Seconded by Hon Manu’alesagalala Enokati Posala / Hon Mauiliu Magele / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.11 called

11. Medical Practitioners Amendment Bill 2013 – first reading

Hon Tuitama Talalelei Tuitama moved, *“That the Medical Practitioners Amendment Bill 2013 be now read the first time.”* Seconded by Hon Le Mamea Ropati / Hon Maiuliu Magele.

Motion approved and the Bill was read the first time.

11. CONSIDERATION OF SELECT COMMITTEE REPORTS

1. P.P.2012/2013 No. 32, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2011/2012 No.102, Annual Report of the Samoa Tourism Authority for the Financial Year ended 30th June 2010.

Report stood approved.

2. P.P. 2012/2013 No.33, Report of the Finance and Expenditure Committee on P.P.2011/2012 No.30, Report of the Finance and Expenditure Committee on P.P.2011/2012 No.30, Financial Statement of the Betting (Totalisator) Agency Board for the Financial Year ended 30th June 2010. Papaliitele Niko Lee Hang moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Gatoloaifaana A. Alesana-Gidlow / Tafua Maluelue Tafua.

Report stood approved.

3. P.P.2012/2013 No.34, Report of the Justice, Police & Prisons and Land & Titles Committee on P.P.2011/2012 No.4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year ended 30th June

2009 and P.P. 2011/2012 No.38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year ended 30th June 2010. Hon Afoafouvale John Moors moved, *“That the Committee takes note of the Committee report outlining its Findings, Recommendations and Resolutions.”* Seconded by Taefu Lemi / Ifopo Matia Filisi

Debate

Report stood approved.

4. P.P.2012/2013 No.35, Report of the Foreign Affairs, Trade and Revenue Committee on P.P.2011/2012 No.31, Annual Report of the Samoa International Finance Authority for the Financial Year ended 30th June 2008 and P.P.2011/2012 No.45, Annual Report of the Samoa International Finance Authority for the Financial Year ended 30th June 2009. Afualo Wood Uti Salele moved, *“That the Committee takes note of the Committee report outlining its Findings, Recommendations and Resolutions.”* Seconded by Papalii L. Faavaivaomanu Taeu Masipau / Lealailepule Rimoni Aiafi.

Report stood approved.

12. Debates were interrupted when Proceedings of the Legislative Assembly adjourned at 1.00pm until 9:00am on Wednesday, 9 October 2013.

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

WEDNESDAY 9 OCTOBER 2013

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoui, Afioga Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiamé Naomi Mataafa, Tofa Hon Tuiloma Lameko, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Sala Fata Pinati, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Le Mamea Ropati, Afioga Hon Tuisugaletaua Sofara Aveau.

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 Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaiomanu Taeu Masipau, Afioga Afualo Wood Uti Salele, Afioga Levaopolo Talatonu, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, Tofa Lenatai Victor Faafoi Tamapua, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maulaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Tafua Maluelue Tafua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Susuga Papalii Lio Faavaivaiomanu Taeu Masipau, Afioga Muagututaga Faamausili Peter Ah Him, Tofa Tuileutu Alavaa Voi, Tofa Agafili Patisela Eteuati Tolovaa, Afioga Taefu Lemi, Tofa Alo Fulifuli Taveuveu.

2. ABSENT MEMBERS:

Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Faamoetaulua Ulaitino Faale Tumaalii, Tofa Tuilo'a Anitelea, Tofa Lefau Harry Schuster, Afioga Lafaitale Patrick Leiataualesa, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Lautafi Fio Selafi Purcell, Afioga Motuopuaa Aisoli Vaai, Tofa Sooalo Mene.

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 communicated the text of the Message from the Head of State permitting the Legislative Assembly to consider the following bills:

1. Police Offences Amendment Bill 2013

6. CERTIFICATE OF URGENCY

Mr Speaker tabled the Certificate of Urgency of the Bill submitted:-

1. Police Offences Amendment Bill 2013

7. GOVERNMENT ORDERS OF THE DAY –Reading of Bills

Government Order of the Day No.1 called

1. Police Offences Amendment Bill 2013 – first reading

Hon Sala Fata Pinati moved, *“That the Police Offences Amendment Bill 2013 be now read the first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Laufofo / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read the first time.

Government Order of the Day No.2 called.

2. Police Offences Amendment Bill 2013 – second reading

Hon Sala Fata Pinati moved, *“That the Police Offences Amendment Bill 2013 be now read the second time and I wish to briefly clarify it.”* Seconded by Hon Manualesagalala Enokati Posala / Tolofuaivalelei Falemoe Leiataua / Hon Tuisugaletaua Sofara Aveau.

The Minister briefly elaborated the Bill.

Debate.

Motion approved and the Bill was read the second time.

Proceedings of the Legislative Assembly suspended at 10:50am for its usual recess and continued at 11:25am.

Debate continued.

Government Order of the Day No.3 called.

3. Police Offences Amendment Bill 2013 – consideration in detail

CLAUSE 2: Section 13 substituted

Approved.

CLAUSE 3: Division 4 of Part III repealed

Approved.

CLAUSE 4: Section 51 substituted

Approved.

CLAUSE 5: Transitional provision

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Police Offences Amendment Bill 2013

Approved.

The Police Offences Amendment Bill 2013 was now approved without Amendments.

Government Order of the Day No.4 called.

4. Police Offences Amendment Bill 2013 – third reading

Hon Sala Fata Pinati moved, “That the Police Offences Amendment Bill 2013 be now read the third time.” Seconded by Hon Manualesagalala Enokati Posala

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

8. CONSIDERATION OF SELECT COMMITTEE REPORTS

- 1. P.P.2012/2013 No.35, Report of the Foreign Affairs, Trade and Revenue Committee on P.P.2011/2012 No.31, Annual Report of the Samoa International Finance Authority for the Financial Year ended 30th June 2008 and P.P.2011/2012 No.45, Annual Report of the Samoa International Finance Authority for the Financial Year ended 30th June 2009.**

Debate

Report approved.

2.P.P.2012/2013 No.48, Report of the Finance and Expenditure Committee on P.P. 2011/2012 No.93, Unit Trust of Samoa (Management) Limited Annual Report for the 16 months ended 30th June 2011.

Hon Papaliitele Niko Lee Hang moved, *“That the Legislative Assembly confirms the Report of the Committee which recommends outlining its Findings, Resolutions and Recommendations.”* Seconded by Gatoloaifaana Amataga Alesana-Gidlow / Muagututagata Faamausili Auimatagi Peter Ah Him.

Debate

Report approved.

3. P.P.2012/2013 No.49, Report of the Justice, Police & Prisons and Land & Titles Committee on P.P.2011/2012 No.81, Annual Report of the Fire & Emergency Services Authority for the Financial Year 2008/2009.

Tofa Afoafouvale John Moors moved, *“That the Legislative Assembly confirms the Report of the Committee which recommends outlining its Findings, Resolutions and Recommendations.”* Seconded by Lenatai Victor Fafoi Tamapua / Taefu Lemi.

Debate

Report approved.

4. P.P.2012/2013 No.86, Report of the Government Administration Committee on the P.P.2012/2013 No.17, Annual Report of the Ministry of the Prime Minister and Cabinet, July 2010-June 2011.

Hon Aeau Peniamina Leavaseeta moved, *““That the Legislative Assembly confirms the Report of the Committee which recommends outlining its Findings, Resolutions and Recommendations.”* Seconded by Palusalue Faapo II / Lealailepule Rimoni Aiafi.

Debate

Report approved.

5. P.P.2012/2013 No.30, Report of the Finance and Expenditure Committee on P.P. 2012/2013 No.92, Corporate Plan of the Office of the Clerk of the Legislative Assembly 2013-2015.

Papaliitele Niko Lee Hang moved, *“That the Legislative Assembly confirms the Report of the Committee which recommends outlining its Findings, Resolutions and Recommendations.”* Seconded by Gatoloaifaana Amataga Alesana-Gidlow/ Muagututagata Faamausili Auimatagi Peter Ah Him / Tafua Maluelue Tafua.

MOTION FOR ADJOURNMENT:

Hon Tuilaepa Sailele Fatialofa Lupesoliai Aiono Neioti Malielegaoi moved, *“That the proceedings of the Legislative Assembly be adjourned until the next sitting day*

at 9:00am on the 17 December 2013 pursuant to Parliament Sitting Program 2013.” Seconded Hon Fonotoe Nuafesili Pierre Lauofo.

Proceedings of the Legislative Assembly now adjourned at 1:00pm until 9:00am on the 17th December 2013.

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

TUESDAY 17 DECEMBER 2013

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

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 Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaiomanu Taeu Masipau, Afioga Levaopolo Talatonu, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Fagaivalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, 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 Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Susuga Papalii Lio Faavaivaiomanu Taeu Masipau, Afioga Muagututaga Faamausili Peter Ah Him, Tofa Tuileutu Alavaa Voi, Tofa Agafili Patisela Eteuati Tolovaa, Afioga Taefu Lemi, Tofa Alo Fulifulu Taveuveu, Tofa Tuilo'a Anitelea, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Lautafi Fio Selafi Purcell, Afioga Motuopuaa Aisoli Vaai, Tofa Soalo Mene, Afioga Lafaitale Patrick Leiatuaalesa.

2. ABSENT MEMBERS:

Tofa Lefau Harry Schuster, Afioga Afualo Wood Uti Salele, Tofa Lenatai Victor Faafoi Tamapua.

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 communicated the text of the Message from the Head of State permitting the Legislative Assembly to consider the following bills:

- i. **Family Court Bill 2013**
- ii. **National Kidney Foundation of Samoa Amendment Bill 2013**
- iii. **Fair Trading Amendment Bill 2013**
- iv. **Plumbers Bill 2013**

6. OBITUARY SPEECH

1. Speaker announced the passing away of Tofa LEFAU Leana, who was a member of the Constituency for Vaisigano No.2. Tofa Lefua Leana was initially elected in Parliament in the years 1982-1985. He was again re-elected in Parliament in the years 1985-1988. Tofa Lefua Leana was a member of the House Committee in the years 1982-1985. Tofa Lefua Leana was a member of the Human Rights Protection Society (HRPP).

2. Speaker also announced the passing away of Afioga LEOTA TOOMATA Siaki, who was a member of the constituency for Anoamaa West. Afioga Leota Toomata Siaki was elected in Parliament in the years 1967-1970. Afioga Leota Toomata Siaki was a member of the Standing Orders Committee and Petitions Committee.

3. Speaker also announced the passing away of one of the most respected leaders in the world, the President of South Africa, the Honorable NELSON MANDELA. He was a determined leader who fought the rights of his people, courageous and doesn't retreat in the government decisions made against him. His fought for his people made him serve his sentence whilst in prison. It's unforgettable this leader given his loyalty and patriotism towards his country. He isn't afraid of speaking out the truth because he loves his people. We pray that he finds a better place in the Kingdom of heaven.

Members stood for a minute to pay respect for the passing members including the President of South Africa.

7. OTHER ANNOUNCEMENT BY THE SPEAKER

Speaker announced the decision made by the Attorney General on the subject matter relating to media who have illegally published Parliament reports which is against the law, after Speaker's ruling and the Office of the Legislative Assembly instructions to prohibit the disclosure of information as these duties are executed and performed by Parliament members. It is confirmed that the constitution has been breached by the media to guide Parliament procedures of Chamber, pursuant to normal code of ethics as stipulated in the Standing Orders.

Speaker announced that this matter is now with the Attorney General who will undertake appropriate measures so that matters of this sort will not occur again and may it be a lesson in the future.

8. PRESENTATION OF PAPERS

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

- i. S.R.2013/8, General Price Order (No.4) 2013.
- ii. S.R.2013/9, Public Bodies (Performance and Accountability) Amendment Regulations 2013.
- iii. S.R.2013/10, Public Bodies (Performance and Accountability) Amendment Regulations (No.2) 2013.
- iv. P.P.2013/2014 No.45, Annual Reports of the Central Bank of Samoa for the Twelve Months July 2011 - June 2012.
- v. P.P.2013/2014 No.46, Samoa Housing Corporation Annual Report for the Year 2012.
- vi. P.P.2013/2014 No.47, Annual Report of the Ministry of Health for the Financial Year 2010-2011.
- vii. P.P.2013/2014 No.48, Annual Report of the Ministry of Health for the Financial Year 2011-2012.
- viii. P.P.2013/2014 No.49, Annual Report of the Fire and Emergency Services for the Year 2009-2010.
- ix. P.P.2013/2014 No.50, Annual Report of the Fire and Emergency Services for the Year 2010-2011.
- x. P.P.2013/2014 No.51, Annual Report of the Fire and Emergency Services for the Year 2011-2012.
- xi. P.P.2013/2014 No.52, Annual Report of the Samoa Law Reform Commission July 2011-June 2012.
- xii. P.P.2013/2014 No.53, Government Responses on P.P.2012/2013 No.35, Report of the Foreign Affairs, Trading and Revenue Committee on P.P.2011/2012 No.31 & P.P.2011/2012 No.45, Annual Reports of the Samoa International Finance Authority for the Financial Years Ending 30th June 2008 and 30th June 2009.
- xiii. P.P.2013/2014 No.67, Report of the Parliament of Samoa Delegation to the 59th Commonwealth Parliamentary Association Conference in South Africa.
- xiv. of Samoa Delegation Report on the Pacific Parliamentary Seminar held in Nukualofa, Tonga – November 7 - 8 2013.
- xv. P.P.2013/2014 No.69, Ministry of Commerce, Industry and Labour Annual Report July 2011 – June 2012.
- xvi. P.P.2013/2014 No.70, Annual Report of the Ministry for Revenue for the Financial Year 2012 – 2013.

9. PRESENTATION OF SELECT COMMITTEES REPORTS

The Clerk read out the Select Committees Reports tabled in accordance to the Standing Order 48:-

- i. P.P.2013/2014 No.55, Report of the Finance and Expenditure Committee on the National Payment System Bill 2013.
- ii. P.P.2013/2014 No.56, Report of the Officers of Parliament Committee on P.P.2012/2013 No.13, Report of the Controller and Chief Auditor for July 2009 – June 2010 & P.P.2013/2014 No.12, Report of the Controller and Chief Auditor for July 2010 – June 2011.

- iii. P.P.2013/2014 No.57, Report of the Works, Transport and Environment Committee on P.P. 2011/2012 No.60, Statement of Corporate Objectives of the Electric Power Corporation for the Period 2012-2014 & P.P.2011/2012 No. 92, Annual Report of the Electric Power Corporation for the Year 2010-2011.
- iv. P.P.2013/2014 No.58, Report of the Works, Transport and Environment Committee on P.P.2011/2012 No.65, Annual Report of the Samoa Airport Authority for the Year 2008/2009 and P.P.2011/2012 No.90, Annual Report of the Samoa Airport Authority for the Year 2009/2010.
- v. P.P.2013/2014 No.59, Report of the Works, Transport and Environment Committee on P.P.2012/2013 No.73, Annual Report of the Land Transport Authority for the Year 2009/2010.
- vi. P.P.2013/2014 No.60, Report of the Works, Transport and Environment Committee on the Apprenticeship Bill 2013.
- vii. P.P.2013/2014 No.61, Report of the Education, Science, Communication & Information Technology Committee on the Samoan Language Commission Bill 2012.
- viii. P.P.2013/2014 No.62, Report of the Education, Science, Communication and Information Technology Committee on P.P.2011/2012 No.34, Annual Report of the Scientific Research Organisation of Samoa for the Year 2009/2010.
- ix. P.P.2013/2014 No.63, Report of the Education, Science, Communication and Information Technology Committee on P.P.2011/2012 No.55, Annual Report of the National University of Samoa for the Year 2009/2010.
- x. P.P.2013/2014 No.64, Report of the Education, Science, Communication and Information Technology Committee on P.P.2011/2012 No.56, Corporate Plan of the Scientific Research Organisation of Samoa for the Period 2012-2014.
- xi. P.P.2013/2014 No.65, Report of the Education, Science, Communication and Information Technology Committee on P.P.2011/2012 No.58, Corporate Plan of the Post Office for the Period 2012-2014 and P.P.2011/2012 No.59, Statement of Corporate Objectives of the Post Office for the Period 2012-2014.
- xii. P.P.2013/2014 No.66, Report of the Education, Science, Communication and Information Technology Committee on P.P.2012/2013 No.6, Annual Report of the Ministry of Education, Sports and Culture for the Year 2008/2009, P.P.2012/2013 No.7, Annual Report of the Ministry of Education, Sports and Culture for the Year 2009/2010 and P.P.2012/2013 No.8, Annual Report of the Ministry of Education, Sports and Culture for the Year 2010/2011.
- xiii. P.P.2013/2014 No.71, Report of the Works, Transport & Environment Committee on the Electric Power Corporation Amendment Bill 2012.

10. MOTION OF THE SPECIAL INQUIRY COMMITTEE

Afioga Lautafi Fio Selafi Purcell moved, *“That an additional 3 months be granted to complete investigation of the Special Committee and report back to Parliament sitting in March 2014. Not only that, but as known by Parliament, the court case*

proceedings are currently undertaken at the Court House involving the accused member and the Ministry of Revenue under investigation.”

Motion approved.

CONSEQUENTIAL AMENDMENT

Susuga Tuilaepa Fatialofa Lupesoliai Aiono Neioti Saillele Malielegaoi moved, *“That 3 months should be limited, if by ten years investigations are undertaken, nothings is wrong with that, but the addition, it should be a máximum of 3 months.”* Seconded by Afioga Hon Gatoloaifaana Amataga Alesana Gidlow / Lenatai Victor Faafoi Tamapua.

Motion approved and was put forward that a máximum of 3 months is allocated for the Special Committee to complete their investigations.

11. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called

1. Supplementary Appropriation Bill (No.1) 2013/2014 –first Reading

Hon Faumuina Tiatia Faaolatane Liuga moved, *“That the Supplementary Appropriation Bill (No.1) 2013/2014 be now read the first time.”* Seconded by Tuisugaletaua Sofara Aveau / Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.2 called

2. First Supplementary Estimates 2013/2014, P.P.2013/2014 No.54 – tabling

The First Supplementary Estimates 2013/2014, P.P.2013/2014 No.54 was tabled by Hon Faumuina Tiatia Faaolatane Liuga.

Government Order of the Day No.3 called.

3. Supplementary Appropriation Bill (No.1) 2013/2014 – motion for second reading

Hon Faumuina Tiatia Faaolatane Liuga moved, *“That the Supplementary Appropriation Bill (No.1) 2013/2014 be now read the second time.”* Seconded by Tolofuaivalelei Falemoe Leiataua.

FIRST SUPPLEMENTARY BUDGET ADDRESS (NO.1) 2013/2014 by Hon Faumuina Tiatia Faaolatane Liuga

The Minister of Finance delievered the Budget Statement on Supplementary Budget Estimates 2013/2014 and this is a copy of this Statement.

Mr Speaker and Honorable Members of Parliament,

On behalf of the Government, I would like to table the First Supplementary Budget for the financial year 2013/2014 for consideration of the House.

Mr Speaker,

This Supplementary budget has been carefully crafted to support macroeconomic stability, by ensuring that the Government delivers its priorities within the context of a prudent and responsible fiscal framework.

As Honorable Members will note, this supplementary budget once again underscores Government's commitment to maintaining a sustainable budget deficit of 3.5% in the médium term despite the provision of appropriate budget outlays to support Ministries and SOEs service delivery. And I am pleased to announce that the budget deficit has been revised from 4.8% initially declared in the Main Budget Estimates 2013/2014 to 4.2% with the first supplementary budget estimates included.

The Supplementary Budget

I would now like to provide you with the details of the First Supplementary Estimates for fiscal year 2013/2014.

Summary of Additional Revenues

The Government does not propose to implement any new measures through this supplementary budget. Rather, financing of additional government priorities and commitments for the last six months of the current financial year is made possible through the following:

- External grants have increased substantially following confirmation of 100% grant financing from ADB towards budget support. In total, \$22.6 million tala initially appropriated as loans from ADB will now be reflected as grants through this supplementary budget.
- Other revenues earmarked for appropriation in this supplementary budget include; additional rents and leases collected from government ministries occupying TATTE building; increase in VAGST for Government Ministries; and savings identified by two government ministries namely the Public Service Commission and the Legislative Assembly to finance additional works and initiatives for the next six months.

Summary of Additional Expenditures

This supplementary budget is intended largely to accommodate a limited number of priority expenditures totaling \$14.42 million Tala (including VAGST) which are critical for the achievement of stated outcomes and delivery of services for the benefit of the community at large. These include:

- A provision of \$2.72 million tala has been made in the budget to cater for the 3% general salary increase for the whole public service and the civil list.

- An additional provision of \$180,000 tala for the National Broadband Highway Project.
- \$318,000 tala has been allocated towards teachers' salaries realignment.
- Additional personnel are provided to the Ministry of Education at a cost of \$230,423 tala.
- A provision of \$190,000 tala is provided to assist the Samoa National Orchestra.
- Additional \$285,000 tala to finance the \$5 tala monthly increase to the Senior Citizens Pension Scheme.
- An extra \$5 million tala is provided to assist with the SIDS Conference preparations.
- Additional provision of \$87,365 tala to cover audit fees for auditing of Project accounts.
- \$150,000 tala to cover shortfall of Government contribution towards OUM operations.
- Additional \$653,515 for the Ministry of Natural Resources and Environment to settle arrears on rents and leases at the TATTE Building.
- Additional provision of \$1 million tala for the Ministry of Natural Resources and Environment for land compensation.
- \$500,000 tala has been allocated for payment of STEC lands used for the Olomanu Juvenile Rehabilitation Centre.
- \$120,000 tala is provided to construct new prison cells at Tafaigata.
- An additional \$200,000 tala to assist with Samoa's hosting of the 2015 Commonwealth Youth Games.
- A \$470,000 tala additional provision for the Samoa Independence Water Scheme to cover budget shortfalls.
- 40,000 tala in total has been provided to support Parliamentary Educational Programs for Primary and Secondary Schools.
- \$80,000 tala has been provided to the Legislative Assembly for hosting of the 45th Presiding Officers and Clerks Conference (POCC).
- Additional provisions of %76,620 tala and \$243 tala for PSC's Human Resource Module License and payment of CAPAM membership fees respectively.
- Additional provision of \$167,349 tala for the Household and Income Expenditure Survey (HIES).
- Additional \$1 million tala for the Overseas Medical Treatment Scheme.

Conclusion

Mr Speaker and Honorable members, I have outlined above the key features of the first supplementary budget for the financial year 2013/2014.

As you may have noted, the government has closely scrutinized additional expenditures that can be absorbed against expected revenues. And despite the

favorable fiscal conditions and promising signs of economic growth that we have witnessed in recent months, the reality is that we live in a world of uncertainties.

In this regard, the government must stay focused and continue to exercise great prudence in closely monitoring its budget and the economy overall to ensure macroeconomic stability is maintained.

Mr Speaker, Honorable members,

On behalf of the government, I wish you Mr Speaker, Honorable members and every citizen of Samoa a “Merry Christmas and a Prosperous 2014”.

Soifua.

Pursuant to Standing Orders 132, debates will be adjourned for the Supplementary Appropriation Bill (No.1) 2013/2014 for a period of not less than 14 days, and report back to the Main Estimates (No.1) 2013/2014 for the consideration of the Finance and Expenditure Committee and report back to the Legislative Assembly.

Government Order of the Day No.4 called

4. Allied Health Professions Bill 2013 – second reading

Hon Tuitama Leao Talalelei Tuitama moved, “*That the Allied Health Professions Bill 2013 be now read the second time and I wish to briefly clarify it.*” Seconded by Faamoetauloa Lealaiauloto Ulaitino Faale Tumaalii.

The Minister clarified the Bill.

Debate.

Motion approved and the Allied Health Professions Bill 2013 was read the second time.

Government Order of the Day No.5 called.

5. Health Promotion Foundation Bill 2013 – second reading

Hon Tuitama Leao Talalelei Tuitama moved, “*That the Health Promotion Foundation Bill 2013 be now read the second time and I wish to briefly clarify it.*” Seconded by Le Mamea Ropati / Faamoetauloa Lealaiauloto Ulaitino Faale Tumaalii.

The Minister clarified the Bill.

Debate.

Proceedings of the Legislative were set aside for its usual recess at 10.40am and resumed at 11.24am.

Debate over the Health Promotion Foundation Bill 2013 resumed.

Motion approved and the Health Promotion Foundation Bill 2013 was read the second time.

Pursuant to Standing Orders the Bill is now referred to the Health & Social Services, Internal Affairs, Community and Social Development Committee for consideration and report back to the Legislative Assembly in the next ensuing meeting.

Government Order of the Day No.6 called.

6. Lands, Survey and Environment Amendment Bill 2013 – second reading

Hon Faamoetauloa Lealaiauloto Ulaitino Faale Tumaalii moved, *“That the Lands, Survey and Environment Amendment Bill 2013 was now read the second time and I wish to briefly elaborate on it.”* Seconded by Leao Tuitama Talalelei Tuitama / Magele Mauiliu / Manualesagalala Enokati Posala.

The Minister briefly clarified the Bill.

Debate.

Motion approved and the Bill was read the second time.

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

Government Order of the Day No.7 called.

7. Police Offences Amendment Bill 2013 – second reading

Hon Sala Fata Pinati moved, *“That the Police Offences Amendment Bill 2013 be now read the second time and I wish to briefly clarify it.”* Seconded by Manualesagalala Enokati Posala / Tuitama Leao Talalelei Tuitama.

Debate.

Motion approved and the Police Offences Amendment Bill 2013 was read the second time.

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

12. MOTION FOR ADJOURNMENT

Hon Susuga Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, “That Proceedings be now adjourned until the 21 January 2014 pursuant to Parliament Sitting Program Schedule 2013/2014.” Seconded by Fonotoe Nuafesili Pierre Lauofo / Faumuina Tiatia Faaolatane Liuga / Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Proceedings of the Legislative Assembly was now adjourned at 1:05pm until 9:00am Tuesday, 21 January 2014.

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

TUESDAY 21 JANUARY 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

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 Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaio-manu Taeu Masipau, Afioga Levaopolo Talatonu, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Fagaavalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, 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 Muagututaga Faamausili Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Susuga Papalii Lio Faavaivaio-manu Taeu Masipau, Afioga Muagututagata Faamausili Peter Ah Him, Tofa Tuileutu Alavaa Voi, Tofa Agafili Patisela Eteuati Tolovaa, Afioga Taefu Lemi, Tofa Alo Fulifuli Taveuveu, Tofa Tuilo'a Anitelea, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Lautafi Fio Selafi Purcell, Afioga Motuopuaa Aisoli Vaai, Tofa Sooalo Mene, Afioga Lafaitale Patrick Leiataualesa, Tofa Lenatai Victor Faafoi Tamapua, Tofa Lefau Harry Schuster.

2. ABSENT MEMBERS:

Afioga Afualo Wood Uti Salele.

3. The Legislative Assembly met at 9.00am.

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

5. 1. MESSAGE FROM THE HEAD OF STATE:

Mr Speaker communicated the text of the Message from the Head of State permitting the Legislative Assembly to consider the following bills:

- i. Central Bank of Samoa Amendment Bill 2014.
- ii. Scientific Research Organisation of Samoa Amendment Bill 2014.
- iii. Statistics Bill 2014.
- iv. Slaughter and Meat Supply Bill 2014.

2. CERTIFICATE OF URGENCY

Mr Speaker tabled the Certificate of Urgency of the Bill submitted:-

- i. Central Bank of Samoa Amendment Bill 2014.

6. PRESENTATION OF PAPERS

The Clerk presented the Papers submitted pursuant to Standing Orders 48.

- i. P.P.2013/2014 No.72, Annual Report of the Ministry of Communication and Information Technology for the Year 2010-2011.
- ii. P.P.2013/2014 No.73, Report of Operations and Statement of Accounts of the Samoa Senior Citizens Benefit Fund for the year 2012-2013.
- iii. P.P.2013/2014 No.74, Annual Report of the Samoa National Provident Fund for the Year 2013.
- iv. P.P.2013/2014 No.75, Annual Report of the Polynesian Airlines Company for the Year 2013.

7. PRESENTATION OF SELECT COMMITTEES REPORTS

The Clerk read out the Select Committees Reports tabled pursuant to the Standing Orders 51(5):-

- i. P.P.2013/2014 No.76, Report of the Finance and Expenditure Committee on the First Supplementary Estimates 2013/2014 of the Receipts and Payments of the Government of Samoa for the Year Ending 30 June 2014.

8. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Supplementary Appropriation Bill (No.1) 2013/2014 – debate on second reading

Debate on second reading of the Supplementary Appropriation Bill (No.1) 2013/2014.

Proceedings of the Legislative Assembly suspended for its recess at 10:45am and resumed at 11:27am.

MOTION FOR CHANGE IN SESSION SCHEDULE

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, “That Standing Orders be set aside and commence proceedings today as per following: from 9am – 1:00pm, resume at 3:00pm until 7:00pm.”

Motion approved and the amended schedule for today's session, Tuesday 21, January 2014 are as follows:-

Hours for Each Sitting:

9:00am - 1:00pm

3:00pm - 7:00pm

Debate on second reading of the Supplementary Appropriation Bill (No.1) 2013/2014.

Proceedings of the Legislative Assembly suspended for its recess at 1:00pm and resumed at 3:00pm.

Debate continued.

Proceedings of the Legislative Assembly suspended for its recess at 4:43pm and resumed at 5:22pm.

Debate on second reading of the Supplementary Appropriation Bill (No.1) 2013/2014.

Proceedings of the Legislative Assembly adjourned at 7:00pm until Tuesday, 22 January 2014 at 9:00am.

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

WEDNESDAY 22 JANUARY 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

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 Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaiomanu Taeu Masipau, Afioga Levaopolo Talatonu, Afioga Hon Aeau Peniamina Leavaiseta, Afioga Hon Palusalua Faapo II, Tofa Fagaivalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, 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 Muagututaga Faamausili Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Susuga Papalii Lio Faavaivaiomanu Taeu Masipau, Afioga Muagututagata Faamausili Peter Ah Him, Tofa Tuileutu Alavaa Voi, Tofa Agafili Patisela Eteuati Tolovaa, Afioga Taefu Lemi, Tofa Alo Fulifuli Taveuveu, Tofa Tuilo'a Anitelea, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Lautafi Fio Selafi Purcell, Afioga Motuopuaa Aisoli Vaai, Tofa Soalo Mene, Afioga Lafaitale Patrick Leiataualesa, Tofa Lenatai Victor Faafoi Tamapua, Tofa Lefau Harry Schuster.

2. ABSENT MEMBERS:

Afioga Afualo Wood Uti Salele. Afioga Motuopuaa Aisoli Vaai.

3. The Legislative Assembly met at 9.00am.

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

BUSINESS STANDING ORDERS, HOUSE AND ELECTORAL COMMITTEE MOTION:

Tofa Agafili Patisela Eteuati Tolovaa, Deputy Chairman moved, *“That the Assembly approves the following Sitting Programme for 2014/2015 as approved by the Business, Standing Orders, House and Electoral Committee.”* Seconded by Hon Papaliitele Niko Lee Hang / Hon Gatoloaifaana Amataga Alesana Gidlow / Afioga Tafua Maluelue Tafua.

<i>Month</i>	<i>Date</i>	<i>Month</i>	<i>Date</i>	<i>Month</i>	<i>Date</i>
<i>January</i>	<i>21</i>	<i>June</i>	<i>17</i>	<i>December</i>	<i>16</i>
<i>March</i>	<i>18</i>	<i>August</i>	<i>19</i>	<i>January</i>	<i>20</i>
<i>May</i>	<i>29</i>	<i>October</i>	<i>21</i>		

Motion approved and Parliament Sitting Program for the Year 2014/2015 stood approved.

5. OTHER ANNOUNCEMENTS BY MR SPEAKER

Mr Speaker announce all members to take heed of the Scheduled Parliamentary Sitting Program as tabled before Parliament today. A debriefing program, Parliament awareness programs, holiday schedules are all inclusive of this for everyone’s awareness.

6. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Supplementary Appropriation Bill (No.1) 2013/2014 – debate on second reading - DAY 2

Debate resumed over second Reading of Supplementary Appropriation Bill (No.1) 2013/2014.

Proceedings were set aside for its Parliament members’ interval at 10:45am and re-commenced at 11:20am.

Debate continued.

Proceedings were suspended for the second interval at 1:00pm until 3:00pm.

Debate ensued.

Proceedings were set aside for the third recess at 4.45pm and resumed at 5.23pm.

Debate resumed.

7. **Proceedings of the Legislative Assembly now adjourned at 7:00pm until Wednesday 22 January 2014 at 9:00am.**

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

THURSDAY 23 JANUARY 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

MEMBERS

Afioga Hon Leupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Aveau Nikotemo Palamo, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaio manua Taeu Masipau, Afioga Levaopolo Talatonu, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Tofa Fagaavalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, 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 Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Susuga Papalii Lio Faavaivaio manua Taeu Masipau, Afioga Muagututaga Faamausili Peter Ah Him, Tofa Tuileutu Alavaa Voi, Tofa Agafili Patisela Eteuati Tolovaa, Afioga Taefu Lemi, Tofa Alo Fulifulu Taveuveu, Tofa Tuilo'a Anitelea, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Lautafi Fio Selafi Purcell, Afioga Motuopuaa Aisoli Vaai, Tofa Sooalo Mene, Afioga Lafaitale Patrick Leiataualesa, Tofa Lenatai Victor Faafoi Tamapua, Tofa Lefau Harry Schuster, Afioga Motuopuaa Aisoli Vaai.

2. ABSENT MEMBERS:

Afioga Afualo Wood Uti Salele, Tofa Lautafi Fio Selafi Purcell, Afioga Lafaitale Patrick Leiataualesa,

3. The Legislative Assembly met at 9.00am.

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

5. PRESENTATION OF PAPERS:

The Clerk presented the Papers handed over pursuant to Standing Orders 48.

- i. P.P.2013/2014 No.77, Annual Report of the Office of the Attorney General for the Year 1 July 2011 – 30 June 2012.

6. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1

1. Supplementary Appropriation Bill (No.1) 2013/2014 – debate on second reading - DAY 3

Proceedings of the Legislative Assembly now suspended at 10:45am and re-commenced at 11:24am.

Debate continued over the second reading of the Supplementary Appropriation Bill (No.1) 2013/2014.

Proceedings were set aside for the second interval at 1:00pm until 3:00pm.

MOTION BY PRIME MINISTER

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, *“That the Standing Orders be set aside so that Proceedings be carried out on the Supplementary Appropriation Bill (No.1) 2013/2014 until it is passed and then we can take a break.”* Seconded by Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga.

Debate carried out.

Proceedings of the Legislative Assembly now suspended at 4:45pm and re-commenced at 5:25pm.

Debate ensued.

Motion approved and the Supplementary Appropriation Bill (No.1) 2013/2014 was read the second time.

Government Order of the Day No.2 called.

2. Supplementary Appropriation Bill (No.1) 2013/2014 – consideration

**FIRST SCHEDULE
VOTES AND APPROPRIATIONS
ADDITION IN APPROPRIATION**

MINISTRY

APPROPRIATION

FORESTRY & AGRICULTURE:

\$99,588

Approved.

COMMERCE, INDUSTRY & LABOUR: \$72,215

Approved.

COMMUNICATION & INFORMATION TECHNOLOGY: \$234,459

Approved.

EDUCATION, SPORTS & CULTURE: \$1,639,529

Approved.

FINANCE: \$6,219,288

Approved.

FOREIGN AFFAIRS & TRADE: \$81,072

Approved.

HEALTH: \$1,597,611

Approved.

JUSTICE & COURTS ADMINISTRATION: \$84,972

Approved.

NATURAL RESOURCES & ENVIRONMENT: \$2,043,623

Approved.

POLICE & PRISONS: \$918,802

Approved.

PRIME MINISTER: \$271,992

Approved.

REVENUE: \$77,977

Approved.

WOMEN, COMMUNITY & SOCIAL DEVELOPMENT: \$587,212

Approved.

WORKS, TRANSPORT & INFRASTRUCTURE: \$67,918

Approved.

ATTORNEY GENERAL: \$38,078

Approved.

AUDIT: \$36,906

Approved.

ELECTORAL COMMISSIONER: \$17,142

Approved.

LEGISLATIVE ASSEMBLY: \$174,515

Approved.

OMBUDSMAN: \$4,301

Approved.

PUBLIC SERVICE COMMISSION: \$114,036

Approved.

STATISTICS: \$229,560

Approved

SAMOA LAW REFORM COMMISSION: \$10,018

Approved.

TOTAL APPROPRIATION FOR MINISTRIES 2013/2014: \$14,620,812

Approved.

Schedule Approved.

**SECOND SCHEDULE
REDUCTIONS IN APPROPRIATIONS**

MINISTRY: **REDUCTION IN EXPENDITURE:**

PUBLIC SERVICE COMMISSION: **\$(76,620)**

Approved.

LEGISLATIVE ASSEMBLY: **\$(120,000)**

Approved.

TOTAL REDUCTIONS IN EXPENDITURE 2013/2014: **\$(196,620)**

Approved.

Schedule was approved as part of the Act

CLAUSE 2: Grant and Appropriations of \$14,620,812 out of Treasury Fund.

Approved.

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

Approved.

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Appropriation Bill (No.1) 2013/2014.

Approved.

The Appropriation Bill 2013/2014 progressed without Amendment.

Government Order of the Day No.3 called.

3. Supplementary Appropriation Bill (No.1) 2013/2014 – third reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “That the Supplementary Appropriation Bill (No.1) 2013/2014 be now read third time.” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tuiloma Lameko / Hon Tuisugaletau Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

Debate continued.

The motion was approved and the Supplementary Appropriation Bill (No.1) 2013/2014 was read the third time and was passed by the Legislative Assembly.

Proceedings of the Legislative Assembly now adjourned at 7:00pm until Friday, 24 January 2014 at 9:00am.

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

FRIDAY 24 JANUARY 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

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 Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaioanu Taeu Masipau, Afioga Levaopolo Talatonu, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalue Faapo II, Tofa Fagaavalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, 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 Peter Ah Him, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Susuga Papalii Lio Faavaivaioanu Taeu Masipau, Afioga Muagututagata Faamausili Peter Ah Him, Tofa Tuileutu Alavaa Voi, Tofa Agafili Patisela Eteuati Tolovaa, Afioga Taefu Lemi, Tofa Alo Fulifulu Taveuveu, Tofa Tuilo'a Anitelea, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Lautafi Fio Selafi Purcell, Tofa Soalo Mene, Afioga Lafaitale Patrick Leiataualesa, Tofa Lenatai Victor Faafoi Tamapua, Tofa Lefau Harry Schuster, Tofa Lautafi Fio Selafi Purcell, Afioga Lafaitale Patrick Leiataualesa.

2. ABSENT MEMBERS:

Afioga Afualo Wood Uti Salele, Afioga Motuopuaa Aisoli Vaai.

3. The Legislative 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. Constitution Amendment (No.2) 2013 – consideration in detail

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved the Corrections as follows:

“CORRECTION:

“ To omit the number “2012” and “2013” and substitute thereby with number “2014 thus the bill be read as:

“Constitution Amendment Bill 2014”

Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga.

Na faamaonia le Faasaoga.

MOTION FOR STANDING ORDERS TO BE SET ASIDE

Government Order of the Day No.2 called.

2. Constitution Amendment Bill (No.2) 2013 – third reading

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, “*That Standing Orders shall be set aside to allow ringing of the bell whilst vote calls to indicate their approval of the Constitution Amendment Bill 2013.*” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and Standing Orders 107 (4) was set aside.

The bell was rung.

LIST:

1. Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi
2. Tofa Fonotoe Nuafesili Pierre Laufo
3. Hon Fiamé Naomi Mataafa
4. Hon Tuiloma Lameko
5. Hon Faumuina Tiatia Liuga
6. Hon Tuisugaletaua Sofara Aveau
7. Hon Tolofuaivalelei Falemoe Leiataua
8. Hon Le Mamea Ropati
9. Hon Tuitama Leao Talalelei
10. Hon Magele Mauiliu
11. Hon Faamoetaulua Ulaitino Faale Tumaalii
12. Hon Manuaelsagalala Enokati Posala
13. Hon Sala Fata Pinati
14. Hon Leaupepe Toleafoa Apulu Faafisi
15. Tofa Tuuu Anasii Leota
16. Afioga Toeolesulusulu Cedric P.Salesa Schuster
17. Tofa Tapuai Toese Ah Sam
18. Tofa Aveau Nikotemo Palamo
19. Tofa Tuileutu Alavaa Voi
20. Tofa Lealailepule Rimoi Aiafi
21. Papalii L. Faavaivaionanu T. Masipau
22. Tofa Levaopolo Talatonu
23. Tofa Lefau Harry Schuster
24. Afioga Hon Palusalua Faapo II
25. Tofa Fagaaivalu Kenrick Samu
26. Afioga Tufuga Gafualeata Faitau
27. Tofa Lautafi Fio Selafi Purcell
28. Tofa Alo Fulifulu Taveuveu
29. Tofa Tuiloa Anetelea
30. Afioga Lafaitale Patrick Leiataualesa

31. Afioga Tuisa Tasi Patea
32. Tofa Lenatai Victor Faafoi Tamapua
33. Afioga Sooalo Mene
34. Afioga Taefu Lemi
35. Afioga Afoafouvale John Moors
36. Afioga Ifopo Matia Filisi
37. Afioga Tialavea Fea Tionisio Seigafolava
38. Afioga Tusa Misi Tupuola
39. Afioga Maualaivao Pat Ah Him
40. Afioga Peseta Vaifou Tevaga
41. Afioga Tafua Maluelue Tafua
42. Afioga Muagututagata Faamausili Peter Ah Him
43. Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow
44. Susuga Papaliitele Niko Lee Hang
45. Tofa Agafili Patisela Eteuati Tolovaa

AYES - 45

None objected.

Motion approved and the Constitution Amendment Bill 2013 was read the third time and had passed the Legislative Assembly.

Government Order of the Day No.3 called.

3. Central Bank of Samoa Amendment Bill 2014 – first reading

Hon Faumuina Tiatia Faaolatane Liuga moved, *“That the Central Bank of Samoa Amendment Bill 2014 be now read the first time.”* Seconded by Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.4 called.

4. Central Bank of Samoa Amendment Bill 2014 – second reading

Hon Faumuina Tiatia Faaolatane Liuga moved, *“That the Central Bank of Samoa Amendment Bill 2014 be now read the second time and I wish to briefly clarify it.”*

Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

The Minister clarified the Bill.

Debate.

Motion approved and the Bill was read the second time.

Government Order of the Day No.5 called.

5. Central Bank of Samoa Amendment Bill 2014 – consideration

CLAUSE 2: Clause 22 amended.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Central Bank of Samoa Amendment Bill 2014

Approved.

The Central Bank of Samoa Amendment Bill 2014 progressed with amendments.

Government Order of the Day No.6 called.

6. Central Bank of Samoa Amendment Bill 2014 – third reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “*That the Central Bank of Samoa Amendment Bill 2014 be now read the third time.*” Seconded by Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

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

Government Order of the Day No.7 called.

7. Family Court Bill 2013 – first reading

Hon Fiame Naomi Mataafa II moved, “*That the Family Court Bill 2013 be now read the first time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.8 called.

8. National Kidney Foundation of Samoa Amendment Bill 2013 – first reading

Hon Tuitama Talalelei Tuitama moved, “*That the National Kidney Foundation of Samoa Amendment Bill 2013 be now read the first time.*” Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua / Hon Le Mamea Ropati.

Motion approved and the Bill was read the first time.

Government Order of the Day No.9 called.

9. Fair Trading Amendment Bill 2013 – first reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Fair Trading Amendment Bill*

2013 be now read the first time.” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.10 called.

10. Plumbers Bill 2014 – first reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That the Plumbers Bill 2014 be now read the first time.”* Seconded by Hon Sala Fata Pinati / Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaalii.

Motion approved and the Bill was read the first time.

Government Order of the Day No.11 called.

11. Scientific Research Organisation of Samoa Amendment Bill 2014 – first reading

Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaalii moved, *“That the Scientific Research Organisation of Samoa Amendment Bill 2014 be now read the first time.”* Seconded by Hon Sala Fata Pinati / Hon Manualesagalala Enokati Posala / Hon Le Mamea Ropati.

Motion approved and the Bill was read the first time.

Government Order of the Day No.12 called.

12. Statistics Bill 2014 – first reading

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, *“That the Statistics Bill 2014 be now read the first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved and the Bill was read the first time.

Government Order of the Day No.13 called.

13. Slaughter and Meat Supply Bill 2014 – first reading

Hon Le Mamea Ropati moved, *“That the Slaughter and Meat Supply Bill 2014 be now read the first time.”* Seconded by Hon Tuisugaletaua Sofara Aveau / Hon Faumuina Tiatia Faaolatane Liuga.

Motion approved and the Bill was read the first time.

Government Order of the Day No.14 called.

14. National Payment System Bill 2013 – consideration

P.P. 2013/2014 No.55, Report of the Revenue and Expenditure Committee on the National Payment Bill 2013.

Hon Papalitele Niko Lee Hang moved, *“That the Legislative Assembly confirms the Report of the Committee which presents its Findings, Recommendations and*

Resolutions.”

Motion approved and the Report of the Committee was confirmed.

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Application

Approved.

CLAUSE 4: General powers

Approved.

CLAUSE 5: Operational role of the Central Bank

Approved.

CLAUSE 6: Cooperation with other authorities

Approved.

CLAUSE 7: National Payment System Committee

Approved.

CLAUSE 8: Prohibition

Approved.

CLAUSE 9: Power to issue license

Approved.

CLAUSE 10: Application for license

Approved.

CLAUSE 11: Registration instead of license

Approved.

CLAUSE 12: Licenses non-transferable

Approved.

CLAUSE 13: Renewal of license

Approved.

CLAUSE 14: Conditions of license

Approved.

CLAUSE 15: Right ot be heard

Approved.

CLAUSE 16: Standards, criteria and directives

Approved.

CLAUSE 17: Power to enter and inspect

Approved.

CLAUSE 18: Rules of systems

Approved.

CLAUSE 19: Access to systems

Approved.

CLAUSE 20: Outsourcing of activities

Approved.

CLAUSE 21: Agents

Approved.

CLAUSE 22: Liability for acts of agents, employees etc.

Approved.

CLAUSE 23: Legislation on anti-money laundering or terrorist financing

Approved.

CLAUSE 24: Retention of records

Approved.

CLAUSE 25: Access to information and disclosure

Approved

CLAUSE 26: Fees and charges

Approved.

CLAUSE 27: Settlement of accounts

Approved.

CLAUSE 28: Finality of payment

Approved.

CLAUSE 29: Collateral of payment and settlement obligation

Approved.

CLAUSE 30: Central Bank to be notified of winding-up

Approved

CLAUSE 31: Prohibition

Approved.

CLAUSE 32: Winding-up or administration of participant not to affect finality

Approved.

CLAUSE 33: Rules of the Central Bank and licensed systems to bind liquidators

Approved.

CLAUSE 34: Preservation of rights

Approved.

CLAUSE 35: Conflict of laws

Approved.

CLAUSE 36: Cheque truncation and electronic cheque image presentment

Approved.

CLAUSE 37: Powers of Central Bank

Approved.

CLAUSE 38: Customers to be notified on fees

Approved.

CLAUSE 39: Terms and transfers

Approved.

CLAUSE 40: Issuance of electronic money

Approved.

CLAUSE 41: Administrative penalties

Approved.

CLAUSE 42: Offences

Approved

CLAUSE 43: Settlement of disputes

Approved.

CLAUSE 44: Exemption from liability

Approved.

CLAUSE 45: Regulations and directives

Approved.

CLAUSE 46: Saving and transition

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement
TITLE: National Payment System Bill 2013

Approved.

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

“CORRECTION:

“To omit the number “2013” and substitute thereby the number “2014” thus the Bill reads:-

“National Payment System Bill 2013”

Correction Approved.

Clause 1 and the Title was approved with Corrections.

The Bill progressed with Corrections.

Government Order of the Day No.15 called.

15. Apprenticeship Bill 2013 – consideration in detail

- P.P.2013/2014 No.60, Report of Works, Transport and Environment on the Apprenticeship Bill 2013.

Hon Fonotoe Nuafesili Pierre Lauofo moved, “That the Legislative Assembly sets aside consideration of the Apprenticeship Bill 2013 with reports of the Works, Transport and Environment Committee stated above, given that a few amendments have just arrived for the Bill of the Office of the Attorney General, and a need for the Committee to re- look into this report for confirmation.” Seconded by Maualaivao Pat Ah Him / Peseta Vaifou Tevaga / Muagututagata Faamausili Auimatagi Peter Ah Him / Afoafouvale John Moors.

Motion approved and the Report of the Committee was set aside.

Government Order of the Day No.16 called.

16. Samoan Language Commission Bill 2012 – consideration in detail

- P.P.2013/2014 No.61, Report of the Education, Science, Communication and Technology Committee on the Samoan Language Commission Bill 2012.

Lenatai Victor Tamapua moved, “That the Legislative Assembly confirms the report of the Committee which puts forward its Findings, Recommendations and Resolutions.” Seconded by Afoafouvale John Moors / Ifopo Matia Filisi.

The Report of the Committee was approved.

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Act binds Government

Approved.

CLAUSE 4: Objectives

Approved.

CLAUSE 5: Samoan language to be an official language

Debate.

Clause 5 was approved.

CLAUSE 6: Establishment

Approved.

CLAUSE 7: Functions and powers

Approved.

CLAUSE 8: Board of the Commission

Debate

Clause 8 was approved.

“AMENDMENT:

Lenatai Victor Tamapua moved the Amendment to Clause 8 as follows:-

(i) (1)(b):

To omit the words “six (6)” which appears at the beginning of (b) and substitute thereby the word “nine” thus reads:-

(b) nine members appointed by the Head of State, acting on the advice of Cabinet”.

(ii) (2) & (3):

To omit (2) & (3) and substitute thereby the new (2) & (3) as follows:-

“(2) For the purpose of subsection (1) (b), Cabinet must take into account:

- (a) The suitability of a person for appointment to the Board;
- (b) The person’s personal attributes; and
- (c) The person’s knowledge and experience in the use of the Samoan language ; and
- (d) Any other matters likely to come before the Board; and
- (e) The views of the Minister consults with the following:
 - (i) a representative of the Samoan National Council of Churches; and
 - (ii) a representative of the Special Committee on Traditional Salutation and Legends; and
 - (iii) a representative of the Samoa National Council of Women; and
 - (iv) a representative of the Centre for Samoan Studies at the National University of Samoa; and
 - (v) Chief Executive Officer; Ministry of Education, Sports and Culture; and
 - (vi) Chief Executive Officer, Ministry of Justice and Courts Administration; and
 - (vii) Clerk of the Legislative Assembly.

(3) An appointed member:-

- (a) holds office for a term not exceeding 3 years; and
- (b) is eligible for reappointment; and
- (c) when the term of office expires, continuing in office until the appointed member is reappointed or replaced.”

Amendments approved.

Clause 8 approved with amendments.

Proceedings of the Legislative Assembly was suspended at 10:22am for recess and re-commenced at 11:03am.

CLAUSE 9: Powers of the Board

Debate

Clause 9 now approved.

CLAUSE 10: Meetings and Secretary of the Board

Approved.

CLAUSE 11: Minutes of meetings

Approved.

CLAUSE 12: Remuneration and allowances

Approved.

CLAUSE 13: Disclosure of conflict of interest

Approved.

CLAUSE 14: Board to have regard to government policy

Approved.

CLAUSE 15: Delegation

Approved.

CLAUSE 16: Resignation and removal of members

Approved.

CLAUSE 17: Appointment and removal of the Commissioner

Approved.

CLAUSE 18: Duties of the Commissioner

Approved.

CLAUSE 19: Appointment and removal of the Executive Director

Debate

Clause 19 now approved.

CLAUSE 20: Functions of Executive Director

Approved.

CLAUSE 21: Appointment of officers and employees.

Approved.

CLAUSE 22: Funds of the Commission

Approved.

CLAUSE 23: Accounts and annual reports

Approved.

CLAUSE 24: Protection against personal liability

Approved.

CLAUSE 25: Regulations

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Samoan Language Commission Bill 2012

“CORRECTION:

To omit the numbers “2012” and substitute thereby with “2014” thus the Bill reads:

“Samoan Language Commission Bill 2014”

Corrections approved.

Clause 1 and the Title was approved with Correction.

The Bill progressed with Corrections and Amendments.

Government Order of the Day No.17 called.

17. Electric Power Corporation Amendment Bill 2012 – consideration in detail

-P.P.2013/2014 No.71, Report of the Works, Transport & Environment Committee on the Electric Power Corporation Amendment Bill 2012.

Tusa Misi moved, “That the Legislative Assembly confirms the report of the Committee which outlines its Findings, Recommendations and Resolutions.”

Seconded by Afoafouvale John Moors / Tuisa Tasi Patea.

Motion approved and the Committee’s Report was confirmed and approved.

CLAUSE 2: Chief Executive Officer

Tusa Misi Tupuola moved the Amendment to Clause 2 as follows:

“AMENDMENT:

To insert the new subsection 4 as follows:

“(4) for the purpose of this section and Section 33 the term qualified engineer. It means a professional engineer who is specialised in electrical and power installations, and holds an official certified degree in electronic power and electrical generators.”

Amendment Approved.

Clause 2 approved with Amendments.

CLAUSE 3: Employees

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Electric Power Corporation Amendment Bill 2014.

Tusa Misi Tupuola moved the Correction to Clause 1 and the Title as follows:-

“CORRECTION:

“To omit the numbers “2012” and thereby substitute with “2014” thus the Title reads:-

“Electric Power Corporation Amendment Bill 2014”

Corrections Approved.

Clause 3 approved with Corrections.

The bill progressed with Corrections and Amendments.

Government Order of the Day No.18 called.

18. Medical Practitioners Amendment Bill 2013 – second reading

Hon Tuitama Talalelei Tuitama moved, “*That the Medical Practitioners Amendment Bill 2013 be now read the second time and I wish to briefly elaborate on it.*” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

The Minister elaborated the Bill.

Debate.

Motion approved and the Bill was read the second time.

Pursuant to Standing Orders, the Bill was referred to the Health, Social Services, Internal Affairs and Community and Social Development Committee for consideration and report back to the Legislative Assembly in the future.

9. CONSIDERATION OF COMMITTEE’S REPORTS

- (i) P.P.2013/2014 No.30, Report of the Income and Revenue Committee on P.P.2012/2013 No.92, Corporate Plan of the Office of the Clerk of the Legislative Assembly 2013-2015.**

Report of the Committee was approved.

- (ii) P.P.2013/2014 No.56, Officers of Parliament Committee on P.P.2012/2013 No.13, Report of the Controller and Chief Auditor for July 2009 – June 2010 & P.P.2013/2014 No.12, Report of the Controller and Chief Auditor for July 2010-June 2011.**
Muagututagata Faamausili Auimatagi Peter Ah Him (Chairman of the Officers of Parliament) moved, “*That the Legislative Assembly confirms the report of the Committee which outlines its Findings, Recommendations and Resolutions.*”

The Chairman presented the report of the Committee and was approved.

The Proceedings of the Legislative Assembly now adjourned at 12:30pm until Tuesday 18 March 2014 at 9:00am.

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

TUESDAY 18 MARCH 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaionanu Taeu Masipau, Afioga Levaopolo Talatonu, Afioga Hon Aeau Peniamina Leavaiseeta, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, 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 Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Afioga Muagututagata Faamausili Peter Ah Him, Tofa Tuileutu Alavaa Voi, Tofa Afioga Taefu Lemi, Tofa Alo Fulifulu Taveuveu, Tofa Tuilo'a Anitelea, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Sooalo Mene, Afioga Lafaitale Patrick Leiatuaalesa, Tofa Lenatai Victor Faafoi Tamapua, Tofa Lefau Harry Schuster, Afioga Afualo Wood Uti Salele.

2. ABSENT MEMBERS:

Tofa Hon Tolofuaivalelei Falemoe Leiatuaa, Afioga Hon Palusalua Faapo II, Tofa Lautafi Fio Selafi Purcell, Afioga Motuopuaa Aisoli Vaai, Tofa Aveau Nikotemo Palamo, Agafili Patisela Eteuati Tolovaa.

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 communicated the text of the Message from the Head of State permitting the Legislative Assembly to consider the following bills:

- i. Maritime Zones Amendment Bill 2014
- ii. Tax Administration Amendment Bill 2014
- iii. Trusts Bill 2014.
- iv. International Companies Amendment Bill 2014.
- v. Counter Terrorism Bill 2014
- vi. International Criminal Court Amendment Bill 2014.
- vii. Metrology Bill 2014.

6. CERTIFICATE OF URGENCY

Mr Speaker tabled the Certificate of Urgency of the Bill submitted:-

- i. Trusts Bill 2014.
- ii. International Companies Amendment Bill 2014
- iii. Counter Terrorism Bill 2014.

7. OBITUARY SPEECH

Speaker announced the passing away of Afioga ANAULI Pofitu Fesili, who was a member of Parliament on the 3rd February 2014. ANAULI Pofitu Fesili was one of the member's of the Territorial Constituency of Vaimauga Sisifo from the years 2006-2011.

Afioga ANAULI Pofitu Fesili was an Associate Minister for the Audit Office as well as the Accident Compensation Corporation from the years 2006-2011. He was also the Chairman of the Petitions Committee of Parliament from 2008-2009 where opposed petitions on Road change were considered.

He was also a member of the Office of Parliament Committee, Works, Transport and Environment Committee as well as the Regulations Review Committee from 2006-2011.

Members were upstanding for a minute to pay tribute to the passing member.

8. OTHER ANNOUNCEMENTS BY MR SPEAKER

The Speaker announced the presence of students and teachers who are partaking in our School Open Week Parliament Awareness Program as carried out from last year. He further announced the presence of our dignitaries from Australia who are here to assist us with the building of our new Chamber House sometimes in the future.

9. PRESENTATION OF SELECT COMMITTEE REPORTS

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

- i. P.P.2013/2014 No.83, Government Administration Committee Report on P.P.2013/2014 No.3, Annual Report of the Unit Trust of Samoa for the Financial Year Ending 30 June 2012.
- ii. P.P.2013/2014 No.84, Government Administration Committee Report on P.P.2012/2013 No.44, Statement of Corporate Objectives of the Unit Trust of Samoa for the period 2013-2015.
- iii. P.P.2013/2014 No.85, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.51 & P.P.2013/2014 No.14, Betting Totalisator Agency Board Financial Statements for the Financial Year ending 30 June 2011 and Financial Year ending 30 June 2012.
- iv. P.P.2013/2014 No.86, Report of the Works, Transport and Environment Committee on the Apprenticeship Bill 2013.
- v. P.P.2013/2014 No.87, Report of the Works, Transport & Environment Committee on the Lands, Survey and Environment Amendment Bill 2013.
- vi. P.P.2013/2014 No.88, Report of the Finance and Expenditure Committee on P.P.2013/2014 No.21, Annual Report of the Samoa Life Assurance Corporation for the Financial Year 2011/2012.
- vii. P.P.2013/2014 No.89, Report of the Works, Transport & Environment Committee on the Unit Titles Amendment Bill 2013.
- viii. P.P.2013/2014 No.90, Report of the Works, Transport & Environment Committee on P.P.2012/2013 No.71, Annual Report of the Samoa Ports Authority for the Financial Year ending 30 June 2011.
- ix. P.P.2013/2014 No.91, Report of the Works, Transport & Environment Committee on P.P.2013/2014 No.6, Annual Report of the Samoa Airport Authority for the Financial Year ending 30 June 2011.
- x. P.P.2013/2014 No.92, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.61 & P.P.2013/2014 No.75, Annual Reports of the Polynesian Airlines for the Financial Years ended 30th June 2012 and Financial Year ended 30th June 2013.
- xi. P.P.2013/2014 No.93, Report of the Justice, Police & Prisons and Land and Titles Committee on P.P.2012/2013 No.91, Samoa Law Reform Commission Report on the Village Fono Act 1990, Report 09/12.
- xii. P.P.2013/2014 No.94, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.41, Annual Report of the Samoa International Finance for the Financial Year ended 30th June 2012.
- xiii. P.P.2013/2014 No.95, Report of the Government Administration Committee on P.P.2013/2014 No.77, Annual Report of the Office of the Attorney General for the Financial Year ended 30th June 2012.
- xiv. P.P.2013/2014 No.96, Report of the Education, Science, Communication & Information Technology on P.P.2013/2014 No.20, Annual Report of the National University of Samoa for the Financial Year 1st July 2010 – 30th June 2011.
- xv. P.P.2013/2014 No.97, Report of the Justice, Police & Prisons and Land and Titles Committee on P.P.2013/2014 No.52, Annual Report of the Samoa Law Reform Commission for Financial Year July 2011 – June 2012.
- xvi. P.P.2013/2014 No.98, Report of the Education, Science, Communication & Information Technology Committee on the Telecommunication Amendment Bill 2013.
- xvii. P.P.2013/2014 No.99, Report of the Education, Science, Communication & Information Technology Committee on P.P.2012/2013 No.80, Samoa Qualifications Authority Statement of Objectives 2013 – 2015.

- xviii. **P.P.2013/2014 No.100, Report of the Education, Science, Communication & Information Technology Committee on P.P.2012/2013 No.57, Samoa Post Corporate Plan 2013-2015 & P.P.58, Samoa Post Statement of Corporate Objectives 2013-2015.**
- xix. **P.P.2013/2014 No.101, Report of the Health and Social Services, Internal Affairs, Community and Social Development Committee on P.P.2012/2013 No.12, Annual Report of the National Kidney Foundation of Samoa for 1 July 2010 to 30th June 2011.**
- xx. **P.P.2013/2014 No.102, Report of the Justice, Police & Prisons and Land and Titles Committee on the Police Offences Amendment Bill 2013.**
- xxi. **P.P.2013/2014 No.103, Report of the Primary Production, Commerce, Industry and Labour Committee on the Trade, Commerce and Industry Amendment Bill 2013.**
- xxii. **P.P.2013/2014 No.104, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2013/2014 No.69, Annual Report of the Ministry of Commerce, Industry and Labour for the Financial Year ended 30th June 2012.**
- xxiii. **P.P.2013/2014 No.105, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2013/2014 No.40, Annual Report of the Samoa Tourism Authority for the Financial Year ended 30th June 2012.**
- xxiv. **P.P.2013/2014 No.106, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2013/2014 No.5, Annual Report of the Development Bank of Samoa for the Financial Year ended 30th June 2012.**
- xxv. **P.P.2013/2014 No.107, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2012/2013 No.76, Annual Report of the Samoa Trust Estates Corporation for the Financial Year ended 30th June 2011.**
- xxvi. **P.P.2013/2014 No.108, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2012/2013 No.75, Annual Report of the Ministry of Agriculture and Fisheries for the Financial Year ended 30th June 2011.**
- xxvii. **P.P.2013/2014 No.109, Report of the Foreign Affairs, Trade and Revenue Committee on the Counter Terrorism Bill 2012.**
- xxviii. **P.P.2013/2014 No.110, Report of the Foreign Affairs, Trade and Revenue Committee on P.P.2012/2013 No.67, Annual Report of the Ministry for Revenue for 2008/2009, P.P.2012/2013 No.68, Annual Report of the Ministry for Revenue for 2010/2011, P.P.2012/2013 No.70, Annual Report of the Ministry of Revenue for 2010/2011, P.P.2012/2013 No.70, Annual Report of the Ministry for Revenue for 2012/2013.**
- xxix. **P.P.2013/2014 No.111, Report of the Regulations Review Committee on S.R.2013/1, S.R.2013/2, S.R.2013/3, S.R.2013/4, S.R.2013/5, S.R.2013/6, S.R.2013/7, S.R.2013/8, S.R.2013/9 & S.R.2013/10.**
- xxx. **P.P.2013/2014 No.112, Report of the Justice, Police & Prisons and Land and Titles Committee on P.P.2011/2012 No.105, Annual Report of the Ministry of Justice & Courts Administration for the Financial Year 2010/2011.**
- xxxi. **P.P.2013/2014 No.113, Report of the Business, Standing Orders, House and Electoral Committee on P.P.2011/2012 No.96, Report of the Office of the Electoral Commissioner on the 2011 By-Elections.**
- xxxii. **P.P.2013/2014 No.114, Report of the Health and Social Services Committee on P.P.2012/2013 No.16 and P.P.2013/2014 No.1, Annual Reports of the 30th June 2011 and Period ended 30th June 2012.**
- xxxiii. **P.P.2013/2014 No.115, Report of the Health and Social Services Committee on P.P.2012/2013 No.16, and P.P.2013/2014 No.73, Report of Operations and Statement of Accounts of the Samoa Senior Citizens Benefit Fund 2012/2013.**

- xxxiv. P.P.2013/2014 No.116, Report of the Business, Standing Orders, House and Electoral Committee on P.P.2012/2013 No.25, P.P.2012/2013 No.53, and P.P.2012/2013 No.54, Annual Reports of the Office of the Electoral Commissioner for their Financial Years 2008/2009, 2009/2010 & 2010/2011.
- xxxv. P.P.2013/2014 No.117, Report of the Education, Science, Communication and Information Technology Committee on P.P.2013/2014 No.72, Annual Report of the Ministry of Communication and Information Technology for the Year 2010-2011.
- xxxvi. P.P.2013/2014 No.118, Report of the Health and Social Services Committee on P.P.2013/2014 No.46, Annual Report of the Samoa Housing Corporation for the year 2012.
- xxxvii. P.P.2013/2014 No.119, Report of the Works, Transport & Environment Committee on P.P.2013/2014 No.4, Statement of Corporate Objectives of the Electric Power Corporation for the Period 2013-2015.
- xxxviii. P.P.2013/2014 No.120, Report of the Officers of Parliament Committee on P.P.2012/2013 No.5 and P.P.2013/2014 No.2, Annual Reports of the Parliamentary Pension Scheme for the Year 2010/2011 & Year 2011/2012.
- xxxix. P.P.2013/2014 No.121, Report of the Works, Transport and Environment Committee on P.P.2013/2014 No.15, Annual Report of the Electric Power Corporation for the Financial Year Ended 30th June 2012.
 - xl. P.P.2013/2014 No.122, Report of the Education, Science, Communications and Information Technology Committee on P.P.2013/2014 No.26, Annual Report of the Ministry of Education, Sports and Culture 1 July 2011 – 30th June 2012.
 - xli. P.P.2013/2014 No.123, Report of the Education, Science, Communications and Information Technology Committee on P.P.2012/2013 No.11, and P.P.2013/2014 No.39, Annual Reports of the Scientific Research Organisation of Samoa for the Financial Years 2010-2011 and Financial Year 2011-2012.
 - xl.ii. P.P.2013/2014 No.124, Report of the Government Administration Committee on P.P.2012/2013 No.42, Annual Report of the Samoa Post for the Financial Year 2009/2010.
 - xl.iii. P.P.2013/2014 No.126, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.21 & P.P.2012/2013 No.45, Central Bank of Samoa Annual Reports for the Financial Years 2010/2011 & 2011/2012.
 - xl.iv. P.P.2013/2014 No.127, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.38, P.P.2012/2013 No.39, & P.P.2012/2013 No.40, Public Accounts for the Financial Years ended 30th June 2008, 30th June 2009 and Financial Year ended 30th June 2010.

10. PRESENTATION OF PAPERS:

The Clerk presented the Papers handed over pursuant to Standing Orders 48.

- i. S.R.2014/1, General Price Order (No.1) 2014.
- ii. P.P.2013/2014 No.78, Ministry of Police and Prisons Annual Report for the Financial Year 2007-2008.
- iii. P.P.2013/2014 No.79, Ministry of Police and Prisons Annual Report for the Financial Year 2008/2009.
- iv. P.P.2013/2014 No.80, National University of Samoa Annual Report for the Year 2012.

- v. P.P.2013/2014 No.81, Government Responses on P.P.2012/2013 No.33, Report of the Finance and Expenditure Committee on P.P.2011/2012 No.30, Statement of Accounts of the Betting Totalisator Agency Board for the Financial Year ending 30 June 2010.
- vi. P.P.2013/2014 No.82, Annual Report of the Ministry of Agriculture and Fisheries for the Year July 2011 – June 2011.
- vii. P.P.2013/2014 No.125, Government Responses on P.P.2013/2014 No.30, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.92, Corporate Plan of the Office of the Legislative Assembly 2013-2015.

11. MOTION BY THE MINISTERS OF POLICE AND PRISONS

Hon Sala Fata Pinati moved, *“That the old Counter Terrorism Bill 2012 be withdrawn.”* Seconded by Hon Manualesagalala Enokati Posala / Hon Faamoetaulao Lealaiauloto Ulaitino Faale Tumaalii.

12. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. National Payment System Bill 2014 – third reading

Hon Faumuina Tiatia Faaolatane Liuga moved, *“That the National Payment System Bill 2014 now read the third time.”* Seconded by Hon Tuiloma Lameko / Hon Tuisugaletaua Sofara Aveau / Hon Fonotoe Nuafesili Pierre Laufo.

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

Government Order of the Day No.2 called.

2. Samoan Language Commission Bill 2014 – third reading

Hon Magele Mauiliu moved, *“That the Samoan Language Commission Bill 2014 be now read a third time.”* Seconded by Hon Le Mamea Ropati / Hon Faamoetaulao Lealaiauloto Ulaitino Faale Tumaalii / Hon Manualesagalala Enokati Posala / Hon Sala Fata Pinati.

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

Government Order of the Day No.3 called.

3. Electric Power Corporation Amendment Bill 2014 – first reading

Hon Manualesagalala Enokati Posala moved, *“That the Electric Power Corporation Amendment Bill 2014 be now read the first time.”* Seconded by Hon Faamoetaulao Lealaiauloto Ulaitino Faale Tumaalii / Hon Sala Fata Pinati / Hon Magele Mauiliu.

Motion approved and the Bill was read the first time.

Government Order of the Day No.4 called.

4. Maritime Zones Amendment Bill 2014 – first reading

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, *“That the Maritime Zones Amendment Bill 2014 be now read a first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read the first time.

Government Order of the Day No.5 called.

5. Tax Administration Amendment Bill 2014 – first reading

Hon Tuiloma Lameko moved, “*That the Tax Administration Amendment Bill 2014 be now read a first time.*” Seconded by Hon Faumuina Tiatia Faaolatane Liuga.

Motion approved and the Bill was read the first time.

Government Order of the Day No.6 called.

6. Trusts Bill 2014 – first reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “*That the Trusts Bill 2014 be now read a first time.*” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read the first time.

Government Order of the Day No.7 called.

7. International Companies Amendment Bill 2014 – first reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “*That the International Companies Amendment Bill 2014 be now read a first time.*” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read the first time.

Government Order of the Day No.8 called.

8. Counter Terrorism Bill 2014 – first reading

Hon Sala Fata Pinati moved, “*That the Counter Terrorism Bill 2014 be now read a first time.*” Seconded by Hon Faamoetauloa Lealaiauloto Ulaitino Faale Tumaalii.

Motion approved and the Bill was read the first time.

Government Order of the Day No.9 called.

9. International Criminal Court Amendment Bill 2014 – first reading

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neiote Sailele Malielegaoi moved, “*That the International Criminal Court Amendment Bill 2014 be now read a first time.*” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tuiloma Lameko / Hon Faumuina Tiatia Faaolatane Liuga.

Motion approved and the Bill was read the first time.

Government Order of the Day No.10 called.

10. Metrology Bill 2014 – first reading

Hon Fonotoe Nuafesili Pierre Laufo moved, “*That the Metrology Bill 2014 be now read a first time.*” Seconded by Hon Tuiloma Lameko / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tuisugaletaua Sofara Aveau.

Motion approved and the Bill was read the first time.

Government Order of the Day No.11 called

11. Family Court Bill 2013 – second reading

Hon Fiamē Naomi Mataafa moved, *“That the Family Court Bill 2013 be now read the second time and I wish to briefly clarify it.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tuiloma Lameko / Hon Faumuina Tiatia Faaolatane Liuga.

The Minister clarified the Bill.

Debate.

Motion approved and the Bill was read the second time.

Prusuant to Standing Order, the bill is now referred to the Justice, Police & Prisons and Land & Titles Committee for consideration and report back to the Legislative Assembly in the future.

Proceedings of the Legislative Assembly was set aside at 10.47am for its morning recess and resumed at 11.30am.

Government Order of the Day No.12 called.

12. National Kidney Foundation of Samoa Amendment Bill 2013 – second reading
Hon Tuitama Leao Talalelei Tuitama moved, *“That the National Kidney Foundation of Samoa Amendment Bill 2013 be now read the second time and I wish to elaborate on it.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Tuiloma Lameko / Hon Mauiliu Magele / Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaalii.

The Minister elaborated the Bill.

MOTION TO AMEND SITTING HOURS:

Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi moved, *“That the amended hours for today’s sitting commence from 9:00am – 1:00pm and re-commence at 7:00pm until 11:00pm.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tuitama Leao Talalelei Tuitama.

Debate continued over the second reading of National Kidney Foundation of Samoa Amendment Bill 2013.

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

Debate resumed at 7:00pm over second reading of the National Kidney Foundation of Samoa Amendment Bill 2013.

Afoafouvale John Moors moved, *“That an extended time be granted for the Minister.”* (Honorable Minister of Health, Tuitama Talalelei Tuitama).

Motion was not granted.

Motion approved and the Bill was read the second time.

Government Order of the Day No.13 called.

13. Fair Trading Amendment Bill 2013 – second reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Fair Trading Amendment Bill be now read the second time and I wish to comment on it.*” Seconded by Hon Tuiloma Lameko / Hon Faumuina Tiatia Faaolatane Liuga.

The Minister clarified the Bill.

Proceedings of the Legislative Assembly was suspended at 8.44pm until 9.24pm.

The Minister further elaborated the Bill.

Debate.

Motion approved and the Bill was read the second time.

Government Order of the Day No.14 called.

14. Plumbers Bill 2013 – second reading

Hon Manualesagalala Enokati Posala moved, “*That the Plumbers Bill 2013 be now read the second time.*” Seconded by Hon Sala Fata Pinati / Hon Faamoetauloa Lealaiauloto Ulaitino Faale Tumaalii / Hon Magele Mauiliu / Hon Tuitama Talalelei Tuitama / Ifopo Matia Filisi.

The Minister clarified the Bill.

Debate.

- 13. Proceedings of the Assembly was adjourned at 11:00pm until Wednesday, 19 March 2014 at 9.00am.**

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

WEDNESDAY 19 MARCH 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

MEMBERS

Afioga Hon Palusalua Faapo II, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Tapuai Toese Ah Sam, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaio Manu Taea Masipau, Afioga Levaopolo Talatonu, Afioga Hon Aeau Peniamina Leavaiseeta, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, 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 Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Afioga Muagututagata Faamausili Peter Ah Him, Tofa Tuileutu Alavaa Voi, Tofa Afioga Taefu Lemi, Tofa Alo Fulifuli Taveuveu, Tofa Aveau Nikotemo Palamo, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Sooalo Mene, Afioga Lafaitale Patrick Leiataualesa, Tofa Lefau Harry Schuster, Afioga Afualo Wood Uti Salele, Afioga Motuopuaa Aisoli Vaai, Agafili Patisela Eteuati Tolovaa.

2. ABSENT MEMBERS:

Tofa Lautafi Fio Selafi Purcell, Tofa Tuilo'a Anitelea, Tofa Lenatai Victor Faafoi Tamapua.

3. The Legislative Assembly met at 9.00am.

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

5. SPEAKER'S ANNOUNCEMENT

Speaker announced the importance of the ongoing Open Week Program of the Parliament for students from here and around the country, and the welcomed the teachers and students present in Chamber today.

6. PRESENTATION OF SELECT COMMITTEE REPORTS

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

- (i) P.P.2013/2014 No.128, Report of the Works, Transport & Environment Committee on P.P.2012/2013 No.24, P.P.2013/2014 No.22, & P.P.2013/2014 No.23, Annual Reports of the Samoa Water Authority for the Financial Years ending 30th June 2010, 30th June 2011 and 30th June 2012.
- (ii) P.P.2013/2014 No.129, Report of the Works, Transport and Environment Committee on P.P.2013/2014 No.7, Statement of Corporate Objectives of the Samoa Water Authority for the Period 2013-2015.
- (iii) P.P.2013/2014 No.130, Report of the Officers of Parliament Committee on P.P.2012/2013 No.74, Report to Parliament of the Komesina o Sulufaiga (Ombudsman) to 30th June 2012.
- (iv) P.P.2013/2014 No. 131, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2011/2012 No.85, and P.P.2012/2013 No.72, Annual Reports of the Ministry of Commerce, Industry and Labour for the Financial Years ended 30th June 2010 and 30th June 2011.
- (v) P.P.2013/2014 No.132, Report of the Justice, Police and Prisons and Land and Titles Committee on P.P.2013/2014 No.49, P.P.2013/2014 No.50 & P.P.2013/2014 No.51, Annual Reports of the Fire and Emergency Services for Financial Years 2009-2010, 2010-2011 and 2011-2012.
- (vi) P.P.2013/2014 No.133, Report of the Health and Social Services, Internal Affairs, Community and Social Development Committee on P.P.2013/2014 No.42, Annual Report of the National Health Services 2009-2010.

7. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Plumbers Bill 2014 – second reading continued

Debate continued over second reading of Plumbers Bill 2014.

Speaker instructed the removal of these words from Parliamentary records by Toeolesulusulu, *“The plumbers of Samoa Water Authority are incompetent”*.

Lealailepule Rimoni Aiafi moved, *“To have everyone with infected pink eye disease be removed from Chamber, incase one of us gets infected, as we have a lot of work to be completed”*.

Motion was not granted.

Proceedings of the Legislative Assembly were set aside for its recess at 10:45am and resumed at 11:27am.

SPEAKER'S ANNOUNCEMENT:

Speaker reminded that members are to be mindful of the timing when the bell rings and take into consideration the Parliament Code of conduct.

Debate continued.

Motion approved and the Plumbers Bill 2014 was read the second time.

Government Order of the Day No.2 called.

2. Scientific Research Organisation of Samoa Amendment Bill 2014 – second reading

Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaalii moved, *“That the Scientific Research Organisation of Samoa Amendment Bill 2014 be now read the second time and I wish to briefly elaborate on it.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Tuitama Talalelei Tuitama / Hon Magele Mauiliu / Hon Manualesagalala Enokati Posala / Hon Sala Fata Pinati.

The Minister briefly elaborated the Bill.

Debate.

Proceedings of the Legislative Assembly were suspended at 1:00pm today to be continued at 7:00pm.

Proceedings continued at 7:00pm.

Debate continued over the second reading of the Scientific Research Organisation of Samoa Amendment Bill 2014.

Motion approved and the Bill was read the second time.

Government Order of the Day No.3 called.

3. Slaughter and Meat Supply Bill 2014 – second reading

Hon Le Mamea Ropati moved, *“That the Slaughter and Meat Supply Bill 2014 be now read the second time and I wish to comment on it.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

The Minister clarified the Bill.

Debate.

Proceedings of the Legislative Assembly was suspended at 8:43pm and resumed at 9:20pm.

Debate resumed on the Bill.

Motion approved and the Bill was read the second time.

Government Order of the Day No.4 called.

4. Trusts Bill 2014 – second reading

Hon Faumuina Tiatia Faaolatane Liuga moved, *“That the Trusts Bill 2014 be now read the second time and I wish to elaborate it.”* Seconded by Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

The Minister elaborated the Bill.

Debate.

Motion approved and the Bill was read the second time.

Government Order of the Day No.5 called.

5. International Companies Amendment Bill 2014 – second reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “*That the International Companies Amendment Bill 2014 be now read the second time and I wish to briefly explain it.*” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tolofuaivalelei Falemoe Leiataua.

The Minister briefly explained the Bill.

Debate.

Motion approved and the Bill was read the second time.

Government Order of the Day No.6 called.

6. Counter Terrorism Bill 2014 – second reading

Hon Sala Fata Pinati moved, “*That the Counter Terrorism Bill 2014 be now read the second time and I wish to briefly comment on it.*” Seconded by Hon Manualesagalala Enokati Posala / Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaalii.

DECISION BY MR SPEAKER

The Speaker announced that given the number of Bills and Reports that needs to be deliberated and endorsed by Parliament, hence the reminder to all Select Committee members to take heed of all these outstanding work, and report back to Parliament in the ensuing Parliament session in June 2014.

- 8. Proceedings of the Legislative Assembly were adjourned at 11.02pm until Thursday, 20th March 2014 at 9:00am.**

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

THURSDAY 20 MARCH 2014**1. MEMBERS PRESENT:****SPEAKER**

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

MEMBERS

Afioga Hon Palusalua Faapo II, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Tapuai Toese Ah Sam, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaianu Taea Masipau, Afioga Levaopolo Talatonu, Afioga Hon Aeau Peniamina Leavaiseeta, Tofa Fagaaivalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maualaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Tofa Aveau Nikotemo Palamo, Susuga Papaliitele Niko Lee Hang, Tofa Tuileutu Alavaa Voi, Tofa Afioga Taefu Lemi, Tofa Alo Fulifulu Taveuveu, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Soalo Mene, Afioga Lafaitale Patrick Leiataualesa, Afioga Afualo Wood Uti Salele.

2. ABSENT MEMBERS:

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Le Mamea Ropati, Afioga Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaalii, Afioga Motuopuaa Aisoli Vaai, Tofa Lautafi Fio Selafi Purcell, Tofa Tuilo'a Anitelea, Tofa Lenatai Victor Fafoi Tamapua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Tafua Maluelue Tafua, Tofa Lefau Harry Schuster, Agafili Patisela Eteuati Tolovaa.

3. The Legislative 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. Counter Tourism Bill 2014 – second reading (Day 2)

The Minister of Police, Prisons and Fire Emergency Services clarified the Bill.

Debate.

Motion approved and the Bill was read the second time.

Government Order of the Day No.2 called.

2. Counter Tourism Bill 2014 – Consideration in Detail

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Definition of terrorist act.

Approved.

CLAUSE 4: United Nations listed entities to be specified entities.

Approved.

CLAUSE 5: Declaration that certain entities are specified entities.

Approved.

CLAUSE 6: Variation or revocation of declaration by the Prime Minister

Approved.

CLAUSE 7: Review of declaration

Approved.

CLAUSE 8: Application to revoke declaration

Approved.

CLAUSE 9: Procedure

Approved.

CLAUSE 10: Harboursing of a person committing a terrorist act

Approved.

- CLAUSE 11:** Provision of weapons to a terrorist group
Approved.
- CLAUSE 12:** Participation in a terrorist group
Approved.
- CLAUSE 13:** Recruiting of a person to be a member of a terrorist group or to participate in a terrorist act
Approved.
- CLAUSE 14:** Terrorist bombing
Approved.
- CLAUSE 15:** Attempted terrorist bombing
Approved.
- CLAUSE 16:** Participation in a terrorist bombing and unlawful possession of an explosive etc.
Approved.
- CLAUSE 17:** Hostage-taking
Approved.
- CLAUSE 18:** Attempted or participation in hostage-taking.
Approved.
- CLAUSE 19:** Attack against an internationally protected person.
Approved.
- CLAUSE 20:** Unlawful entry of premises of an internationally protected person.
Approved.
- CLAUSE 21:** Attempted or participation in attack against an internationally protected person.
Approved.
- CLAUSE 22:** Threat of attack against an internationally protected person.
Approved.
- CLAUSE 23:** Terrorism financing

Approved.

CLAUSE 24: **Attempted, participation, etc., in financing and support for terrorist acts.**

Approved.

CLAUSE 25: **Provision of property or services to a terrorist group**

Approved.

CLAUSE 26: **Dealing with terrorist group**

Approved.

CLAUSE 27: **Hijacking, attempted, etc., hijacking**

Approved.

CLAUSE 28: **Application of the Civil Aviation Act 1998.**

Approved.

CLAUSE 29: **Unlawful movement of nuclear material**

Approved.

CLAUSE 30: **Other unlawful acts relating to nuclear material, including attempt, participation and threat.**

Approved.

CLAUSE 31: **Application of Customs Act 1977.**

Approved.

CLAUSE 32: **Plastic explosives.**

Approved.

CLAUSE 33: **Power of entry.**

Approved.

CLAUSE 34: **Violence at an airport.**

Approved.

CLAUSE 35: **Attempted violence at an airport.**

Approved.

CLAUSE 36: **Seizure of a ship or fixed platform.**

Approved.

CLAUSE 37: Use of nuclear, chemical or other substances on a ship or fixed platform

Approved.

CLAUSE 38: Arrest and delievery

Approved.

CLAUSE 39: Application of this Part

Approved.

CLAUSE 40: Direction to take control of property

Approved.

CLAUSE 41: Notice of direction

Approved.

CLAUSE 42: Variation, revocation, or expiry of direction

Approved.

CLAUSE 43: Court may vary or revoke direction

Approved.

CLAUSE 44: Procedures

Approved.

CLAUSE 45: Application of the Proceeds of Crime Act 2007.

Approved.

CLAUSE 46: Controlled delievery of property.

Approved.

CLAUSE 47: Exchange of information relating to terrorist groups and terrorist acts.

Approved.

CLAUSE 48: Detention of goods suspected to be terrorist property

Approved.

CLAUSE 49: Further provisions regarding detention under section 48.

Approved.

- CLAUSE 50:** Return of goods detained under section 48.
Approved.
- CLAUSE 51:** Extension of 7 day period in section 50.
Approved.
- CLAUSE 52:** Custody of certain goods detained under section 48.
Approved.
- CLAUSE 53:** Offences in relation to certain detained goods.
Approved.
- CLAUSE 54:** Application of Part V of the Crimes Act 2013.
Approved.
- CLAUSE 55:** Liability of a company
Approved.
- CLAUSE 56:** Application of this Part.
Approved.
- CLAUSE 57:** Arrest and extradition of suspected foreign nationals
Approved.
- CLAUSE 58:** Obligation to extradite or prosecute
Approved.
- CLAUSE 59:** Jurisdiction
Approved.
- CLAUSE 60:** Consent of Attorney General
Approved.
- CLAUSE 61:** Power of establish a Committee
Approved.
- CLAUSE 62:** Regulations
Approved.
- CLAUSE 63:** Repeal, transitional and savings

Approved.

CLAUSE 64: Consequential amendments

Approved.

SCHEDULE 1:

Schedule 1 approved

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Counter Terrorism Bill 2014

Clause 1 and the Title was approved.

The Bill progressed without Amendments.

Government Order of the Day No. 3 called.

3. Counter Terrorism Bill 2014 – third reading

Hon Sala Fata Pinati moved, “That the Counter Terrorism Bill 2014 be now read a third time.” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Manualesagalala Enokati Posala.

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

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

Government Order of the Day No.4 called.

4. Trusts Bill 2014 – Consideration in detail

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Application of the Act

Approved.

CLAUSE 4: The nature and existence of a trust

Approved.

CLAUSE 5: The requirements for the creation of a trust.

Approved.

CLAUSE 6: The form which a trust may take

Approved.

CLAUSE 7: Property which may be held in trust

Approved.

CLAUSE 8: The proper law and the power to change the proper law.

Approved.

CLAUSE 9: Matters determined by the Law.

Approved.

CLAUSE 10: Validity and enforceability of a trust

Approved.

CLAUSE 11: Jurisdiction of the Court

Approved.

CLAUSE 12: Fraudulent trust or disposition

Approved.

CLAUSE 13: Unenforceable foreign claim or judgement

Approved.

CLAUSE 14: Duration of a trust

Approved.

CLAUSE 15: Power of accumulation of income and of advancement

Approved.

CLAUSE 16: Who may be beneficiaries and the identification of them

Approved.

CLAUSE 17: Powers to add to and remove from the beneficiaries and to create excluded persons.

Approved.

CLAUSE 18: Disclaimer

Approved.

CLAUSE 19: Class interest

Approved.

CLAUSE 20: Interest of a beneficiary and dealing with such interest

Approved

CLAUSE 21: Protector

Approved

CLAUSE 22: Enforcer

Approved.

CLAUSE 23: Number of trustees

Approved.

CLAUSE 24: Appointment of trustees

Approved.

CLAUSE 25: Acceptance of trusteeship

Approved.

CLAUSE 26: Vacancy in trusteeship

Approved.

CLAUSE 27: Resignation or removal of trustees.

Approved.

CLAUSE 28: The position of the outgoing trustee

Approved.

CLAUSE 29: Duties of trustees

Approved.

CLAUSE 30: Duty to exercise care and skill

Approved.

CLAUSE 31: Power of investment

Approved.

CLAUSE 32: Agents

Approved.

CLAUSE 33: Nominees and custodians

Approved.

CLAUSE 34: Terms of appointment of nominees and custodians

Approved.

CLAUSE 35: Review of agents, nominees and custodians and liability for the appointment of them.

Approved.

CLAUSE 36: Effect of trustees exceeding their powers.

Approved.

CLAUSE 37: Sole trustees

Approved.

CLAUSE 38: Restriction or exclusion of the powers conferred by sections 32 to 36 and by sections 40 to 42

Approved.

CLAUSE 39: Existing trusts

Approved.

CLAUSE 40: Trustees' remuneration and expenses

Approved.

CLAUSE 41: Remuneration and expenses of agents, nominees and custodians.

Approved.

CLAUSE 42: Insurance.

Approved.

CLAUSE 43: Letters or memorandum of wishes

Approved.

CLAUSE 44: Corporate trustee may act by resolution

Approved.

CLAUSE 45: Reserved powers to a settlor

Approved.

CLAUSE 46: Reserved powers to a protector

Approved.

CLAUSE 47: Prescribed directions

Approved.

CLAUSE 48: Samoan International Special Trust Arrangement

Approved.

CLAUSE 49: Interpretation

Approved.

CLAUSE 50: Primary purpose of section 51

Approved.

CLAUSE 51: Designated shares

Approved.

CLAUSE 52: Trustee's duties in relation to designated shares.

Approved.

CLAUSE 53: Restrictions on trustee's powers

Approved.

CLAUSE 54: Provisions relating to directors.

Approved.

CLAUSE 55: Intervention by trustee in management in prescribed circumstances

Approved.

CLAUSE 56: Power to dispose of designated shares

Approved.

CLAUSE 57: Enforcement

Approved.

CLAUSE 58: Power of Court to order disposal

Approved.

CLAUSE 59: Beneficiaries not entitled

Approved.

CLAUSE 60: Disqualification of trustee as a director

Approved.

CLAUSE 61: Ascertaining wishes of settlor

Approved.

CLAUSE 62: Limitation of trustee's duties

Approved.

CLAUSE 63: Combination of a trust with a limited partnership

Approved

CLAUSE 64: Protective trust

Approved.

CLAUSE 65: Charitable trust

Approved

CLAUSE 66: Purpose trust

Approved.

CLAUSE 67: Trustees

Approved.

CLAUSE 68: Limitation on trustee's liability - exculpation

Approved.

CLAUSE 69: Beneficiary's consent, release or ratification

Approved.

CLAUSE 70: Prevention of breach of trust

Approved.

CLAUSE 71: Remedies for breach of trust

Approved.

CLAUSE 72: Damages in absence of breach of trust

Approved.

CLAUSE 73: Protector

Approved.

CLAUSE 74: Enforcer

Approved.

CLAUSE 75: Variation and revocation

Approved.

CLAUSE 76: Failure or lapse of interest

Approved.

CLAUSE 77: Termination

Approved.

CLAUSE 78: Migration

Approved.

CLAUSE 79: Foreign trust

Approved.

CLAUSE 80: Confidentiality and providing information

Approved.

CLAUSE 81: Application to and powers of the Court

Approved.

CLAUSE 82: Payment of cost

Approved.

CLAUSE 83: Nature of a trustee's interest

Approved.

CLAUSE 84: Following trust property

Approved.

CLAUSE 85: Bankruptcy of trustees

Approved.

CLAUSE 86: Protection for persons dealing with trustee

Approved.

CLAUSE 87: Limitation and prescription

Approved.

CLAUSE 88: Constructive trusts

Approved.

CLAUSE 89: Regulations

Approved.

CLAUSE 90: Consequential amendments

Approved.

CLAUSE 91: Repeal, transitional and saving

Approved.

Schedule 1

Schedule 1 Approved

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Trusts Bill 2014

Approved

The Trusts Bill 2014 progressed without Amendment.

Government Order of the Day No.5 called.

5. Trusts Bill 2014 – third reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “That the Trusts Bill 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.

Government Order of the Day No.6 called.

6. International Companies Amendment Bill 2014 – Consideration in detail

CLAUSE 2: Sections 39 and 39A substituted

Approved.

CLAUSE 3: Section 113 amended

Approved.

CLAUSE 4: Repeal and consequential amendments

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: International Companies Amendment Bill 2014

Clause 1 and Title approved

The International Companies Amendment Bill 2014 progressed without Amendment.

Government Order of the Day No.7 called.

7. International Companies Amendment Bill 2014 – third reading

Hon Faumuina Tiatia Faaolatane Liuga moved, “*That the International Companies Amendment Bill 2014 be now read a third time.*” Seconded by Hon Tuiloma Lameko / 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.8 called.

8. Apprenticeship Bill 2013 – consideration in detail

Tusa Misi Tupuola moved, “*That the Assembly confirms the Report of the Committee which permits the consideration of the Bill with Corrections and Amendments*”. Seconded by Afoafouvale John Moors.

- P.P.2013/2014 No.86, Report of the Works, Transport and Environment Committee on the Apprenticeship Bill 2013.

Motion approved and the Report of the Committee was approved.

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Act binds the Government

Approved.

CLAUSE 4: Establishment of the Council

“AMENDMENT:

Tusa Misi Tupuola moved the Amendment to Clause 5 as follows:

Clause4(2)(g):-

To omit the old (g) and substitute thereby the new (g) that reads:-

“(g) one (1) member who is a person who holds a Samoa Apprenticeship Certificate to represent employees from the apprenticeship trades.”

Clause 4 approved with Amendment.

CLAUSE 5: Co-opted members of the Council

Approved.

CLAUSE 6: Vacancies

Approved.

CLAUSE 7: Meetings of the Council

Approved.

CLAUSE 8: Fees and allowances of the Council

Approved.

CLAUSE 9: Functions of the Council

Approved.

CLAUSE 10: Powers of the Council

“AMENDMENT:

Tusa Misi Tupuola moved the Amendment to Clause 10 as follows:

Clause 10(3):

To omit the words “a Tribunal” and substitute thereby the words “the Council” thus subclause (3) reads:-

(3) Subject to subsection (4) any person who, after being summoned or ordered to appear before the council or to produce any books, papers, writings, or documents to the Council and:”

Amendment approved.

Clause 10 approved with Amendment.

CLAUSE 11: Inspection powers of Chief Executive Officer

Approved

CLAUSE 12: Declaration of apprenticeable trade

Approved.

CLAUSE 13: Power to make guidelines

Approved.

CLAUSE 14: Matters for which guidelines may be made

Approved.

CLAUSE 15: Panels of Trade Advisors

Approved.

CLAUSE 16: Sub-committees

Approved.

CLAUSE 17: Application for approval to employ apprentices

Debate.

Clause 17 approved.

CLAUSE 18: Admission to apprenticeship

Debate.

Clause 18 approved.

CLAUSE 19: Medical examination of apprentices

Approved.

CLAUSE 20: General obligations of apprentices

Approved.

CLAUSE 21: General obligations of apprentices

Approved.

CLAUSE 22: Duties of employers to notify

Approved.

CLAUSE 23: Records to be kept by employers

Approved.

CLAUSE 24: Employers to provide information to the Council annually

Approved.

CLAUSE 25: Samoa Apprenticeship Register

Approved.

CLAUSE 26: Contracts of apprenticeship

Approved.

CLAUSE 27: Extent to which contract is binding

Approved.

CLAUSE 28: Contracts to be filed for registration

Approved.

CLAUSE 29: Contracts register and registration of contracts

Approved.

CLAUSE 30: Issue of copies of contracts

Approved.

CLAUSE 31: Tenure of contract

Approved.

CLAUSE 32: Probation period

Approved.

CLAUSE 33: Extension of contracts

Approved.

CLAUSE 34: Reduction of period of contracts

Approved.

CLAUSE 35: Transfer of contracts

Approved.

CLAUSE 36: Termination of contracts

Approved.

CLAUSE 37: Apprenticeship to reimburse employer for fees paid

Approved.

CLAUSE 38: Apprenticeship to be apprenticed with one employer

Approved.

CLAUSE 39: Wages of apprentices

Approved.

CLAUSE 40: Samoa Apprenticeship Certificate

Approved.

CLAUSE 41: Other certificates

Approved.

CLAUSE 42: Duplicate certificates

Approved.

CLAUSE 43: Offences relating to unauthorized use or dealing with a certificate

Approved.

CLAUSE 44: Appeals

Approved.

CLAUSE 45: Abandoned appeals

Approved.

CLAUSE 46: Employer not to reduce wages etc.

Approved.

CLAUSE 47: Offences

Approved.

CLAUSE 48: Penalties

Approved.

CLAUSE 49: Death of partner not to terminate apprenticeship

Approved.

CLAUSE 50: Winding up or material change in shareholding of Company

Approved.

CLAUSE 51: Minister to determine fees and change

Approved.

CLAUSE 52: Council to approve forms

Approved.

CLAUSE 53: Annual reports

Approved.

CLAUSE 54: Disclosure of information

Approved.

CLAUSE 55: Repeal

Approved.

CLAUSE 56: Regulations

Approved.

CLAUSE 57: Savings and Transitional

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and Commencement

TITLE: Apprenticeship Bill 2013

“CORRECTION:

Tusa Misi Tupuola moved the Correction to Clause 1 as follows:

To omit the number “2013” and substitute thereby the number “2014” thus the Bill reads:-

“APPRENTICESHIP ACT 2014”

Corrections approved.

Clause 1 approved with Corrections.

The Apprenticeship Bill 2014 progressed with Correctons.

Government Order of the Day No.9 called.

**9. Lands, Survey and Environment Amendment Bill 2013 – consideration in detail
- P.P.2013/2014 No.87, Report of the Works, Transport and Environment Committee on
the Lands and Survey and Environment Amendment Bill 2013.**

**Tusa Misi Tupuola (Chairman) moved, “That the Legislative confirms the Report of the
Committee which permits the consideration of the Bill with Corrections and Amendments.”
Seconded by Maualaivao Pat Ah Him /Afoafouvale John Moors.**

Motion approved and the Report of the Committee was confirmed.

CLAUSE 2:

Debate.

Clause 2 approved.

CLAUSE 3:

“CORRECTION:

Tusa Misi Tupuola moved the Amendment to Clause 3 as follows:

To omit the number 2013 and substitute the number 2014 to read:

LANDS, SURVEY AND ENVIRONMENT AMENDMENT ACT 2014.

Corrections approved.

Clause 3 approved with corrections.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Lands, Survey and Environment Amendment Bill 2013

“AMENDMENT:

Tusa Misi Tupuola moved the correction to Clause 1 as follows:

Clause 3:

75(3):

To omit the words, “has the same meaning as in section 7A(1) of the Income Tax Act 1974” in sub-clause (3) and substitute thereby the words, “means a Category 1, Category 2 or Category 3 Hotel listed in Part B(2) of Schedule 2 of the Income Tax Act 2012” thus (3) reads:-

“(3) In this section “hotel” means a Category 1, Cagetory 2 or Category 3 Hotel listed in Part B(2) of Schedule 2 of the Income Tax Act 2012.”

Clause 1 and the Title approved.

Clause 1 and the Title progressed with corrections and amendments

Government Order of the Day No.10 called.

10. Unit Titles Amendment Bill 2013 – consideration in detail

- P.P.2013/2014 No.89, Report of the Works, Transport and Environment Committee on the Unit Titles Amendment Bill 2013.

Tusa Misi Tupuola (Chairman) moved “That the Legislative confirms the Report of the Committee which permits the consideration of the Bill with Corrections.” Seconded by Afoafouvale John Moors.

Motion approved and the Report of the Committee was confirmed.

CLAUSE 2: Long title amended

Approved.

CLAUSE 3: Section 2 amended

Approved.

CLAUSE 4: Section 5 amended

Approved.

CLAUSE 5: Section 6 substituted

Approved.

CLAUSE 6: Section 7 substituted

Approved.

CLAUSE 7: Section 8 amended

Approved.

CLAUSE 8: Section 9 amended

Approved.

CLAUSE 9: Section 10 amended

Approved.

CLAUSE 10: Section 11 substituted

Approved.

CLAUSE 11: Section 12 amended

Approved.

CLAUSE 12: Section 14 amended

Approved.

CLAUSE 13: Section 20 amended

Approved.

CLAUSE 14 Section 21 amended

Approved.

CLAUSE 15: Section 22 amended

Approved.

CLAUSE 16: Section 23 repealed

Approved.

CLAUSE 17: Section 32 amended

Approved.

CLAUSE 18: Section 34 amended

Approved.

CLAUSE 19: Section 40 amended

Approved.

CLAUSE 20: Section 41 amended

Approved.

CLAUSE 21: Section 42 amended

Approved.

CLAUSE 22: Section 48 amended

Approved.

CLAUSE 23: Section 49 amended

Approved.

CLAUSE 24: Sections 50, 52 and 54 amended

Approved.

CLAUSE 25: Section 57 amended

Approved.

CLAUSE 26: Section 58 repealed

Approved.

CLAUSE 27: Consequential amendment

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Unit Titles Amendment Bill 2013

“CORRECTION:

Tusa Misi Tupuola moved the Amendment to Clause 1 as follows:

To omit the number 2013 and substitute the number 2014 thus the name of the Act reads:-

“UNIT TITLES AMENDMENT ACT 2014”

Corrections approved.

Clause 1 and the Title approved with Corrections.

The Unit Titles Amendment Bill 2014 progressed with Corrections.

Government Order of the Day No.11 called.

11. Telecommunications Amendment Bill 2013 – consideration in detail

- P.P.2013/2014 No.98, Report of the Education, Science, Communications and Information Technology Committee on the Telecommunications Amendment Bill 2013.

Ifopo Matia Filisi moved, “That the Legislative confirms the Report of the Committee which permits the consideration of the Bill with amendments.” Seconded by Afoafouvale John Moors / Taefu Lemi / Tuisa Tasi Patea / Lafaitale Patrick Leiatuaalesa.

Motion approved and the report of the Committee was confirmed.

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Objectives of this Act

Approved.

CLAUSE 4: Responsibilites, functions and powers

Approved.

CLAUSE 5: Office of the Regulator

Approved.

CLAUSE 6: Appeal of orders of the Regulator to the Telecommunications Tribunal

Approved.

CLAUSE 7: Other Tribunal members

Approved.

CLAUSE 8: Tribunal proceedings

Approved.

CLAUSE 9: Tribunal decisions

Approved.

CLAUSE 10: Appeal shall bar litigation

Approved.

CLAUSE 11: Customer complaints

Approved.

CLAUSE 12: Service provider disputes

Approved.

CLAUSE 13: Customer disputes

Approved.

CLAUSE 14: Insertion of new provisions

Approved.

CLAUSE 15: Alternative dispute resolution

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Telecommunications Amendment Bill 2013

“CORRECTION:

Ifopo Matia Filisi moved the Amendment to Clause 1 as follows:

To omit the number 2013 and substitute thereby the number 2014 thus the name of the Act reads:-

TELECOMMUNICATIONS AMENDMENT ACT 2014.”

Corrections approved.

Clause 1 approved and the Title approved with corrections.

The Telecommunications Amendment Bill 2014 progressed with corrections.

Government Order of the Day No.12 Called

12. Police Offences Amendment Bill 2013 – consideration in detail

- P.P.2013/2014 No.102, Report of the Justice, Police and Prisons and Lands and Titles Committee on the Police Offences Amendment Bill 2013.

Tuisa Tasi Patea moved, “That the Legislative confirms the report of the Committee which permits the consideration of the Bill with amendments.” Seconded by Afoafouvale John Moors / Taefu Lemi / Lafaitale Patrick Leiatuaalesa.

Motion approved and the Report of the Committee was confirmed.

CLAUSE 2: Repealed

Approved.

CLAUSE 3: Transitional

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement.

TITLE: Police Offences Amendment Bill 2013

“CORRECTION:

Tuisa Tasi Patea moved the amendment to Clause 1 as follows:

To omit the number “2013” and substitute thereby with the number “2014” thus the name of the Act reads:-

“POLICE OFFENCES AMENDMENT ACT 2014.”

Corrections approved.

Clause 1 and the Title approved with Corrections.

The Police Offences Amendment Bill 2014 progressed with corrections.

Government Order of the Day No.13 called.

13. Trade, Commerce and Industry Amendment Bill 2013 – consideration in detail
- P.P.2013/2014 No.103, Report of the Primary Production, Commerce, Industry and Labour Committee on the Trade, Commerce and Industry Amendment Bill 2013.

Leaupepe Toleafoa Apulu Faafisi moved, “*That the Legislative confirms the report of the Committee which permits the consideration of the Bill with amendments.*” Seconded by Tuuu Anasii Leota.

Motion approved and the report of the Committee was approved.

CLAUSE 2: Section 5 amended

Approved.

CLAUSE 3: Section 6 substituted

Approved.

CLAUSE 4: Consequential amendment and transitional

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement

TITLE: Trade, Commerce and Industry Amendment Bill 2013

“CORRECTION:

Leaupepe moved the Correction to Clause 1 as follows:

To omit the number “2013” and substitute thereby the number “2014” thus the Title reads:-

“TRADE, COMMERCE AND INDUSTRY AMENDMENT ACT 2014.”

Corrections approved.

Clause 1 and the Title approved with Corrections.

The Trade, Commerce and Industry Amendment Bill 2014 progressed with corrections.

MOTION FOR ADJOURNMENT:

Hon Fonotoe Nuafesili Pierre Laufo (Deputy Prime Minister) moved, “*That the Proceedings of the Legislative adjourn until Monday, 24th March 2014 at 9:00am.*” Seconded by Hon Tuisugaletaua Sofara Aveau / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved.

6. **Proceedings of the Legislative Assembly adjourned at 12.35pm until Monday, 24th March 2014 at 9:00am.**

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

MONDAY 24 MARCH 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

Afioga Hon Fonotoe Nuafesili Pierre Laufo, Afioga Hon Fiaame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Le Mamea Ropati, Afioga Hon Tuisugaletaua Sofara Aveau.

MEMBERS

Afioga Hon Palusalua Faapo II, Tofa Hon Tuuu Anasii Leota, Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Tofa Tapuai Toese Ah Sam, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaio Manu Taea Masipau, Afioga Hon Aea Peniamina Leavaiseeta, Tofa Fagaivalu Kenrick Samu, Afioga Tufuga Gafotele Faitua, Afioga Afoafouvale John Moors, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maulaivao Pat Ah Him, Afioga Peseta Vaifou Tevaga, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Tofa Aveau Nikotemo Palamo, Susuga Papaliitele Niko Lee Hang, Tofa Tuileutu Alavaa Voi, Tofa Afioga Taefu Lemi, Tofa Alo Fulifuli Taveuveu, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Sooalo Mene, Afioga Lafaitale Patrick Leiatualesa, Afioga Afualo Wood Uti Salele, Tofa Lenatai Victor Faafoi Tamapua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Tafua Maluelue Tafua, Tofa Lefau Harry Schuster, Tofa Agafili Patisela Eteuati Tolovaa.

2. ABSENT MEMBERS:

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Tofa Hon Tolofuaivalelei Falemoe Leiatua, Afioga Hon Tuitama Talalelei Tuitama, Tofa Lautafi Fio Selafi Purcell, Tofa Tuilo'a Anitelea, Afioga Levaopolo Talatonu, Afioga Motuopuaa Aisoli Vaai.

3. The Legislative Assembly met at 9.00am.

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

5. ANNOUNCEMENT BY MR SPEAKER

The Speaker announced that members must be extra cautious with the pink eye disease that is spreading around the country and that all must stay home when infected. Secondly, he extended gratitude to members of Parliament who participated in the launching of new government developments and projects last week. Thirdly, Speaker requested the cruciality of members' attendance and time management and the presence of a quórum requesting members such as Tialavaea, Afoafouvale and Lealailepule to take heed of this area before Parliament proceedings commencement in the future. Lastly, Speaker reminded that there are at least 70 reports tabled before Parliament today, hence there is a dire need that members must take into consideration of these reports this week before the next ensuing meeting in May 2014.

6. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

Apprenticeship Bill 2014 – third reading

Hon Fonotoe Nuafesli Pierre Laufo moved, *“That the Apprenticeship Bill 2014 be now read the third time.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga.

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

Government Order of the Day No.2 called.

2. Lands, Survey and Environment Amendment Bill 2014 – third reading

Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaali moved, *“That the Lands, Survey and Environment Amendment Bill 2014 be now read the third time.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Magele Mauiliu / Hon Manualesagalala Enokati Posala / Hon Sala Fata Pinati.

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

Government Order of the Day No.3 called.

3. Unit Titles Amendment Bill 2014 – third reading

Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaali moved, *“That the Unit Titles Amendment Bill 2014 be now read the third time.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Fonotoe Nuafesli Pierre Laufo / Hon Magele Mauiliu / Hon Manualesagalala Enokati Posala / Hon Sala Fata Pinati.

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

Government Order of the Day No.4 called.

4. Telecommunications Amendment Bill 2014 – third reading

Hon Tuisagaletaua Sofara Aveau moved, *“That the Telecommunications Amendment Bill 2014 be now read the third time.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Le Mamea Ropati / Faamoetaulua Lealaiauloto Ulaitino Faale Tumaali / Hon Manualesagalala Enokati Posala .

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. Police Offences Amendment Bill 2014 – third reading

Hon Sala Fata Pinati moved, *“That the Police Offences Amendment Bill 2014 be now read the third time.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Magele Mauiliu / Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaali

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. Trade, Commerce and Industry Amendment Bill 2014 – third reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That the Trade, Commerce and Industry Amendment Bill 2014 be now read the third time.”* Seconded by Hon Fiamē Naomi / Hon Faumuina Tiatia Faaolatane Liuga.

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

Government Order of the Day No.7 called.

7. Maritime Zones Amendment Bill 2014 – second reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That the Maritime Zones Amendment Bill 2014 be now read the second time and I wish to briefly comment on it.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga.

The Minister comment on the Bill.

Debate

Motion approved and the Bill was read the second time.

Pursuant to Standing Order the bill is now referred to the Foreign Affairs, Trade and Revenue Committee for consideration and report back to the Legislative Assembly in June 2014.

Government Order of the Day No.8 called.

8. Tax Administration Amendment Bill 2014 – second reading

Hon Tuiloma Lameko, *“That the Tax Administration Amendment Bill 2014 be now read the second time and I wish to briefly elaborate it.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga

The Minister clarified the Bill.

Debate.

Motion approved and the Bill was read the second time.

Pursuant to Standing Order the bill is referred to the Foreign Affairs, Trade and Revenue Committee for consideration and report back to the Legislative Assembly in June 2014.

Government Order of the Day No.9 called.

9. International Criminal Court Amendment Bill 2014 – second reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the International Criminal Court Amendment Bill 2014 be read the second time and I wish to briefly clarify it.*” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Maualaivao Pat Ah Him.

The Minister clarified the Bill.

Motion approved and the Bill was read the second time.

Pursuant to Standing Order the bill is referred to the Justice, Police & Prisons and Land & Titles Committee for consideration and report back to the Legislative Assembly in June 2014.

Government Order of the Day No.10 called.

10. Metrology Bill 2014 – second reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Metrology Bill 2014 be now read the second time and I wish to briefly explain it.*” Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Maualaivao Pat Ah Him.

The Minister briefly explained the Bill.

Proceedings of the Legislative Assembly was now set aside at 10.44am and resumed at 11.21am.

Debate over second reading of the Metrology Bill 2014.

Motion approved and the Bill was read the second time.

Pursuant to Standing Order the bill is referred to the Primary Production, Commerce and Industry Committee for consideration and report back to the Legislative Assembly in June 2014.

Government Order of the Day No.11 called.

11. Statistics Bill 2014 – second reading

Hon Fonotoe Nuafesili Pierre Lauofo moved, “*That the Statistics Bill 2014 be now read the second time and wishes to elaborate on it.*” Seconded by Hon Tuiloma Lameko / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tuisugaletaua Sofara Aveau.

The Minister briefly elaborated the Bill.

Motion approved and the Bill was read the second time.

Pursuant to Standing Order the bill is referred to the Government Administration Committee for consideration and report back to the Legislative Assembly in June 2014.

7. ORDERS OF THE DAY – CONSIDERATION OF SELECT COMMITTEES REPORTS

Order of the Day No.1

1. P.P.2012/2013 No.87, Report of the Works, Transport and Environment Committee on P.P.2011/2012 No.61, Statement of Corporate Objectives of the Samoa Water Authority for the Period 2010-2014.

Tusa Misi Tupuola moved, “That the Legislative confirms the Report of the Committee pertaining its Findings, Recommendations and Resolutions.” Seconded by Afoafouvale John Moors.

Debate.

The Report of the Committee was approved by the Legislative Assembly.

MOTION TO AMEND SITTING HOURS (T.T.31(1))

The Deputy Prime Minister moved, “That the amended sitting hours be returned to normal sitting hours from 9:00am to 1:00pm as stipulated in the Standing Order 31(1).” Seconded by Hon Faumuina Tiatia Faaolatane Liuga.

Motion approved and the amended sitting hours now changed back to normal sitting hours pursuant to Standing Orders 31(1).

Proceedings of the Legislative Assembly now adjourned at 1.00pm until Tuesday 25th March 2014 at 9:00am.

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

TUESDAY 25 MARCH 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

Afioga Hon Fonotoe Nuafesili Pierre Laufo, Afioga Hon Fiamé Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Faamoetauloa Lealaiauloto Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Le Mamea Ropati, Afioga Hon Tuisugaletaua Sofara Aveau.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Hon Tuuu Anasii Leota, Afioga Motuopuaa Aisoli Vaai, Tofa 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, Tofa Lefau Harry Schuster, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Afioga Tufuga Gafotele Faitua, Afioga Afoafouvale John Moors, Afioga Peseta Vaifou Tevaga, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Afioga Taefu Lemi, Tofa Alo Fulifuli Taveuveu, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Soalo Mene, Afioga Lafaitale Patrick Leiataualesa, Tofa Lenatai Victor Fafoi Tamapua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Tafua Maluelue Tafua, Tofa Agafili Patisela Eteuati Tolovaa.

2. ABSENT MEMBERS:

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Tuitama Talalelei Tuitama, Tofa Lautafi Fio Selafi Purcell, Tofa Tuilo'a Anitelea, Afioga Levaopolo Talatonu, Tofa Fagaavalu Kenrick Samu, Afioga Ifopo Matia Filisi, Afioga Tialavea Fea Tionisio Seigafolava, Afioga Maualaivao Pat Ah Him.

3. The Legislative Assembly met at 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 in accordance with Standing Order 51(5).

- (i) P.P.2013/2014 No.134 No.134, Report of the Education, Science, Communication and Information Technology Committee on P.P.2012/2013 No.23, P.P.2012/2013 No.78 & P.P.2012/2013 No.79, Annual Reports of the Samoa Sports Facilities Authority for Financial Years 2008/2009, Financial Year 2009/2010 & Financial Year 2010/2011.
- (ii) P.P.2013/2014 No.135, Report of the Education, Science, Communication and Information Technology Committee on P.P.2013/2014 No.24, P.P.2013/2014 No.25, Annual Reports of the Office of the Regulator for the Financial Years Ended 30th June 2009 and Financial Year ended 30th June 2010.

6. CONSIDERATION OF SELECT COMMITTEES REPORTS

Order of the Day No.1 called.

1. P.P.2012/2013 No.88, Report of the Works, Transport and Environment Committee on P.P.2011/2012 No.87, Annual Report of the Ministry of Natural Resources and Environment for 2008-2009.

Tuisa moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Afoafouvale John Moors.

The Chairman presented the report of the Committee.

Debate.

Motion approved and the Report of the Committee stood approved.

Order of the Day No.2 called.

2. P.P.2012/2013 No.89, Report of the Health and Social Services, Internal Affairs Community and Social Development Committee on P.P.2011/2012 No.29, Annual Report of the National Kidney Foundation of Samoa for the Financial Year ended 30th June 2010.

Hon Gatoloaifaana moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Lafaitale Patrick Leiataualesa.

The Chairman presented the report of the Committee.

Debate.

Question put and the Report of the Committee was approved.

Order of the Day No.3 called.

3. P.P.2012/2013 No.90, Report of the Health and Social Services, Internal Affairs Community and Social Development Committee on P.P.2011/2012 No.33, Statement of Corporate Objectives of the National Provident Fund for 2012-2014.

Hon Gatoloaifaana moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Agafili Patisela Eteuati Tolovaa / Papaliitele Niko Lee Hang / Muagututagata Faamausili Auimatagi Peter Ah Him.

The Chairman presented the report of the Committee.

Debate.

Question put and the Report of the Committee was approved.

Order of the Day No.4 called.

4. P.P.2012/2013 No.94, Report of the Health and Social Services, Internal Affairs and Community and Social Development Committee on P.P.2011/2012 No.66, Report of the Operations and Statement of Accounts of the Samoa Senior Citizens Benefit Fund 2010/2011 and P.P.2012/2013 No.59, Samoa Senior Citizens Benefit Fund Report of Operations and Statement of Accounts 2011/2012.

Hon Gatoloaifaana moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Muagututagata Faamausili Auimatagi Peter Ah Him / Papaliitele Niko Lee Hang / Agafili Patisela Eteuati Tolovaa.

The Chairman presented the report of the Committee.

Debate.

Proceedings of the Legislative Assembly was suspended at 10:48am for its usual recess and resumed at 11:24am.

Debate resumed.

Question put and the Report of the Committee was approved.

Order of the Day No.5 called.

5. P.P.2012/2013 No.95, Report of the Health and Social Services, Internal Affairs and Community and Social Development Committee on P.P.2011/2012 No.94, Ministry of Health Annual Report for the Financial Year 2009-2010.

Hon Gatoloaifaana moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Papaliitele Niko Lee Hang / Muagututagata Faamausili Auimatagi Peter Ah Him.

The Chairman presented the report of the Committee.

Debate.

Question put and the Report of the Committee was approved.

Order of the Day No.6 called.

6. P.P.2012/2013 No.96, Report of the Health and Social Services, Internal Affairs and Community and Social Development Committee on P.P.2011/2012 No.64, National Provident Fund Annual Report for the Year 2011.

Hon. Gatoloaifaana Alesana Gidlow (Taitaifono) moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Papaliitele Niko Lee Hang / Agafili Patisela Eteuati Tolovaa.

The Chairman presented the report of the Committee.

Question put and the Report of the Committee was approved.

Order of the Day No.7 called.

7. P.P.2013/2014 No.18, Report of the Justice, Police & Prisons and Land & Titles Committee on the P.P.2012/2013 No.43, Samoa Law Reform Commission Annual Report for the Financial Year 2010/2011.

Tuisa Tasi Patea (Chairman) moved, “*That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.*” Seconded by Lafaitale Patrick Leiataualesa / Soalo Mene / Afoafouvale John Moors / Taefu Lemi.

The Chairman presented the report of the Committee.

Debate.

Question put and the Report of the Committee was approved.

Order of the Day No.8 called.

8. P.P.2013/2014 No.19, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2012/2013 No.3, Samoa Tourism Authority Annual Report for the Financial Year ended 30th June 2011.

Hon Leaupepe Toleafoa Apulu Faafisi moved, “*That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.*” Seconded by Hon Tuuu Anasii Leota / Toeolesulusulu Cedric Poese Salesa.

The Chairman presented the report of the Committee.

Debate.

Question put and the Report of the Committee was approved.

Order of the Day No.9 called.

9. P.P.2013/2014 No.31, Report of the Finance and Expenditure Committee on P.P.2011/2012 No.86, Annual Report of the Samoa International Finance Authority for the Financial Year 2010.

Hon Papaliitele Niko Lee Hang moved, “*That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.*” Seconded by Agafili Patisela Eteuati Tolovaa / Gatoloaifaana Amataga Gidlow / Muagututagata Faamausili Auimatagi Peter Ah Him / Taefu Lemi / Tafua Maluelue Tafua.

The Chairman presented the report of the Committee.

Debate.

Question put and the Report of the Committee was approved.

Order of the Day No.10 called.

10. P.P.2013/2014 No.32, Report of the Finance and Expenditure Committee on P.P.2011/2012 No.95, Annual Report of the Samoa Life Assurance Corporation for the Financial Year 2011.

Hon Papaliitele Niko Lee Hang moved, “*That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.*” Seconded by Agafili Patisela Eteuati Tolovaa / Tafua Maluelue Tafua / Taefu Lemi.

The Chairman presented the report of the Committee.

Debate.

The Deputy Speaker took the chair at 12.28pm until 12.31pm.

Question put and the Report of the Committee was approved.

Order of the Day No.11 called.

11. P.P.2013/2014 No.33, Report of the Regulations Review Committee on SR 2011/12-SR2011/31.

Tafua Maluelue Tafua moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Tuisa Tasi Patea / Lafaitale Patrick Leiatuaalesa.

The Chairman presented the report of the Committee.

Debate.

The Speaker took the chair at 12:31pm.

Question put and the Report of the Committee was approved.

Order of the Day No.12 called.

12. P.P.2013/2014 No.34, Report of the Regulations Review Committee on SR 2011/23-SR2011/31.

Tafua moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Agafili Patisela Eteuati Tolovaa / Muagututagata Faamausili Auimatagi Peter Ah Him / Peseta Tevaga.

The Chairman presented the report of the Committee.

Question put and the Report of the Committee was approved.

Order of the Day No.13 called.

13. P.P.2013/2014 No.35, Report of the Regulations Review Committee on SR 2012/1-SR2012/20.

Tafua moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Agafili Patisela Eteuati Tolovaa / Muagututagata Faamausili Auimatagi Peter Ah Him.

The Chairman presented the report of the Committee.

Question put and the Report of the Committee was approved.

Order of the Day No.14 called.

14. P.P.2013/2014 No.36, Report of the Justice, Police & Prisons and Land & Titles Committee on P.P.2012/2013 No.4, Report of the Samoa Law Reform Commission on the Coroners Ordinance 1959, Report 02/11.

Tuisa Tasi Patea (Chairman) moved, “*That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.*” Seconded by Tusa Misi Tupuola/Afoafouvale John Moors/Sooalo Mene/Lafaitele Patrick Leiataualesa/Lenatai

The Chairman presented the report of the Committee.

Question put and the Report of the Committee was approved.

Order of the Day No.15 called.

15. P.P.2013/2014 No.37, Report of the Justice, Police & Prisons and Land and Titles Committee on P.P.2012/2013 No.93, Report of the Samoa Law Reform Commission on the Commission of Inquiry Act 1964, Report 06/11.

Tuisa Tasi Patea (Chairman) moved, “*That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.*” Seconded by Lenatai Victor Faafoi Tamapua / Sooalo Mene.

The Chairman presented the report of the Committee.

Question put and the Report of the Committee was approved.

Order of the Day No.16 called.

16. P.P.2013/2014 No.38, Report of the Officers of Parliament Committee on the Financial Statements of the Parliamentary Pension Scheme for the Financial Year ended 30th June 2010.

Muagututagata Faamausili Auimatagi Peter Ah Him (Chairman) moved, “*That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.*” Seconded by Agafili Patisela Eteuati Tolovaa / Papaliitele Niko Lee Hang / Gatoloaifaana Amataga Gidlow / Taefu Lemi.

The Chairman presented the report of the Committee outlining its Findings, Recommendations and Resolutions.

Question put and the Report of the Committee was approved.

Order of the Day No.17 called.

17. P.P.2013/2014 No.43, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.18, Annual Report of the Accident Compensation Corporation for the Financial Year 2011.

Hon Papaliitele Niko Lee Hang (Chairman) moved, “*That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.*” Seconded by Gatoloaifaana Amataga Gidlow / Muagututagata Faamausili Auimatagi Peter Ah Him.

The Chairman presented the report of the Committee outlining its Findings, Recommendations and Resolutions.

Debate.

Question put and the Report of the Committee was approved.

7. **Proceedings of the Legislative Assembly adjourned at 1.02pm until Wednesday 26th March 2014 at 9.00am.**

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

WEDNESDAY 26 MARCH 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

Afioga Hon Fonotoe Nuafesili Pierre Lauofo, Afioga Hon Fiaame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Faamoetauloa Lealaiauloto Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati, Afioga Hon Manualesagalala Enokati Posala, Afioga Hon Le Mamea Ropati, Afioga Hon Tuisugaletaua Sofara Aveau.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Hon Tuuu Anasii Leota, Afioga Motuopuaa Aisoli Vaai, Tofa Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Susuga Papalii Lio Faavaivaianu Taeu Masipau, Afioga Afualo Wood Uti Salele, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Afioga Tufuga Gafotele Faitua, Tofa Fagaaivalu Kenrick Samu, Afioga Afoafouvale John Moors, Afioga Peseta Vaifou Tevaga, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Afioga Taefu Lemi, Tofa Alo Fulifuli Taveuveu, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Sooalo Mene, Afioga Ifopo Matia Filisi, Afioga Lafaitale Patrick Leiataualesa, Tofa Lenatai Victor Faafoi Tamapua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Maualaivao Pat Ah Him. Afioga Tafua Maluelue Tafua, Tofa Agafili Patisela Eteuati Tolovaa.

2. ABSENT MEMBERS:

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Tofa Lautafi Fio Selafi Purcell, Tofa Tuilo'a Anitelea, Afioga Levaopolo Talatonu, Tofa Aveau Nikotemo Palamo, Tofa Lefau Harry Schuster, Afioga Tialavea Fea Tionisio Seigafolava.

3. The Legislative Assembly met at 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 in accordance with Standing Order 51(5).

Order of the Day No.1 called

1. P.P.2013/2014 No.43, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.18, Annual Report of the Accident Compensation Corporation for the Financial Year 2011.

This report was debated yesterday, Tuesday, 25th March 2014 and the question was put, hence the Report was approved.

Order of the Day No.2 called.

2. P.P.2013/2014 No.57, Report of the Works, Transport and Environment Committee on P.P.2011/2012 No.60, Statement of Corporation Objectives of the Electric Power Corporation for the Period 2012-2014 & P.P.2011/2012 No.92, Annual Report of the Electric Power Corporation for the Year 2010/2011.

Tusa Misi Tupuola (Chairman) moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Maualaivao Pat Ah Him / Taefu Lemi / Lenatai Victor Faafoi Tamapua / Tuisa Tasi Patea.

The Chairman read out the Findings, Recommendations and Resolutions of the Committee.

Debate.

Speaker instructed the removal of the following words (spoken by the Leader of the Tautua Samoa Party, Hon Palusalua Faapo II) from Parliament Records: (*“The vehicles of STEC have been damaged due to oil used, this is the truth; Samoa has the most expensive electricity.”*)

Motion put and the report of the Committee was approved.

Order of the Day No.3 called.

3. P.P.2013/2014 No.58, Report of the Works, Transport and Environment Committee on P.P.2011/2012 No.65, Annual Report of the Samoa Airport Authority for the Year 2008/2009 and P.P.2011/2012 No.90, Annual Report of the Samoa Airport Authority for the Year 2009/2010.

Tusa Misi Tupuola (Chairman) moved, *“That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.”* Seconded by Ifopo Matia Filisi / Maualaivao Pat Ah Him / Afoafouvale John Moors / Lenatai Victor Faafoi Tamapua.

The Chairman read out the Report of the Committee.

Debate.

Motion put and the report of the Committee was approved.

Proceedings of the Legislative Assembly was suspended at 10.45am for its usual recess and resumed at 11.21am.

Order of the Day No.4 called.

- 4. P.P.2013/2014 No.59, Report of the Works , Transport and Environment Committee on P.P.2012/2013 No.73, Annual Report of the Land Transport Authority for the Year 2009/2010.**

Tusa Misi Tupuola (Chairman) moved, “*That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.*” Seconded by Peseta Tevaga / Maualaivao Pat Ah Him / Ifopo Matia Filisi / Afoafouvale John Moors / Lafaialii Patrick Leiataualesa.

The Chairman read out the Report of the Committee.

Debate.

Motion put and the report of the Committee was approved.

Order of the Day No.5 called.

- 5. P.P.2013/2014 No.62, Report of the Education, Science, Communication and Information Technology Committee on P.P.2011/2012 No.34, Annual Report of the Scientific Research Organisation of Samoa for the Year 2009/2010.**

Lenatai Victor Faafoi Tamapua (Chairman) moved, “*That the Legislative Assembly confirms the report of the Committee outlining its Findings, Recommendations and Resolutions.*” Seconded by Alo Fulifulu Taveuveu / Afoafouvale John Moors / Tuisa Tasi Patea.

The Chairman read out the Report of the Committee.

- 6. Proceedings of the Legislative Assembly adjourned at 1:07pm until Thursday, 27th March 2014 at 9:00am.**

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

THURSDAY 27 MARCH 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

Afioga Hon Fonotoe Nuafesili Pierre Laufo, Afioga Hon Fiaame Naomi Mataafa, Tofa Hon Tuiloma Lameko, Afioga Hon Faumuina Tiatia Liuga, Afioga Hon Faamoetauloa Lealaiauloto Ulaitino Faale Tumaalii, Afioga Hon Sala Fata Pinati, Afioga Hon Le Mamea Ropati, Afioga Hon Tuisugaletaua Sofara Aveau.

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Hon Tuuu Anasii Leota, Afioga Motuopuaa Aisoli Vaai, Tofa Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Afioga Afualo Wood Uti Salele, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Afioga Tufuga Gafotele Faitua, Tofa Fagaaivalu Kenrick Samu, Afioga Afoafouvale John Moors, Afioga Peseta Vaifou Tevaga, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Afioga Taefu Lemi, Tofa Alo Fulifuli Taveuveu, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Soalo Mene, Tofa Aveau Nikotemo Palamo, Tofa Lefau Harry Schuster, Afioga Ifopo Matia Filisi, Afioga Lafaitale Patrick Leiataulesa, Tofa Lenatai Victor Faafoi Tamapua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Maualaivao Pat Ah Him, Afioga Tafua Maluelue Tafua, Tofa Agafili Patisela Eteuati Tolovaa.

2. ABSENT MEMBERS:

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi, Tofa Hon Tolofuaivalelei Falemoe Leiataua, Afioga Hon Tuitama Talalelei Tuitama, Afioga Hon Magele Mauiliu, Afioga Hon Manualesagalala Enokati Posala, Tofa Lautafi Fio Selafi Purcell, Tofa Tuilo'a Anitelea, Afioga Levaopolo Talatonu, Afioga Tialavea Fea Tionisio Seigafolava, Susuga Papalii Lio Faavaivaio manu Taeu Masipau.

3. The Legislative Assembly met at 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 in accordance with Standing Order 51(5).

1. P.P.2013/2014 No.136, Report of the Health and Social Services, Internal Affairs, Community and Social Development Committee on P.P.2012/2013 No.55 & P.P.2013/2014 No.74, Samoa National Provident Fund Annual Reports for the Years 2012 - 2013.
2. P.P.2013/2014 No.137, Report of the Health and Social Services, Internal Affairs, Community and Social Development Committee on P.P.2013/2014 No.47 & P.P.2013/2014 No.48, Ministry of Health Annual Reports for the Financial Years 2010/2011 and 2011/2012.

6. ORDERS OF THE DAY – CONSIDERATION OF SELECT COMMITTEES REPORTS

Order of the Day No.1 called

1. P.P.2013/2014 No.62, Report of the Education, Science, Communication and Information Technology Committee on P.P.2011/2012 No.34, Annual Report of the Scientific Research Organisation of Samoa for the Year 2009/2010.

Committee report was approved without debate.

Order of the Day No.2 called.

2. P.P.2013/2014 No.64, Report of the Education, Science, Communication and Information Technology Committee on P.P.2011/2012 No.56, Annual Report of the National University Samoa for the Year 2012/2014.

Lenatai (Chairman) moved, *“That the report of the Committee be confirmed by the Legislative Assembly to permit the reading of Committee’s Findings, Recommendations and Resolutions.”* Seconded by Afoafouvale John Moors/ Taefu Lemi/ Tuisa Tasi Patea/Ifopo Matia Filisi.

Lenatai (Chairman) read out the Findings, Recommendations and Resolutions of the Committee.

Committee report was approved without debate.

Order of the Day No.3 called.

3. P.P.2013/2014 No.123, Report of the Education, Science, Communication and Information Technology Committee on P.P.2012/2013 No.11 and P.P.2012/2013 No.39, Annual Report of the Scientific Research Organisation of Samoa for the Financial Year 2010/2011 and the Financial Year 2011/2012.

Lenatai (Chairman) moved, *“That the report of the Committee be confirmed by the Legislative Assembly to permit the reading of Committee’s Findings, Recommendations and Resolutions.”* Seconded by Afoafouvale John Moors/ Taefu Lemi/ Tuisa Tasi Patea/Ifopo Matia Filisi.

Lenatai (Chairman) read out the Findings, Recommendations and Resolutions of the Committee.

Debate.

Motion approved and the Report of the Committee stood approved.

Order of the Day No.4 called.

4. P.P.2013/2014 No.63, Report of the Education, Science, Communication and Information Technology Committee on P.P.2011/2012 No.55, Annual Report of the National University of Samoa for the Financial Year 2009/2010.

Lenatai (Chairman) moved, “*That the report of the Committee be confirmed by the Legislative Assembly to permit the reading of Committee’s Findings, Recommendations and Resolutions.*” Seconded by Tuisa Tasi Patea / Ifopo Matia Filisi / Afoafouvale John Moors.

Lenatai (Chairman) read out the Findings, Recommendations and Resolutions of the Committee.

Debate.

Motion approved and the Report of the Committee stood approved.

Order of the Day No.5 called.

5. P.P.2013/2014, No.96, Report of the Education, Science, Communication and Information Technology Committee on P.P.2013/2014 No.20, Annual Report of the National University of Samoa for the Financial Year 2012 1 July - 30 June 2011.

Lenatai (Chairman) moved, “*That the report of the Committee be confirmed by the Legislative Assembly to permit the reading of Committee’s Findings, Recommendations and Resolutions.*” Seconded by Tuisa Tasi Patea / Ifopo Matia Filisi / Afoafouvale John Moors.

Lenatai (Chairman) read out the Findings, Recommendations and Resolutions of the Committee.

Debate.

The report was approved.

Order of the Day No.6 called.

6. P.P.2013/2014, No.65, Report of the Education, Science, Communication and Information Technology Committee on P.P.2011/2012 No.58, Corporate Plan of the Post Office for the Period 2012-2014 and P.P.2012-2014 and P.P.2011/2012 No.59, Statement of Corporate Objectives of the Post Office for the Period 2012-2014.

Lenatai (Chairman) moved, “*That the report of the Committee be confirmed by the Legislative Assembly to permit the reading of Committee’s Findings, Recommendations and Resolutions.*” Seconded by Tuisa Tasi Patea / Ifopo Matia Filisi / Afoafouvale John Moors.

Lenatai (Chairman) read out the Findings, Recommendations and Resolutions of the Committee.

The report was approved.

Order of the Day No.7 called.

7. P.P.2013/2014 No.100, Report of the Education, Science, Communication & Information Technology Committee on P.P.2012/2013 No.57, Samoa Post Corporate

Plan 2013-2015 & P.P.2012/2013 No.58, Samoa Post Statement of Corporate Objectives 2013-2015.

Lenatai Victor Faafoi Tamapua (Chairman) moved, “That the report of the Committee be confirmed by the Legislative Assembly to permit the reading of Committee’s Findings, Recommendations and Resolutions.” Seconded by Tuisa Tasi Patea / Ifopo Matia Filisi / Afoafouvale John Moors.

Lenatai (Chairman) read out the Findings, Recommendations and Resolutions of the Committee.

Debate.

Motion approved and the Report of the Committee stood approved.

Order of the Day No.8 called.

8. P.P.2013/2014 No.66, Report of the Education, Science, Communication and Information Technology Committee on P.P.2012/2013 No.6, Annual Report of the Ministry of Education, Sports and Culture for the Year 2008/2009, P.P.2012/2013 No.7, Annual Report of the Ministry of Education, Sports and Culture for the Year 2009/2010 and P.P.2012/2013 No.8, Annual Report of the Ministry of Education, Sports and Culture for the Year 2010/2011.

Lenatai Victor Faafoi Tamapua (Chairman) moved, “That the report of the Committee be confirmed by the Legislative Assembly to permit the reading of Committee’s Findings, Recommendations and Resolutions.” Seconded by Lafaitale Patrick Leiataualesa/ Tuisa Tasi Patea /Taefu Lemi/Maualaihao Pat Ah Him/ Tusa Misi Tupuola.

Lenatai (Chairman) read out the Findings, Recommendations and Resolutions of the Committee.

Debate.

Motion approved and the Report of the Committee stood approved.

Order of the Day No.9 called.

9. P.P.2013/2014 No.122, Report of the Education, Science, Communications and Information Technology Committee on P.P.2013/2014 No.26, Annual Report of the Ministry of Education, Sports and Culture 1 July 2011-30th June 2012.

“That the report of the Committee be confirmed by the Legislative Assembly to permit the reading of Committee’s Findings, Recommendations and Resolutions.” Seconded by Lafaitale Patrick Leiataualesa/ Tuisa Tasi Patea /Taefu Lemi/Maualaihao Pat Ah Him/ Tusa Misi Tupuola.

Lenatai (Chairman) read out the Findings, Recommendations and Resolutions of the Committee.

Debate.

Proceedings of the Legislative Assembly was suspended at 10:46am and resumed at 11.24am.

Debate continued.

The report of the Committee stood approved.

Order of the Day No.10 called.

10. P.P.2013/2014 No.83, Government Administration Committee Report on P.P.2013/2014 No.3, Annual Report of the Unit Trust of Samoa for the Financial Year ended 30 June 2012.

Hon Tuuu Anasii Leota (Chairman) moved, *“That the report of the Committee be confirmed by the Legislative Assembly to permit the reading of Committee’s Findings, Recommendations and Resolutions.”* Seconded by Lafaitale Patrick Leiataualesa / Tuisa Tasi Patea / Leaupepe Toleafoa Apulu Faafisi.

Lenatai (Chairman) read out the Findings, Recommendations and Resolutions of the Committee.

Debate.

Motion approved and the Report of the Committee stood approved.

Order of the Day No.11 called.

11. P.P.2013/2014 No. 84, Government Administration Committee Report on P.P.2012/2013 No.44, Statement of Corporate Objectives of the Unit Trust of Samoa for the period 2013-2015.

Hon Tuuu Anasii Leota (Chairman) moved, *“That the report of the Committee be confirmed by the Legislative Assembly to permit the reading of Committee’s Findings, Recommendations and Resolutions.”* Seconded by Lafaitale Patrick Leiataualesa / Tuisa Tasi Patea / Leaupepe Toleafoa Apulu Faafisi.

Lenatai (Chairman) read out the Findings, Recommendations and Resolutions of the Committee.

Debate.

Motion approved and the Report of the Committee stood approved.

7. MOTION FOR ADJOURNMENT

Hon Fonotoe Nuafesili Pierre Lauofo moved, *“That given that all Committees reports must be considered and passed before Parliament, hence the proceedings of the Legislative Assembly be now adjourned until Monday, 14th April 2014 at 9.00am.”* Seconded by Fiamē Naomi Mataafa / Agafili Patisela EteuatiTolovaa / Maualaivao Pat Ah Him / Tafua Maluelue Tafua.

8. Proceedings of the Legislative Assembly now adjourned at 1:14pm until Monday, 14th April 2014 at 9:00am.

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

MONDAY 14 APRIL 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

MEMBERS

Afioga Hon Leaupepe Toleafoa Apulu Faafisi, Hon Tuuu Anasii Leota, Tofa Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Afioga Afualo Wood Uti Salele, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Afioga Tufuga Gafotele Faitua, Tofa Fagaavalu Kenrick Samu, Afioga Afoafouvale John Moors, Afioga Peseta Vaifou Tevaga, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Afioga Taefu Lemi, Tofa Alo Fulifulu Taveuveu, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Soalo Mene, Tofa Aveau Nikotemo Palamo, Tofa Lautafi Fio Selafi Purcell, Tofa Tuilo'a Anitelea, Afioga Levaopolo Talatonu, Afioga Tialavea Fea Tionisio Seigafolava, Susuga Papalii Lio Faavaivaio Manu Taeu Masipau, Afioga Ifopo Matia Filisi, Afioga Lafaitale Patrick Leiataualesa, Tofa Lenatai Victor Fafoi Tamapua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Maualaivao Pat Ah Him, Afioga Tafua Maluelue Tafua,

2. ABSENT MEMBERS:

Tofa Agafili Patisela Eteuati Tolovaa, Afioga Hon Fiamé Naomi Mataafa, Afioga Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaalii, Afioga Motuopuaa Aisoli Vaai, Tofa Lefau Harry Schuster.

3. The Legislative Assembly met at 9.00am.

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

5. THANK YOU MESSAGE BY PRIME MINISTER

The Prime Minister extended his gratitudes to the Parliament and the country as a whole for the kind thoughts and prayers when he was hospitalized at Motootua Hospital and in New Zealand.

The Leader of the Opposition Side responded by welcoming the Prime Minister back to Parliament in good health and spirit this morning.

6. PRESENTATION OF SELECT COMMITTEE REPORTS

The Clerk read out the Select Committee report submitted pursuant to Standing Order 51(1).

1. P.P.2013/2014 No.138, Report of the Health and Social Services, Internal Affairs and Community and Social Development Committee on the National Health Service Bill 2013.

7. ORDERS OF THE DAY – CONSIDERATION OF SELECT COMMITTEE REPORTS

Order of the Day No.1 called.

1. P.P.2013/2014 No.108, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2012/2013 No.75, Annual Report of the Ministry of Agriculture and Fisheries for the Financial Year ended 30th June 2011.

Hon Toleafoa Apulu Faafisi moved, *“That the Legislative Assembly confirms the report of the Committee which outlines its Findings, Recommendations and Resolutions.”*

Seconded by Hon Tuuu Anasii Leota / Lafaitale Patrick Leiatuaalesa.

The Chairman presented the report of the Committee.

Debate.

Question was put and the report of the Committee was approved.

Order of the Day No.2 called.

2. P.P.2013/2014 No.85, Report of the Finance and Expenditure Committee on P.P.2012/2013 No.51 & P.P.2013/2014 No.14, Betting Totalisator Agency Board Financial Year ending 30 June 2012.

Hon Papaliitele Niko Lee Hang moved, *“That the Legislative Assembly confirms the report of the Committee which outlines its Findings, Recommendations and Resolutions.”* Seconded by Tafua Maluelue Tafua / Lafaitale Patrick Leiatuaalesa.

The Chairman read out its Findings, Recommendations and Resolutions.

Debate.

Proceedings of the Legislative Assembly was suspended at 10:44am and resumed at 11:16am.

Debate continued.

Question put and the report of the Committee was approved.

Order of the Day No.3 called.

3. P.P.2013/2014 No.88, Report of the Finance and Expenditure Committee on P.P.2013/2014 No. 21, Annual Report of the Samoa Life Assurance Corporation for the Financial Year 2011/2012.

Hon Papaliitele Niko Lee Hang moved, *“That the Legislative Assembly confirms the report of the Committee which outlines its Findings, Recommendations and Resolutions.”* Seconded by Hon Gatoloifaana Amataga Alesana-Gidlow / Muagututagata Peter Ah Him / Tafua Maluelue Tafua.

The Chairman read out its Findings, Recommendations and Resolutions.

Debate.

Question put and the report of the Committee was approved.

Order of the Day No.4 called.

4. P.P.2013/2014 No.90, Report of the Works, Transport and Environment Committee on P.P.2012/2013 No.71, Annual Report of the Samoa Ports Authority for the Financial Year ending 30 June 2011.

Tusa Misi Tupuola moved, *“That the Legislative Assembly confirms the report of the Committee which outlines its Findings, Recommendations and Resolutions.”* Seconded by Peseta Vaifou Tevaga / Maualaivao Pat Ah Him / Ifopo Matia Filisi.

The Chairman presented the Report of the Committee.

Debate.

ANNOUNCEMENT BY SPEAKER:

Mr Speaker announced that there is a training seminar (Samoa Parliamentary Strengthening Programme), an ongoing programme for all members to be held this afternoon from 2.00pm until 5.00pm and all members are invited to attend.

8. Proceedings of the Legislative Assembly now adjourned at 1:05pm until Tuesday, 15th April 2014 at 9:00am.

Susuga Laauli Leuatea Polataivao Fosi
SPEAKER

Fepuleai Attila M. Ropati
CLERK

TUESDAY 15 APRIL 2014

i. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

MEMBERS

Afioga Hon Leupepe Toleafoa Apulu Faafisi, Hon Tuuu Anasii Leota, Tofa Afioga Toeolesulusulu Cedric Pose Sales Schuster, Tofa Tapuai Toese Ah Sam, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Afioga Afualo Wood Uti Salele, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Afioga Tufuga Gafotele Faitua, Tofa Fagaaivalu Kenrick Samu, Afioga Afoafouvale John Moors, Afioga Peseta Vaifou Tevaga, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Afioga Taefu Lemi, Tofa Alo Fulifulu Taveuveu, Tofa Lefau Harry Schuster, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Soalo Mene, Tofa Aveau Nikotemo Palamo, Tofa Lautafi Fio Selafi Purcell, Afioga Levaopolo Talatonu, Afioga Motuopuaa Aisoli Vaai, Afioga Tialavea Fea Tionisio Seigafolava, Susuga Papalii Lio Faavaivaionu Taveu Masipau, Afioga Ifopo Matia Filisi, Afioga Lafaitale Patrick Leiataualesa, Tofa Lenatai Victor Fafoi Tamapua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Maualaivao Pat Ah Him, Afioga Tafua Maluelue Tafua.

2. ABSENT MEMBERS:

Afioga Hon Faamoetaulua Lealailauloto Ulaitino Faale Tumaalii, Tofa Agafili Patisela Eteuati Tolovaa, Tofa Tuilo'a Anitelea.

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 communicated the text of the Message from the Head of State permitting the Legislative Assembly to consider the following bill:

- i. Electoral Amendment Bill 2014**

6. CERTIFICATE OF URGENCY

Mr Speaker tabled the Certificate of Urgency of the Bill submitted:-

- i. Electoral Amendment Bill 2014**

Hon Palusalua Faapo II moved, *“To proceed with the bill as usual and refer to Committee for consideration before reporting back.”*

Motion was not approved.

7. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Electoral Amendment Bill 2014 – first reading

Hon Fiaame Naomi Mataafa moved *“That the Electoral Amendment Bill 2014 be now read a first time.”* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiaataua.

Motion approved and the Bill was read a first time.

Government Order of the Day No.2 called.

2. National Health Service Bill 2013 – consideration in detail

- P.P.2013/2014 No.138, Report of the Health and Social Services, Internal Affairs and Community and Social Development Committee on the National Health Service Bill 2013.

Hon Gatoloaifaana Amataga Gidlow moved, *“That the Legislative Assembly confirms the report of the Committee which puts forward its Findings,*

Recommendations and Resolutions.” Seconded by Hon Papaliitele Niko Lee Hang / Tafua Maluelue Tafua.

Motion approved and the report of the Committee was approved.

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Application and purpose

Approved.

CLAUSE 4: Continuation of the Service

Approved.

CLAUSE 5: Functions and powers

Approved.

CLAUSE 6: Board of Directors of the Service

“AMENDMENT:

Hon Gatoloaifaana Amataga Gidlow moved the following amendments:

Clause 6(a):-

To insert in clause 6(a) the expression “and it’s a registered member of the Samoa Medical Association,” after the word “practitionered” to read:-

- i. “(a) one registered medical practitioner; and its registered member of the Samoa Medical Association.”**
- ii. To insert the expression “and it’s a registered member of the Samoa Nurses Association” in clause 6(d) after the word “nurse;” thus (d) reads:-**

“(d) one registered nurse; and is a registered member of the Samoa Nurses Association.”

- iii. Clause 6(7):**

To omit “subsection (1)(d)” and substitute thereby “subsection (1) (e)” thus the new clause reads:

“(7) A Director whose appointment under subsection (1)(e) has expires must not be re-appointed on that occasion to continue as a director.”

Amendments approved.

Clause 6 was approved with amendments.

CLAUSE 7: Terms, vacancies and removal

“AMENDMENT:

Clause 7(3)(n):

Hon Gatoloaifaana Amataga Gidlow moved the following amendment:

To insert the word “from” after the word “depature” in clause 7(3)(n) to read:

“(n) departure from Samoa permanently.”

Amendments approved.

Clause 7 was approved with Amendment.

CLAUSE 8: Chairperson and meetings of the Board

Approved.

CLAUSE 9: Minutes and remuneration

Approved.

CLAUSE 10: Disclosure of conflict of interest

Approved.

CLAUSE 11: Ministerial directions

Approved.

CLAUSE 12: General Manager and staff

Approved.

CLAUSE 13: Management of healthcare services

Approved.

CLAUSE 14: Delegations

Approved.

CLAUSE 15: Personal health information

Approved.

CLAUSE 16: Funds of the Service

Approved.

CLAUSE 17: Accounts and audit

“AMENDMENT:

Hon Gatoloaifaana Amataga Gidlow moved the amendments as follows:-

Clause 17 (4) & (5):

To change (4) & (5) as follows:

“(4) The Service must submit to the Minister, within 4 months after the end of each financial year:

- (a) its annual report, including a copy of its audited Accounts, for that year; and**
- (b) the Auditor’s report.**

“(5) The Minister must deliver the reports received by him under subsection (4) to the Legislative Assembly forthwith if it is in sitting, and if not, at the commencement of the next ensuing sitting.”

Amendments approved.

Clause 17 was approved with Amendments.

CLAUSE 18: Powers of the Auditor

Approved.

CLAUSE 19: Fees and charges

“AMENDMENT:

Hon Gatoloaifaana Amataga Gidlow moved the amendments as follows:-

To insert the new subclause (5) after subclause (4):

“(5) Failure to publish the notice under subsection (2) in any other newspaper circulating in Samoa, does not affect the validity of these fees and charges”.

Amendment approved.

Clause 19 was approved with Amendments.

CLAUSE 20: Evidence by certificate

Approved.

CLAUSE 21: Validity of acts

Approved.

CLAUSE 22: Protection from liability

Approved.

CLAUSE 23: Guidelines

Approved.

CLAUSE 24: Amendment of the Schedule

Approved.

CLAUSE 25: Regulations

Approved.

CLAUSE 26: Operational arrangements with the Ministry

Approved.

CLAUSE 27: Repeal and transitional

Approved.

CLAUSE 28: Consequential amendment

Approved.

SCHEDULE.

Approved.

CLAUSE 1 AND THE TITLE

CLAUSE 1: Short Title and Commencement.

TITLE: National Health Service Bill 2013

“CORRECTION:

Hon Gatoloaifaana Amataga Gidlow moved the Corrections as follows:

To omit the number “2013” and substitute thereby the number “2014” thus the Bill reads:-

“NATIONAL HEALTH SERVICE ACT 2014.”

Corrections approved.

Clause 1 and the Title was approved with corrections.

The National Health Service Bill 2013 progressed with amendments and corrections.

Government Order of the Day No.3 called.

3. Electoral Amendment Bill 2014 – second reading

Hon Fiaame Naomi Mataafa moved, “That the Electoral Amendment Bill 2014 be now read a second time and I wish to clarify it.” Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Tolofuaivalelei Falemoe Leiaataua.

The Minister clarified the Bill.

Debate.

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

Debate ensued.

- 8. Proceedings of the Legislative Assembly now adjourned at 1:00pm until Wednesday, 16th April 2014 at 9:00am.**

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**

WEDNESDAY 16 APRIL 2014

1. MEMBERS PRESENT:

SPEAKER

Susuga Hon Laauli Leuatea Polataivao Fosi Schmidt

CABINET

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

MEMBERS

Afioga Hon Leupepe Toleafoa Apulu Faafisi, Hon Tuuu Anasii Leota, Tofa Afioga Toeolesulusulu Cedric Pose Salesa Schuster, Tofa Tapuai Toese Ah Sam, Tofa Tuileutu Alavaa Voi, Tofa Lealailepule Rimoni Aiafi, Afioga Afualo Wood Uti Salele, Afioga Hon Aeau Peniamina Leavaiseeta, Afioga Hon Palusalua Faapo II, Afioga Tufuga Gafotele Faitua, Tofa Fagaavalu Kenrick Samu, Afioga Afoafouvale John Moors, Afioga Peseta Vaifou Tevaga, Afioga Hon Gatoloaifaana Amataga Alesana-Gidlow, Susuga Papaliitele Niko Lee Hang, Tofa Afioga Taefu Lemi, Tofa Alo Fulifuli Taveuveu, Tofa Lefau Harry Schuster, Afioga Tuisa Tasi Patea, Tofa Tusa Misi Tupuola, Tofa Sooalo Mene, Tofa Aveau Nikotemo Palamo, Tofa Lautafi Fio Selafi Purcell, Afioga Levaopolo Talatonu, Afioga Motuopuaa Aisoli Vaai, Afioga Tialavea Fea Tionisio Seigafolava, Susuga Papalii Lio Faavaivaianu Taveu Masipau, Afioga Ifopo Matia Filisi, Afioga Lafaitale Patrick Leiataualesa, Tofa Lenatai Victor Fafoi Tamapua, Afioga Muagututagata Faamausili Peter Ah Him, Afioga Maualaivao Pat Ah Him, Afioga Tafua Maluelue Tafua.

2. ABSENT MEMBERS:

Afioga Hon Le Mamea Ropati, Tofa Agafili Patisela Eteuati Tolovaa, Tofa Tuilo'a Anitelea.

3. The Legislative Assembly met at 9.00am.

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

5. PRIME MINISTER MOTION

Hon Tuilaepa Sailele Fatialofa Lupesoliai Aiono Neioti Malielegaoi (Prime Minister) moved, *“When Parliament completes the deliberations of this bill (Electoral Amendment Bill 2014), then it must be referred to a Select Committee for their consideration and report back to Parliament whenever possible.* Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Fiamē Naomi Mataafa / Hon Tolofuaivalelei Falemoe Leiataua / Hon Palusalue Faapo II.

Motion approved and the report was now referred to the Works, Transport and Environment Committee.

6. GOVERNMENT ORDERS OF THE DAY – Reading of Bills

Government Order of the Day No.1 called.

1. Electoral Amendment Bill 2014 – second reading (DAY 3)

Debate ensued.

Proceedings of the Legislative Assembly now suspended at 10:44am and resumed at 11:18am.

MOTION TO AMEND SITTING HOURS

Hon Tuilaepa Sailele Fatialofa Lupesoliai Aiono Neioti Malielegaoi (Prime Minister) moved, *“That the proceedings of the Legislative Assembly be now amended from 9:00am-1:00pm, take a rest and resume at 7:00pm until work of Parliament is completed.”* Seconded by Hon Fonotoe Nuafesili Pierre Laufo / Hon Faumuina Tiatia Faaolatane Liuga / Hon Tolofuaivalelei Falemoe Leiataua.

Motion approved.

Debate ensued.

Proceedings of the Legislative Assembly suspended at 12:56pm and resumed at 7:00pm.

Debate continued.

Motion approved and the Electoral Amendment Bill 2014 was read the second time and was referred to Works, Standing Order, House and the Electoral Committee for consideration and report back to the Legislative Assembly in the future.

Government Order of the Day No.2 called.

2. National Health Service Bill 2014 – third reading

Hon Tuitama Talalelei Tuitama (Minister of Health) moved, *“That the National Health Service Bill 2014 be now read a third time.”* Seconded by Hon Faumuina Tiatia Faaolatane Liuga / Hon Fonotoe Nuafesili Pierre Lauofo / Hon Magele Mauiliu.

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

MOTION FOR SUSPENSION OF STANDING ORDERS

Hon Tuilaepa Sailele Fatialofa Lupesoliai Aiono Neioti Malielegaoi (Prime Minister) moved, *“That Standing Orders be set aside and the Legislative Assembly confirms all 38 reports without deliberations and report to Government for their Responses and report back to the House. Secondly, the Legislative Assembly confirms 15 Government Responses without having to wait for House call. Thirdly, members will then proceed with the deliberation of the Office of Parliament report on the Chief Auditor’s report 2010-2011, after that, we can take a break before someone gets sick, and then we can re-convene on the Supplementary Budget for the coming year which will be up soon.”*

The motion was approved.

7. CONSIDERATION OF COMMITTEE’S REPORTS

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

1. P.P.2013/2014 No.56 Committee of the Office of Parliament Report on P.P.2012/2013 No.13, Report of the Controller and Chief Auditor to the Legislative Assembly for July 2009- June 2010 & P.P.2013/2014 No.12, the Controller and Chief Auditor Report to the Legislative Assembly for July 2010 – June 2011 - Consideration

Proceedings suspended at 8:41pm and resumed at 9:14pm.

Debate.

MINISTERIAL STATEMENT BY AFIGA HON FAUMUINA TIATIA FAAOLATANE LIUGA

Mr Speaker of the Parliament of Samoa
The Hon. Prime Minister and Hon. Ministers of Cabinet
Hon Associate Minister
Hon. Leader of the Opposition
Hon. Deputy Leader and Members of the Opposition
The Chief Executive Officers of the Ministries and Government Corporations
The Clerk of the Legislative Assembly and Staff of the Legislative Assembly

INTRODUCTION

I thank you Mr. Speaker as you have now dealt with the protocols and in so doing you indeed done the prerequisite by first paying tribute to our sacred relationship with our Heavenly Father.

As such, I wish to first of all pay tribute to His Highness the Head of State, the Tama Aiga, Tui Atua Tupua Tamasese Efi for his support, and the Masiofo: the Member of Council of Deputies, Afioga Tama Aiga, Tuimalealiifano Sualauvi Vaaletō’a II, who is the Tuiaana, and Masiofo, and the Leaders of the various religious denominations in

Samoa, the Preachers of the Gospel: the Hon. Chief Justice and the Judiciary: the support of the dignity of Tama and their families, the Families and Tama and the dignity of the Oratory groups of Tumua and Pule, comprising of Itu'au and the Alataua, Aiga i le Tai and the Vaa o Fonoti.

I am also mindful of the prayerful support of the Eastern Island comprising of the Governor and the Lieutenant Governor; the President of the House of Representatives and the Speaker of the Senate, and the two Houses of the Government Tutuila and Manu'a. These honorary salutations are represented by the Faleagafulu comprising of the Tama na autasi and the Tama that raised to the highest pedestal by Sua and the Vaifanua, Fofu and Atiulagi, Sa'ole and Saleaamua and the Launiu Na Saelua. I also pay tribute to the Taboo Island in consideration of the Tama a le Manu'a Tele, the Laau Na Amotasi, Faatui o le Motu and especially the Auva'a o Tootoo.

This particular day has been made by God that we may rejoice in it, which hopefully will result in praises for Him. Mr Speaker, I am sure you are fully aware of the numerous stories that are floating around, not only in the newspapers but through the numerous TV channels and the Radio Stations in Samoa and abroad concerning allegations against me during the execution of my ministerial duties from 2001 to the present time without my having 'uttered' a word against the same.

Mr Speaker the Report of the Controller and Chief Auditor and that of the Committee of the Officers of Parliament have been tabled in the House as P.P.2012/2013 No.13 and P.P.2013/2014 No.12 as well as the issues raised therein.

Mr Speaker, before I venture to reply as well as providing explanations regarding the issues raised by the Controller and Chief Auditor and the Committee of the Officers of Parliament, I should first of all place in Parliament a (broader context) by which I performed my duties as well as the decisions that I made.

It is for that reason that I deem it proper for me to provide you with the summaries of information relating to major projects pertaining to each category of my duties as Minister as well as the aims behind the implementation of these projects for the benefit of the country and the people as a whole.

Admittedly, it is for this reason that I had to return to Samoa to render services and to contribute, for a person's calling comes from God. This I hope will also enlighten the people about the environment of major projects that I undertook and which of course had provided us shelter, while other projects are now under the telescope.

First Part:

Reshuffling of the Ministry of Works (PWD) and the preparations of the (Private Sector) to be responsible for major projects to be handed out by Government.

Second Part:

Samoa playing host to the South Pacific Games 2007.

Third Part:

Release of lands of the Samoa Land Corporation (SLC) for our people to develop or for residential purposes.

Fourth Part:

Samoa Scientific Research Organisation (SROS).

Fifth Part

Samoa Unit Trust Corporation (UTOS) for the investments of our people for the first time.

RESHUFFLING OF THE MINISTRY OF WORKS (PWD)

The reshuffling of the Ministry of Works was a programme that was put in place during a Parliamentary term of 1996-2001, but it was not fully developed given its complexity in that it could result in the laying off of workers thereby dismantling the Ministry of Works.

Given the significance of these major changes to Government in order to save money and increasing the speed of the economic development, I therefore had to seek approval from the Prime Minister so as to shift my office to where the workers of the Ministry were as has always been the practice.

It would be best for me to really know the workers as well as they do me, given the delicate nature of this aim, in order to achieve these major changes.

It was evident that most of the workers, will be out of jobs after the downsizing of the Ministry of Works.

The other important aspects with regard to the preparation of the Private Sector relates to the execution of major projects to be handed out by the Government, in regard to the construction and continuous maintenance of roads, bridges, drainage, seawalls and other major projects that the Ministry of Works used to carry out.

In a first meeting with representatives of the Private Sector: they were briefed with guidelines by which these projects were to be carried out according to the above stages, through public tendering.

The representatives of the Private Sector were also informed that the law or policies of Government do not allow any company to pay money to any worker of the Ministry, inclusive of the Minister, that he may give out work or contract to the said company for these major projects. That policy has not changed to the present time.

I know the representatives of the private sector in Upolu to whom I gave these guidelines are listening in. These were the same guidelines are listening that I explained to the Private Sector in Savaii.

There was only one request submitted by the Private Sector in Salafai – that is that Government recognized and support their Society of Road Contractors in Savaii. The reply was that it was their right to do just that but Government would not support any organization as such would enable someone to either control or dictate the costs of Government projects.

Mr Speaker that was the objective set for the new Ministry of Works by which its core functions could be carried out, and that the workforce was to be reduced to 50 from the then workforce of 400. It took a whole year to discuss and explain the essence to the workers, PSA and PSC, and the negotiations on this complicated matter were not that smooth, for the workers to fully understand the significance of this proposal for the whole country. The outcome of negotiations with those affected thereby completed, preparations were then initiated to prepare the recommendations through a Cabinet Submission for its information and final endorsement for the reduction of the Ministry of Works. This Cabinet Paper was submitted in July/August 2002 and I personally tried on numerous occasions to explain this concept to the dignity of Cabinet given the complexity of the issue. Yet Cabinet's approval appeared to be forthcoming in November 2002. I was fully conscious of the concern of the Ministers of Cabinet at the time as such a move would affect workers and the income of workers especially those on whom family upkeep falls. These major changes took shape at the end of 2002, after Cabinet's approval had been obtained, that saw the smooth progress of this proposal. It was the Prime Minister who spoke to congratulate the workers for the work they had been doing for many years whilst serving the country on the last day that the workers of the Ministry of Works were farewelled. From that time on, public funds have been duly devoted to the improvement of roads when PWD was demolished and road construction works given out to local road contractors.

Mr Speaker, if these major changes to the Ministry of Works, had not taken place as summarized above, Samoa would not by now have reached quality development in terms of public roads, bridges, drainage, seawalls and river bank walls and other

current major works. The private sector has shown its remarkably full support and implementation of the projects given them in terms of the infrastructure. Ever since the allocation of various zones to be catered for by the contractors through public tendering, this contributed to the urgent improvement of roads that were damaged by heavy rainfall and flooding at the time of the cyclone. The following are significant aspects of these major changes.

The development of the Private Sector for the construction and maintenance of infrastructure has by now created almost 20 companies established in Upolu to cater for major works that used to be done by Government and that close to 10 companies have established businesses for the construction and maintenance of roads, bridges, walls for riverbanks, and seawalls on the island of Salafai.

These have created job opportunities for our people thereby assisting with the upkeep of families, services to the villages and Churches thereby building upon their economy.

Savings on public funds as assets for which, if these major projects had been done by the Ministry of Works, sinking \$20 million annually for the upgrading of roads which in the end only cost the salaries of the workers.

The payroll for workers had only reduced by two million annually since 2003. The actual construction of works has been cheap and efficient give the many companies that have been established in Savaii and Upolu that are competing through public tender for the implementation of these projects.

As regards the programme for the tar sealing of access roads for the farmers, livestock farmers and the general public throughout the country in the rural areas, these projects had only gained speed after affecting these changes to the Ministry of Works in 2003. The same goes for all the sectors of the country and the many contractors, responsible for the maintenance of public roads, was a new approach providing more attention that encouraged the maintenance of public roads especially at the time of heavy rainfall and cyclones, and soil erosion caused by natural disasters. For example, cyclone Heta in 2004 lasted only three days yet it caused the need for a complete upgrading of our roads, drainage and soil erosion at Anoamaa East and Anoamaa West. It took one week to restore electricity to both islands of Upolu and Savaii, Why? Because the appointed contractors automatically moved out to do the upgrading work. These functions were previously carried out by PWD, which was unable to carry these out efficiently prior to these major changes.

Mr Speaker that was the skeleton (model) by which the said major changes were carried out by the Ministry of Work, which has been adopted by the World Bank in most of the developing countries inclusive of the Pacific. Fiji and Tonga are trying to implement their major changes to the Ministry of Works but have not to date been able to implement these changes due to a lack of political courage to do it.

2. SAMOA HOSTING THE SOUTH PACIFIC GAMES – 2007

Mr Speaker, this is one of the challenges that faced my time whilst executing the functions of the Ministry of Works (2001-2006) as well as the Ministry of Natural Resources and Environment (2006-2011). There were four main objectives that guided the implementation of the projects to prepare Samoa to host the South Pacific Games in 2007:

- This was to build the Gym and the sports fields to be of international standard and that the project was to be completed by the end of July 2007.
- Site preparation and accommodation for the athletes.
- Programmes for the Opening and Closing of the Games.
- Catering of foodstuff to an adequate and acceptable standard.

The construction of the Sports Complex and Grounds met the deadline inclusive of accommodation for the athletes.

The challenge that was given to the Team Samoa was to get 50 gold medals, but they only managed 44 gold medals, 42 silver and 50 bronze. Samoa came second in the total tally of medals from the South Pacific Games. This was the highest ever achievement by our athletes in international sports. In spite of the fact that we did not win the total number of 50 gold medals that we wanted yet Samoa did manage to attain its highest ever standing.

This was one of Government's plans to build a Gym and playgrounds to international standard, enabling Samoa to play host to major internationally sporting events and meetings locally, for the sake of projects pertaining to the future generations of Samoa. This dream has been realized giving numerous benefits that Samoa has enjoyed as a result.

Mr Speaker, there have been numerous complaints from the country in relation to the costly nature of this Gymnasium saying what use there is for this Gym after the South Pacific Games 2007.

According to Government's vision the use of this gym was not to end with the South Pacific Games in 2007 but beyond 2007, in relation to international sporting events outside of the Pacific.

As we all are aware, numerous international sporting events have been taken place in Samoa since 2007. Samoa is now preparing to host the Commonwealth Youth Games in 2015. As such it is normally the duty of Government to initiate developments for the general welfare of its people, especially providing access to development by the Private Sector; thereby creating job opportunities for our people.

The other advantage of this Gym and international sporting fields is that it encourages our sports people to improve their sporting talents. A lot of Samoan sportsmen have been blessed with sporting contracts to play overseas.

As well as that, sports facilities contribute a lot to tourists and visitors to Samoa as it has made necessary preparation through continuing, in order to fully convince the world to hold its first ever International Meeting (SIDS) in Samoa this year. This is the first and biggest ever international meeting to be hosted by a South Pacific Nation, inclusive of New Zealand and Australia.

3. SAMOA LAND CORPORATION (SLC)

The Samoa Land Corporation was established in 1990 at the time cyclones Ofa and Valelia struck, respectively, in 1990 and 1991.

The overall aim of Government behind the establishment of this Independent Government Corporation was to open up some other new commercial systems by which Government land could be used other than that already applied under the Trust Estates Corporation of Samoa for cultivation and cattle farms, which had considerably increased the Corporation's debts making it impossible for it to repay its debts to the Bank and Government.

So the establishment of the Samoa Land Corporation in 1990 was not only the outcome of wise decision-making but also of Government's vision for the best use of these lands for other business ventures. That saw the transfer of some 24,000 acres of the Trust Estates Corporation lands in addition to a debt of \$23,286,762.00 to the newly established Samoa Land Corporation. In the records of the Samoa Land Corporation, the only amount the Samoa Land Corporation was able to pay to Government from 1990 to 2006 was \$2,000,000.00 during which time the Corporation was transferred under my control.

To my observation, this vision of Cabinet at the time, to develop government lands through other means of business than farming and cattle raising was necessary to diversify developments, ones that yield money for the Samoa Land Corporation other than leasing or selling lands which was considered unsustainable over the long term. It was therefore considered a necessary method by which to proceed with work in order to achieve the aim of the Samoa Land Corporation.

All lands of the Corporation were re-surveyed so as to identify the location of these lands and to indicate where various businesses could be operated and conducted in line with Government policy behind the establishment of the SLC.

That all lands without commercial value for business enterprises but suitable for Government land reserves be transferred to the Land Board (MNRE).

Other lands for Government projects or Government lands required for the operation of the Corporation's businesses shall be subjected to land exchange with the Land Board.

Clear the remaining balance of the debt \$21,286,762.00.

At the time when I was leader of the SLC there were only two sources of revenue for the Corporation: that is leasing out land or selling land. The other new sources were the Golf Course at Faleata. Restaurant and the use of the Golf Club House/Bar at Faleata for weddings, birthdays and others that derived money for the Corporation.

The Flea Market at Savalalo and the Market at Salelologa was cared for and maintained by the Ministry for Natural Resources and Environment, against all odds, as being the venue for services to the country: as such the market was transferred to be under the Samoa Land Corporation in 2006. The Offices of the Prime Minister and the Minister of for Natural Resources and Environment were rarely free from members of the general public, public sector and Flea Market vendors complaining about the leaking facilities they were using while the Ministry was still collecting block rental from them. It is for these reasons that MNRE agreed that these two markets be looked after and controlled by the Samoa Land Corporation, as the former had no money to maintain and upgrade these facilities. There are still many families using this market which has become a source of benefits for many of our people. These have been fully maintained as requested by the private sector etc.

The other issues that were looked into by the Board and the Administration were other means by which government lands under the SLC could be used: through leases to investors to build flats, condominiums or hotels, by which SLC lands may be leased to wealthy people in the country and overseas investors. Hence this was one of the aims behind the promotion of our Unit Titles Act 2009, in order to attract wealthy people or overseas investors to participate in these types of major development on Government lands and customary lands, and resell their assets to locals and overseas management groups running these developments. That will derive revenues for the SLC and the general public through leasing lands at high rates given the improvement already carried out on these lands. Again, job opportunities will be created for our people. The JTC Corporation of Singapore had the same profile as the Samoa Land Corporation in that the JTC Corporation is the sole funding agent within the Financial Accounts of the Government Singapore, due to their use of their limited amount of land and the use of the upper space through their multi-storey buildings, as in so many ways above. In one of my trips for an Environmental Meeting in Asia, the General Manager and Deputy General Manager of the SLC were instructed to travel with me to Singapore in mid-2006 to consult with JTC relating to systems under which they were carrying out their responsibilities; that we could imitate and apply such new systems to assist SLC in order to achieve its aims that saw the establishment of the Corporation in 1990.

3(a) Re-survey of the Samoa Land Corporation's lands

Towards the completion of the Gym and the Sports fields for the South Pacific Games in 2007 the programme for the re-survey of the lands of the Corporation was immediately put in place in (Upolu and Savaii) as recorded in the records of the Corporation, to be 24,000 acres. It was necessary to check the accuracy of these records as well as identifying the location of these lands. The challenges that I was now facing is that there were three (3) more years before my term of office expires, i.e.2008, 2009 and 2010 and that I should endeavour to get past the projects proposed for December 2010.

The execution of the re-survey of Government lands is one that was not readily acceptable to our people, especially to the villages and those occupying and using these

lands. It was also contradictory to our customs and traditions to use Policemen for the re-survey of Government's lands, as such, I recommended using our customs for this purpose; which was good for Government's as well as the whole country.

It is for this reason that I recommended appointing a Committee to assist me (under Article 35 of the Constitution of Samoa-Article 36 of the Constitution for the assignment of responsibilities to the Minister in writing by the Prime Minister for any government department or subject). This work is yet to be completed given the scarcity of land surveyors. There were also other lands holdings that were reduced thereby allowing for purchase of more lands at Falelauniu and Tafaigata now occupied by some from around the country.

3(b) Survey of SLC Lands in Upolu and Savaii

The re-survey of the Samoa Land Corporations lands had been completed, about 75% in Upolu and Savaii. The total area of lands yet to be surveyed is about 25%- Upolu: Tapatapao, Aleisa, Faleasiu, Fasitoo-uta and other scattered lands: Savaii: Taga and Salailua. During the survey of SLC lands, it noted lands of Government affected by the decisions of the Land and Titles Court which as of now have become lands pertinent to those that contested its ownership. Some of these lands have been subjected to land claims (pule faamau) by some people around the country. These Land and Titles Court decisions affecting government lands and causing claimants or families thereto to occupy same was the reason why the Samoa Land Corporation's Administration was instructed to work together with the Office of the Attorney General so that its work was carried out pursuant to the Law, so as to annul these decisions and that the same lands be registered as Government lands in the records of the SLC. There are also government lands under the SLC in one of the villages at Vaimauga East but they have sold some of these lands to people from other villages through illegal deals. These land sales have been corrected. Mr Speaker had it not for the re-survey of Government lands we would not have discovered these corrupt practices of some people, affecting public lands in the whole country.

3(c) Land Exchange of SLC and the Land Board

Mr Speaker, for the information of the House and the whole country listening in, I would say that after the commencement of the re-survey of the SLC lands, Cabinet saw it fit to decide as per (FK (07) 29, dated 1 August 2007) to effect changes to some of the lands under SLC and the Land Board and vice versa. These changes to lands had seen the reduction of the SLC debt of \$21,286,762.00 to Government. These are some of the works undertaken by the Minister's Committee together with the full attention of the Administration and Staff of the Samoa Land Corporation through the re-survey of its lands throughout the country.

3 (d) Valuable developments for the future of SLC through service to the Country

Upgrading of the Flea Market at Savalalo and the construction of the markets at Salelologa and Vaitele as directed by Cabinet (FK (106)28, 02 August 2006: FK(07)47, 12 December 2007 and FK (10)12,31, March 2010):

- ii. Upgrading of the Faleata Golf Course for the international golf tournament, Samoa Classic and the Samoa Open (2008-2009)
- iii. Construction of SLC permanent headquarters and office at Tuanaimato Faleata (FK (10)29, 26 July 2010).

3(e) Upgrading of the Savalalo Flea Market and the Construction of the Markets at Salelologa and Vaitele

Mr Speaker, this is one area that the recommendations of the Controller and Chief Auditor as well as the report of the Committee of the Officers of Parliament are heavily concerned with; that developments of this nature should not be over emphasized as it

dearly cost Government a lot of money. The vision of Government as endorsed by Cabinet through the FK above is spelt out in the execution of its (investment) developments, to provide the general public with the opportunities to make businesses to cater for their families and render services to the villages and churches especially those with low income.

The Flea Market at Savalalo (FK 06) 28, 2 August 2006) caters for more than 300 families and small shops operating businesses in that location. A lot of our people are enjoying benefits from this development.

The same goes for the market at Salelologa (FK (07)47, 12 December 2007). This is one area for all the farmers, fishermen and small businesses in the big island of Salafai.

More and more people are heading for Vaitele to make use of the market (FK (10) 12, 31 March 2010). This market will certainly be more useful when the construction of the international wharf at Vaiusu is completed in the next two or three years time.

These developments were not considered for shorter term period; the government's vision for its people especially the younger generations of Samoa is that forward progress should go together with the development of families. All these developments are contributing substantially to the generation of our economy as more people are confirmed to be offered job opportunities.

3(f) Golf Course Development

The upgrading of the Golf Course at Faleata for international golf tournament of the Samoa Classic and the Samoa Open, 2008-2009 was SLC's contribution towards the promotion of Samoa as a Tourist Destination especially its use by our own people for exercises. The Churches as well as other Organizations are using the Golf Course for their fundraising activities toward the Church and village developments. The other SLC building at Tuanaimato is one of the buildings to be used for the World Meeting (SIDS) to be held in Samoa in September 2014.

3(g) Construction of the Main Office of the Samoa Land Corporation at Tuanaimato Faleata

The old building that housed the Office of SPREP before shifting to its new Office at Vailima was used by the Samoa Land Corporation. Its location was most ideal given the many businesses leasing lands of the Corporation within the Industrial Zone at Vaitele-tai, where it is cheap and easy for the business people to pay their leases and other matters requiring the assistance of the SLC. After Cabinet's decision to sell lands within the industrial Zone to the Private Sector (FK (07)42, 7 November 2007). It was proving expensive for the Corporation to continue with its two existing Offices at Vaitele-tai and the other section of the staff at Tuanaimato in the middle of 2010. The aim of this proposal was for the Corporation to make it simple and cheap to implement its functions towards serving the country from one place. The total cost for the construction of this building was \$3,365,000.00 (the original cost was \$2,620,000 plus \$365,000 Variation No.1 plus \$38,000 (partitioning of office) plus its accessories: the lift at \$490,000.00 plus the split unit air conditioners at \$260,000. As the Committee of the Officers of Parliament is questioning this matter, I shall now answer and explain the areas questioned by the Committee with the last part of this statement.

4. SAMOA SCIENTIFIC RESEARCH ORGANISATION (SROS)

At the end of the Parliamentary Term 2001-2006, this House passed the Principal Act of this Scientific Research Institute of Samoa 2006 to formally establish this institute (SRIS). The Principal Act was amended in November 2008 thereby altering its name "Institute" to become the Scientific Research Organisation of Samoa so as to generally reflect the scientific nature of issues that SROS may include in its programme of scientific research.

The establishment of SROS in the middle of 2006 was purely another challenge that was faced by Government in the last parliament. As we all know, people always have doubts

with every new thing and often times we hardly satisfy their doubts unless and until the development concerned bears fruit. These were the main issues why Government had to establish this Organisation as summarized below:

To search for scientists with special qualifications and recognized degrees, those who are considered matured in international scientific circles, specialized in the area that Government intends to pursue.

(a) Upgrade the existing facilities (old houses once used by the Ministry of Agriculture) at Nafanua for the new Corporation to commence work.

(b) Organise and proceed with the ordering of the relevant equipment (lab equipment etc) to be used for scientific research.

© to continue with new housing depending on the cash flow of Government to increase the operations of SROS in order to meet the (international standards).

(d) Products should be carefully selected from the products of our cultivations in order to develop finished products so to boost the confidence of those who will be working for this Scientific Research Corporation and start preparing our cases for the accreditation of SROS within the five year period (2006-2010) from the original Corporation with seniority and highly recognized internationally in New Zealand or Australia.

(e) That individual research assignments be recognized by international universities in order to gain credits for the staff should they wish to do a higher degree.

(f) This development will also urge the sons and daughters of Samoa to study scientific subjects as the same will create job opportunities not only in Scientific Research Organisations, but the Ministry of Agriculture and Fisheries as well as the Private Sector when it is given the responsibility to produce goods from their respective natural resources etc.

(g) The Corporation should endeavor to find commercial ways to get money so to lessen its dependence on Government.

In brief, Mr Speaker, all the aims referred to above have all been attained, inclusive of the accreditation that honored the Corporation at the end of the scientific research carried out by the scientists from New Zealand that enabled SROS to now proceed with its work commencing from December 2010 with Government and the Private Sector in Australia and New Zealand to provide the certification. This had not only reduced the costs of the projects but the time taken to await certification.

Mr Speaker, this is one of our Government's developments that will substantially assist the growth of the economy. It will help locate other methods of producing goods from our crops so to reduce imports; it will also increase job opportunities for our people thereby reducing their payments overseas. These goods may also be sent overseas for export if and when more goods than what we need are produced locally. Government is still looking for anyone from the Private Sector who can establish a factory for goods already developed (flour from breadfruit, biodiesel from copra and oil from avocado) by SROS. If no one is prepared to deal with any of these developments, Government therefore will have right to take up the challenge, depending on the time these developments are allocated to the Private Sector at a later stage.

5. THE UNIT TRUST ORGANISATION OF SAMOA (UTOS)

Mr Speaker, the Unit Trust Organisation of Samoa was established in February 2010 through Cabinet Decision (FK (10) 01). It had taken more than 30 years planning to establish such a body by which members of the public could hold shares in some of the major business developments in Samoa. First, only the rich people could hold shares in major business developments in Samoa. After the General Elections in March 2011, the Unit Trust Organisation of Samoa came under my portfolio. In the briefing notes given to me the following week by the Board and the Administration, I noted the following:

- i. The total number of (Unit holders) was 150
- ii. The value of one unit, was \$0.97 from initial \$1.00.
- iii. The total amount in the Trust Folio account was \$1,315,396
- iv. Total monies in the Investment Portfolio Account: \$500,000

- v. Funding of the Unit Trust Organisation (Administration) and the Board, paid by Government annually – 2010, 2011, 2012/2013.
- vi. Plans of the Board and the Administration to raise \$40 million within three years

Based on the above the Board and the Administration were instructed as follows:

- That a promotional programme be implemented to increase the number of unit holders to the tune of 1,000 within 24 months.
- vii. Explore other means whereby the value of a unit could be increased to \$1.00 or higher within six (6) months.
- viii. That Government within two financial years (2011/2012) continue to pay the (grant) by which to pay the services of the Corporation, UTOS should be able to support itself by July 2013.
- ix. The period of three years has been reduced to one year for the Board and the Administration to raise \$40 million and that I would be assisting this programme.
- x. That (dividends) be made within two years (2012 and 2013) to not only entertain the unit holders but to also attract the new and would be unit holders.

Mr Speaker, I would say that all those aims and objectives have been duly met and satisfied within the time frame.

- i. Total of current unit holders 1,223
- ii. Current value of a unit \$1.46 (After two dividends) 15
- iii. Current total of Trust Portfolio: \$29,189,368
- iv. Total (investment Portfolio Current \$71,809,762)
- v. Financial assistance of Government ceased on 30 June 2013 (UTOS self supporting 1 July 2013)

vi. The targeted amount of \$40 million was achieved within 12 months bringing the total amount of the Administration's finances to \$100,999,130 at the moment. Another challenge or target has been given to the Board and the Administration to again raise within 18 months (January 2014-June 2015 another 100 million or the total of two portfolios of 200 million to further boost the development of the Independent Corporation of Government (SOEs) especially the refinancing of their loans with the Commercial Banks given the high rate interest charged and to finance other developments for the general welfare of our people. The overall aim was for the UTOS to become a Banker for Government's SOE's.

For the information of the House, the restructuring process for the Development Bank is now underway basically for supporting the Private Sector in its own developments. The idea of foreclosing business for falling to repay their debts due to lack of revenues due to the global economic crisis is now banned until after these changes.

vii. Two dividends have been made \$0.07 in 2012 and \$0.08 in 2013.

The other advantage of the UTOS is that it has increased income for personal or company short term deposits from 2.75% to 6% thereby reducing the interest rates to 10% or lower for loans from the Commercial Banks.

Mr Speaker, these benefits would not have come about without the success of UTOS as it is now. This of course is a great relief for the Private Sector and the general public.

Mr Speaker: that is the big picture of the wide range of some developments that our Government is trying to do.

6. THE AUDIT REPORT

Mr Speaker, the Samoa Land Corporation has replied to most of the issues raised by the Auditor in Sections 1, 2, 3, 4, 5 and 6.

6. (a) Estimated Revenues – the targeted \$11 million tala that was not realized. These are normal features of any plan when a Corporation's budget contains aims and plans for revenues and expenditure.

In assessing the revenue aims of the Samoa Land Corporation for 2009/2010, assessment was made on revenue to be derived from lands now occupied by founded villages and

that Cabinet had already approved FK (07) 42,07 November 2007, FK(08)28, 23 July 2008 and FK (08)34, 3 September 2008.

The village of Vaimauga East and other villages of Faleata West did not make any payments for lands in the years 2008/209 as approved by Cabinet. When Cabinet had endorsed the sale of the SLC lands in the Industrial Zone at Vaitele for the development of the Private Sector the prices of these lands were also increased through the revenues estimated for the years 2008/2009.

However the Private Sector and those with low income consequently requested a period of five years to repay their lands whilst continuing to pay their leases and deduct the repayments to their lands. This request was endorsed by Cabinet and the Board.

The SLC half acre at Tauese currently used by the Ministry of Police was intended to collect some \$2.5 million that did not materialize during the financial year 2008/2009 thereby falling to reach the estimated revenues of \$11 million. These are normal features of future plans and that only God can see what happens in future. Furthermore the Administration of the Samoa Land Corporation had replied concerning the reasons but not accepted by the Committee.

6 (e) Estimated Expenditure

The estimated expenditure of 2.4 million that was overspent. The estimated expenditure for 2008/2009 did not include depreciation of the value of the Corporation's assets of \$1.338 million, as well as the Banks interests on the SLC debts of \$608,101 tala.

Mr Speaker, the overall view of these numerous transactions is additional profits after tax that the Samoa Land Corporation had realized for each year referred to below:

2006:	\$376,281)
2007:	\$350,927)
2008:	\$399,277) Tax deducted
2009:	\$173,080)
2010:	(\$91,542-) - loss being the year compensation amounting to \$345,135.00

was paid to the Siva Afi for the remaining part of his lease as Government needed this land for its developments (TATTE Building). The fact that Siva Afi won the case was due to the carelessness of the (land court) Judge. He should have clearly stipulated the reason why Government won the case. The Appeal Court disqualified the decision due to the lack of clarifying the basis of the said decision.

7.ISSUES RAISED BY THE COMMITTEE OF THE OFFICERS OF PARLIAMENT

7 (a). Purchase of the Truck and the Water Drilling Rig of the Samoa Land Corporation
Mr Speaker, the Administration had no plans to purchase a truck and a Water Drilling Rig for the Corporation as such is not its responsibility.

The emphasis of the Corporation was people and money, yet when the Administration of Water Authority replied they would not know for sure when their Water Drilling Rig would be available as they were also dealing with partnership projects with the European Union EDF9/EDF10 that were scheduled for completion by December 2013. This programme by the way was the drilling and reticulation of water supply for some of the villages in Savaii. In regard to the time according to the Water Authority when the Drilling Rig would be available it means we would have to wait for five years before the drilling and reticulation of water supply for families at Falelauniu can be done.

It would be very expensive for the Corporation to cart water for some 150 families in 5 years. Water is one of the most valuable resource and greatly in demand for the life of man, and it was necessary therefore to find the cheapest way to provide water for 150 families or 1,599 people of Falelauniu.

The Board and the Administration gave priority to the people, as well as saying the Corporation's monies. 50 water trucks were needed for each day, 3 days a week, \$250;

with 3,000 litres per load, and the weekly price for carting water was \$37,500 for three (3) days. There are 52 weeks a year multiply by \$37,500 and the total costs of carting water to Falelauniu was \$1,950,000 per annum. Now if water is carted for five (5) years to Falelauniu it comes out to \$9,750,000 = which was extremely expensive for the Corporation.

For the information of the House, the Board's and the SLC Administration's attention was once again drawn to this problem that greatly affected the subdivision of Government's lands at Vaitele-fou, where almost 10 years had lapsed without any water supply and reticulation having been done.

With the land subdivision at Vaitele-fou more than 900 quarter acres from 1995/1996 had been allocated but electricity lines were only put up in 2000/2001; roads were only sealed in 2003/2004 but water supply was only reticulated at the end of 2004.

This is why the Administration recommended to the Board to buy a truck and a water drilling rig to drill a borehole to enable the SLC to cart water for the subdivision at Falelauniu which is much cheaper for the Corporation than to await the availability of the Water Authority.

The cost of the truck and the water drilling rig was US\$450,000.00 (without tax) but it's much cheaper than for the Samoa Water Authority to cart water for the families at Falelauniu for five years for \$9,750,000.00 and it is not a full time job. Now if we look at the cost of the Corporation's truck and the water drilling rig of US\$450,000.00 which is equivalent to SAT\$1,200,000.00 less \$300,000.00 gained from work for which the truck and the water drilling rig were used, and the cost of drilling the borehole at Falelauniu of \$100,000.00 that will leave \$800,000.00 being the money used by the Corporation to buy the truck and the water drilling rig plus tax.

The release by the Corporation of the truck and the rig to the Water Authority (FK (13) 34, 18 September 2013) was a move in a right direction. The amount of savings from the sale of the truck and the rig exceeded \$8 million tala.

The decision by the Board and the Samoa Land Corporation to dispose of the truck and the water-drilling rig was a move in the right direction given the substantial savings resulting from it.

On the other hand if the Samoa Land Corporation did not buy its own ploughs, it would not have been possible for it to start its work in 1993; it would not be able to immediately prepare the golf course and other areas of land maintenance and the construction of the sports fields to be ready in time for the South Pacific Games 2007. It is therefore not new for a Corporation to possess machines.

7(b) Money spent by the Office of the Minister

The Government House at Tamaligi (ex NZ High Commission) was part of the Ministry of Natural Resources and Environment before it was shifted to the Development Bank of Samoa in 2008. The said building was more than 40 years old and that many of its parts are fairly old and rotten. No rent was payable for the use of that house of Government except for the routine maintenance and replacement of reparable parts and constant upkeep.

These areas were required to be further improved, to ensure the safety of the staff and to retain the value of Government's efforts. But due to the plan to shift the entire MNRE to the DBS building (FK (07) 15 3 May 2007 and FK (07) 41 31 October 2007), a sum of \$2 million was required for that. As the Ministry was not in a position to do repair work for the Government's house at Tamaligi then priority was given by the Ministry and Minister to the merging together of staff of MNRE in one place from the seven previous locations such as (Tamaligi, Matautu-tai, Vaiala, Motootua, old Morris Hedstrom Building, Vailima and Mulinuu) to provide better service to the country that was cheaper for all, Government and the general public.

Mr Speaker, the improvement of this asset of Government was necessary in order to maintain the value of this asset regardless of whoever uses this house of Government. On the other hand, places that the people of our country go to for their own business

requires the assistance of Government. There is no rent to be paid by anyone for the use of this house just as every other house of Government except the maintenance and repairs, give the age of the house.

7(c) Expenditure for the Office of the Minister

Money that formed SLC's construction to the activities of the Office of the Minister included:

- i. Maintenance of the Associate Minister's vehicle and the vehicle that services the Office of the Minister (all are SLC vehicles)
- ii. Furniture of the Office of the Associate Minister and the Technical Advisor:
- iii. Paper and things used for office work (Office Stationery) – Office of the Minister for Cabinet Submissions for SLC – other legal and land matters
- iv. othe accessories for office work such as ink (toner ink) for the office and office cleaning. These are normal expenses and nothing new.

7 (d) Working Committee

The re-survey of Government's lands is work that should not be taken lightly by anyone as the same has taken so many lives and I had no intention whatsoever to use our Police to assist with this work as it does no good to Government or the country. Especially when the news gets out. I have decided to uphold the significance of or customs and traditions and for that reason I advised that a Working Committee should be appointed in the person of orators of the villages especially those from the villages where Government lands are located under Article 35 of the Constitution of Samoa, to work together with me and the Administration of the SLC to resurvey the lands that are used and occupied by some of the villages as well as the private sector and the farmers.

I need not to go into details of the value of the work carried out by the Working Committee that assisted the Minister, the Administration and the staff of the SLC in surveying of the lands that all Samoans have the right to. The other great value of the Working Committee (inclusive of the Committee of the Township in Salelologa) is that we have been made aware of other Government lands that have been affected by the decisions of the Land and Titles Court as well as lands affected by the Pulefaamau.

The SLC has also cleared its debts to Government amounting to \$21,286,762.00 and it now has profits with Government amounting to \$15.0 million through the exchange of SLC lands already resurveyed and the (Land Board). Cabinet also approved the many recommendations for the use of these lands not only for the villages who are illegally occupying these customary lands but lands where shopping is done and other developments undertaken by many of our people as well as lands for Government's developments. Listed below are Cabinet's approvals for the many other projects of the Administration and the Working Committee.

- i. FK (07)29, 01 August 2007 – "Land Exchange of the Samoa Land Corporation (SLC) and the Government Land Board"
- ii. FK(07)42, 07 November 2007 – "Lands/Government Lands occupied by founded villages in Apia (Letogo – Vailele Urban Area)
- iii. FK (08) 09, 12 March 2008 – "Relocation of "Sogi"to lands of SLC in Falelauniu";
- iv. FK (08) 28, 23 July 2008 – "Agreement to sell lands to founded villages"
- v. FK (08)34, 03 September a 2008 – Adjustments to Price of Lands for founded villages (Letogo, Vaitele, Fagalii, Vaitele and Saina)";
- vi. FK (09) 20, 27 May 2009 – Giving out of Leased lands as Customary land";
- vii. FK (09)29, 12 August 2009 – "Fuaina o Fanua o le Malo i Lata – Savaii
- viii. FK (09)29, 19 August 2009 – "Survey of Government' lands at Lata Savaii – Survey of Government's lands in Lata"
- ix. FK (10)18, 11 May 2010 – Policy as to the use of Government's lands.

There are also many lands of Government under the SLC where a lot of people are residing at Tapatapao and Aleisa that have not been resurveyed and that many families are occupying these lands (up to 100 years now) and that some of these families are

residing on lands of SLC without paying for rent. As everyone of this country has a right to these lands, it is therefore necessary to resurvey and allocate these lands into 5 acre blocks and that other people of the country be given the chance to occupy these lands to occupy and cultivate for farming/developments.

For the information of the House, the rent rates for Government land leases should be 5%. The (land valuation) of a leased land is provided for in the Lands and Survey and Environment Act 1989. There is no land leased by Government that is leased at the rate of 5% because that will make it difficult for the families to develop. The current lease rate applicable at the moment is 1%-3% given Government's aim to develop individual businesses with the farmers or land occupied by families who do not own land in town. That of course was the focus of Government for the development of the whole country. That of course is the vision or the natural far sightedness of old men that formed the basis for our land leases beginning with first government to the present day.

7(e) Appointment of a Technical Advisor

With the expiration of the term of office of the CEO of SPGA, a highly qualified Architect he was a source of help for the SLC projects at the time. The direct appointment was one of the things he did, and he was responsible for the plans of the projects that were already underway. Anyhow that was the appropriate time for temporary appointments. The salary of the ACEO was \$80,000.00 per annum and was much cheaper compared to the scale of salary for a consultant, which is 8%-10% of the cost of the project, and this is rather expensive for the SLC (Guidelines for Government Procurement and Contracting, page 18 paragraph C4.05 (e). These guidelines originate from the Principal Public Bodies Act 2001. This Act allows direct appointments. And this man was appointed by Cabinet to be Samoa's Consulate in Sydney Australia.

7 (f) Appointment of an (Executive Assistant)

This matter was raised by the Controller and Chief Auditor during the audit of SLC in 2007/2008 and those answers and explanations have been provided at the time.

As the matter has surfaced again so far the information of the House and Samoa listening in the appointment of the Executive Assistant was confirmed by the Minister by way of a cabinet decision FK (04)24, 30 June 2004 with his functions and responsibilities clearly stipulated (TOR).

The following are the responsibilities of the Executive Assistant:

- Coordinate the activities of the Board through the minutes/records of meetings and programmes of the Corporation and the Administration under the normal duties of the Minister (Board Secretariat within the Minister's office);
- Compile and put together Policies decided by the Board from year to year for the Corporation and Independent Authority of the Sector;
- Design a Follow-Up System to keep track of the Office of the Minister and the Minister in relation to the performance of the CEO's of the Ministries and Corporations under the jurisdiction of the Minister;
- Devise a training programme to cater for refresher courses for the secretaries of the CEOs and GMs and other Senior Officers (support staff level) of the whole Sector; to be held twice annually.
- Put in place a programme that will allow for the training of customs and usages of the staff in their performance of duties within the office of the Ministries and Corporations under the Portfolio of the Minister (behavior in the workplace) for the rendition of services to Government and the members of the public (to be held twice annually);
- Prepare a Weekly/Fortnightly Agenda for debriefing with CEOs/Gms of the Sector;
- Continuing periodically training for the support staff of the Office of the Minister

- Set out a programme for the responsibilities of the Minister every week (Prepare a To Do List of duties for the Minister each week); establish an electronic filing system for the office of the Minister;
- Assist with the selection of Secretaries for the General Manager of the Corporation and the Administration that are under the responsibilities of the Minister if it need be;
- Be on the watch out for special matters (confidential and sensitive matters) with immediate referral to the Minister for his decision;
- Additional duties when required by the Minister;

For the information of the House, the Institute of Directors is also using the Executive Assistant of my Office in organizing a seminar for the Secretaries of the Boards.

7 (g)/Work on Trees/land (Landscaping)

The Committee's claims there has been no tendering for the pruning of trees and work on lands of SLC at Tuanaimato are incorrect.

The tenders made included tree pruning/Land of the Market at Salelologa, Market at Salelologa, Market at Vaitele and the golf Course at Tuanaimato. Five (5) companies were each given tender papers but only 3 companies submitted their tenders.

One of the issues that came to my ears was that my wife had shares in the Feagaimaleata Landscaping and Nursery. I wish to submit with respect that Vaalotu has no shares in the above mentioned Company. She is that type of person that does not love being in the sun.

7 (h) Minister's car – Toyota Lexus

The decision of Cabinet was that with the changing of the Ministers cars to the right hand drive ones, together with the change of the side of the road to drive on shall be determined by the cash flow of the Ministries (FK (10 10, 24 March 2010).

The Ministry for Natural Resources and Environment could not afford a new car for the Minister given the lack of resources.

The priority of the Ministry and the Minister was given to those who suffered damages to their personal properties by Tsunami in 2009/2010 and 2010/2011. The recovery programme set down by Government was for three years (2010,2011, and 2012 which is why the CEO of the Ministry of Natural Resources and Environment and a member of the Ministry of Finance requested the Manager of Samoa Land Corporation as to whether they could buy a car for the Minister said cost to be deducted from SLC dividends to Treasury at a later stage.

That was why the Board was able to decide with the Administration to make provision in its Financial Statement 2010/2011 to buy a replacement car for the Minister's 2004 Toyota Landcruiser which was six years old.

This car landed in Samoa at a price of \$193,000tala exclusive of tax. This Hybrid V6 3.5 hp is run both by petrol and electricity and its perfect for the environment, no gas emission with cheap running cost and maintenance. This car had limitations for the purposes/ministerial duties, small and low. The emphasis was centered on the protection of the environment as vehicles (Transport Sector) is responsible for some 45% of carbon emission into space and could become a critical contribution to global warming resulting in the creation of so many natural disasters affecting many countries including Samoa.

For the information of the House, the Governments of Italy and Austria through the IUCN for MNRE and LTA are assisting us with the implementation of a programme for the reduction and complete removal of gas emission and that our vehicles are emitting into space, under the umbrella of Climate Change EU\$850,000.00 (approximately T\$2 million) being the amount provided by IUCN to urge MNRE and LTA to remedy the problem to do with motor vehicles emitting carbon into space.

This is no secret to the county, with regard to the many changes we have seen to the country, with regard to the many changes we have seen regarding weather, heavy rains have caused many floods, cyclones that have caused so much loss of life, damage to properties and millions in public funds have been lost.

I believe this was reason behind Samoa's signing in 1998 of the "Kyoto Protocol" and its ratification of the environment after the major cyclones namesly 'Ofa and Valelia' in 1990 and 1991.

The 'Kyoto Protocol' has now become part of our laws. With Samoa as a member state of the United Nations, we have a part to play to show our political commitment to the international agreements that we subscribed to for the protections of our environment.

For the information of the House, the preparations accessing the member states of the United Nations to distribute and use the funds appropriated by the Copenhagen Accord for the Green Climate Fund of US\$100 billion per annum which Samoa had also signed, are now underway for some 193 member states. This as we say in Samoa was that high hanging breadfruit that we earnestly desired for the benefit of Samoa and its people.

The countries that are entitled to this funding are those with low carbon emission into space (low carbon emitters).

I have here with me a request of the Center Office of the UNFCCC that we nominate our NDA (National Designated Authorities) who shall receive our funds to assist programme for the protection and improvement of our delicate environment. This was the basis that determined the purchase of that type of vehicle considering my capacity as Minister for the Environment.

This vehicle was allocated for the use of VIPs of the Prime Minister's Office. I therefore extend my apologies to Cabinet that my desire to protect the environment as well as satisfying our international political commitments based on the notion that such a decision will derive a lot of money for the execution of the decisions of the Board and the Administration was the reason why Cabinet's Approval had not been sought for this issue.

8. MAIN OFFICE OF THE SAMOA LAND CORPORATION AT TUANAIMATO FALEATA

The construction for the main office of SLC, so to reduce the time wasted by the staff on the road as its old office was located at Vaitele, would reduce the wear and tear of vehicles, petrol and other expenses which could be saved with the merging together of the staff in one space.

The other significant aspect is that it inspires the staff to better perform their duties and services required by the general public who would come to the Office in search for lands to lease or buy. It is also less expensive for the general public. The Audit's recommendation that implementing major development ought to be based on the Corporation's revenues, is natural to audit opinion, but would not bar Government from using its common sense, to generally look at the instant development of the economy of the country for its general welfare. These same criticisms of other major developments of Government have been echoed by many including the Ministry of Finance, the Central Bank and others as well as our overseas partners (IMF and the World Bank) to stop the construction of the Development Bank the new SamoaTel building at Maluafou, due to telephone

limes have been affected by water from Mt Vaea which also affected the Office of the Lalovaea, the new Aggie Grey's Beach Resort and the suspension of partnership between the Polynesian Airlines and Virgin Blue. Now if Government were to listen to this blindly, none of these major developments would have been done to this day.

Those predictions went astray as far as as Sydney because our foreign reserves were actually increased which was reason behind these Corporations reservations as well as (liquidity). The question therefore is 'who benefits'? Its our people! That's the kind of leadership decision making needed by Samoa. We should stay outside our comfort zones.

The tendering for the Main Office of the Land Corporation was based on the 'Design and Build' concept and it was to be a three-storey building and that the said project should not take up so much land, Seven (7) construction companies listed below submitted bids to the SLC Office at Vaitele on 23 July 2010.

Contractor	Tender	Weighting Average (Score)	Duration
Maota Builders Construction	\$2,800,000 (a)	90	7 months
QDCD	\$2,696,280 (b)	87	8 months
J Westerlund	\$8,029,590	40	12 months
Fetuafiafi Construction	\$7,855,000	38	18 months
Fletchers Construction	\$8,613,575	37	15 months
Peters' Construction Ltd	\$7,055,250	35	20 months
TNP Construction Ltd	\$2,800,000 (c)	9	7 months

a) Included in the bid submitted by the Maota Builders Construction was the cost of the Lift of \$180,000 meaning the tender is \$2,800,000 less the cost of the lift leaving \$2,620,000. The Maota Builders bid was \$76,200.00 lower than the next bid Qing Dao.

b) QDGD's bid was \$2,696,280.00 without provision for a lift, the duration of construction was 8 months and its plan for a Samoan fale was not attractive.

c) TNP Construction Ltd's bid provided a two storey building plan, from the cost of \$2,800,000.00 while all the other companies complied with the wish of the Corporation for a three story building for the Main Office.

8(a) Opening and Evaluation of Bids

The official opening of the companies tenders by the Tenders Board was attended by the Chief Executive Officer of the Ministry of Finance, Chief Executive Officer of the MNRE, Chief Executive Officer of MCIL, Chief Executive Officer of the MAF and the General Manager of SLC to witness the opening of the tenders for the construction of main office of SLC. The Committee (Evaluation Panel) was responsible for the consideration of the tenders that were opened included the Chief Executive Officer of the Ministry of Finance, a member of the Office of the Attorney General, Ministry of Works (Building Section) there are members responsible for the evaluations of major Government projects under the functions of the Tenders Board – additional members from Ministry for Natural Resources and Environment (PUMA) the General Manager and Technical Manager of SLC.

The advice from the Board was that the contract be awarded to the lowest evaluated cost and responsive bidder) at \$2,800,000.00 (less the cost of the lift

\$180,000.00); the construction cost for the building only to be \$2,620,000.00. The Board accepted the advice and for the General Manager to take it to the Tenders Board for its consideration and decision before it is submitted to Cabinet for final approval. Cabinet gave its approval through FK (10)29, 26 July as thus;

8(b) Advance Payment

The Advance Payment referred to here by the Committee of 25% was not a decision based on 'air' (this is a normal transaction for major companies of this nature), beginning with 10% to 30% or even more, yet there always (conditions) and as for this particular project, the Contract was instructed to mobilize and take all the building materials and machines to start the work at the site, which value was to be the same or more than the 25% advance of the cost of the project.

(Guidelines for Government Procurement and Contracting Page 10, paragraph 3.36). This is a way to assist our own contracts that do not have enough money.

Without such assistance, what happens next is what we all do not want, a few rich contractors getting richer and the less rich getting less which will result in the pull out of the less expensive due to the control of a few as there will be no more competition.

8(c) Elevator

The winning bid for the project was \$2,800,000 inclusive of the cost of the lift of \$180,000. This lift was one of the needed component for the Main office given that its three storeys and it was in order for the administration to purchase a lift of the same brand that are in use in other Government offices in town – under the standardization rule, simple and cheap for servicing the lift after the warranty period. (Guidelines for Government Procurement and Contracting, page 18, para C.4.05 (b) to be used by our own people with special needs.

The cost of alterations amounting to \$490,000.00 was passed and approved by the Board on 20 January 2011 (The requirements demanded under the Building Code of Samoa were that those with special needs should be able to access the storeys above the ground floor. (National Building Code for Samoa-Access for people with disabilities, page ND-16, Class 5, 6, 7 and 8 refers). Recognising those with disabilities of the body was the reason behind the current changes to all buildings constructed by Government.

8(d) Office Partitioning

As is customary with these huge buildings, the (original design) did not include the partitioning of rooms so to ascertain where exactly the duck-in-pipes would be laid for the Central Airconditioning Unit before the cost is submitted to implement the partitioning of the office. This is not a variation as it was not included in the tender. Nor was it new, as all is part and parcel of huge constructions like this building. This is how money could be saved and ideally clarify the requirements for this and that office. (Guidelines for Government Procurement and Contracting page 18, para C4.05(e).

8(e) Air Conditioning for the Office

The central air-conditioning unit for the whole building was expensive and was difficult to maintain regularly after the warranty period, as such the SLC. Administration requested the Board to purchase split units for the Office which was much cheaper than the central air-conditioning unit originally planned. It would also be cheap for electricity as one air-condition unit could be used at a time. The total cost of split units – electrical appliances for the Main Office would be \$260,000.00 as approved by the Board on 20th January 2011. This was

not a variation-other assets of the SLC other than the building under construction.

3(f) Windows Replacement (Variation No.1 - \$355,000.00)

The original design of the main office of SLC included windows (louvers) for the whole building. Given the escalating costs of electricity, the Administration saw it appropriate to recommend the Board that it would be cheaper in the long run to have solid glass windows that will not allow cool air to escape.

The recommendation also hinted it would be best to select solid glass so to reflect 35%-45% of the hot air outside. The additional cost (Variation 1) was \$355,000 to replace glass louvers with solid glass within 10% of the total cost of building materials for the whole project. (Guidelines for Government Procurement and Contracting, page 11, para 3,29)

3 (g) 10% Retention

The 12 months warranty period is required for every Government project and that was actually met but the Contractor requested if its Company could provide a Security/Bond (AIC) to cover this period and pay them 10% of their (retention fee) to buy extra building materials needed to complete the work as they had profits from their work.

This request was submitted to the Board and after careful consideration the request was granted. For your information this composition of the Board of Directors was the Minister (Chairman) Members, CEO MOF, AG CEO, MNRE, CEO MCIL, CEO MAF and the General Manager of SLC. (Guidelines for Government Procurement and Contracting, page 10, para3.37)

8 (h) Withholding Tax

This was not provided for in the contract that was signed by the Company and SLC. I believe the Attorney General's Office had very clearly confirmed the contract. The Contract had duly been signed obtained from the Company to pay this tax.

This is a normal requirement in seeking the consent of the Inland Revenue to pay this tax with conditions. This withholding tax, when it is determined to be paid out and is estimated that more tax had been paid to Inland Revenue then that excess tax payment would be refunded.

9. OFFICE OF THE MINISTER AT THE SNPFL PLAZA

The amount of \$600,000 included tax, which is confusing many people, as it was an asset improvement by some 29,000 active members.

Now if there are 6 members of a family of one contributor; it means that some 174,000 people will benefit from this investment.

The cost of the Office of the Minister was \$28 per sq ft, inclusive of the office of the Associate Minister and other offices of the staff.

The Office of Special Assistant to the Minister, 2 Secretaries, Driver and Office Cleaner/Tea Lady. The Associate Ministers, who are shadow Ministers for the future should be exposed to their ministerial duties so by the time they are appointed as ministers, their work performance as leaders has become natural and practical.

10 VERBAL ALLEGATIONS

Mr Speaker, there are several verbal allegations concerning the latest tenders where it has been alleged that some money had been paid through illegal means to the Minister. Chairman of the Tenders Board of Government, so to give a contract to another company.

I recall a certain man and his own son who went out late in the afternoon to fetch raw foodstuff for the Sunday toonai. This man is said to have turned to the taro patch of another family telling his son to stand on the roadside and look out for somebody who might be coming around while he was fetching taro from another family's taro patch. Now as this man was bending down to harvest taro, his son, in a whispering voice said.

"Dad no one is seeing us, except God who is looking from above to the wrong we are doing."

Mr Speaker, that of course was the base of my works, and decisions in the hope that the same may be of praise to the Heavenly Father and not me.

I sincerely wish to thank the Hon. Prime Minister for trusting me. I also extend my gratitude to the Ministers of Cabinet for their support towards the functions and duties that I was required to perform it is not myself that is important but Cabinet, the Political Party and the dignity of the House.

Our calling is from God to whom praise shall be given. If I have erred out of my anxiety to implement projects for the development of our country to the best there is, I extend my apologies. Admittedly no one is perfect, I also forgive those who wish to find fault with me. The Bible says, "Blessed are the peacemakers for they shall be called the sons and daughters of God."

CONCLUSION

Mr Speaker, I shall now steer my boat landward but if there had been any off beat clap, as we say, to your hearing Samoa, I beg of you to take it on the big canoe with your loving hearts and pardon your servant.

To the dignity of this House of Parliament, if there had been any uncalled for word said or unbecoming act having been done, I beg of you to forgive the Member for Palauli Le Falefa.

To my beloved constituency, I sincerely thank you for wishing me the best, many thanks for your prayers. The Bible says let not evil overcome you but you shall overcome evil with goodness. 'May we continue to enjoy the peace of God, who gave his own life to pardon the sinful nature of man through his crucifixion on the Cross and His victorious rising from dead, which has again opened for us the door to Eternal Life if we repent from sin and have faith in His name, then we would become the children of God as the Bible has taught us.

God's praise will forever remain until eternity, Soifua!

MOTION FOR SUSPENSION OF STANDING ORDERS

The Hon Tuilaepa Sailele Fatialofa Lupesoliai Aiono Neioti Malielegaoi moved, *"That Standing Orders 62(3) be set aside to allow the discussion of Ministerial Statement and report of the Committee requests given that the House has now heard the resignation of the Minister which has been submitted to me and I wish to say a few words to officially accept his resignation."* Seconded by Hon Fonotoe Nuafesili Pierre Lauofo / Hon Tolofuaivalelei Falemoe Leiataua / Hon Tuitama Talalelei Tuitama.

Motion approved.

Prime Minister responded accordingly to Hon Faumuina Tiatia Faaolatane's Ministerial Statement.

Proceedings of the Legislative Assembly suspended at 12:01am and resumed at 12:35am.

7. Proceedings of the Legislative Assembly now adjourned at 1:13am until 29th May 2014 at 9:00am.

**Susuga Laauli Leuatea Polataivao Fosi
SPEAKER**

**Fepuleai Attila M. Ropati
CLERK**