



LEGISLATIVE ASSEMBLY OF SAMOA
**PROCEDURAL &
STATISTICAL DIGEST NO.1**
OCTOBER 8 – 9 2013

OCTOBER 2013

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BILLS

1.01 Bills Introduced

Five Bills were introduced on Tuesday 8 October: the Allied Health Professional Bill 2013; Health Promotion Foundation Bill 2013; Lands, Surveys & Environment Bill 2013; Police Offences Amendment Bill 2013 and the Medical Practitioners Amendment Bill 2013. All were presented to the Assembly on a message from Le Ao o le Malo and were set down to be second read on the third sitting day following.

Standing Orders: 95, 99

1.02 Bills second read and referred to select committees

Following first reading on 6 August 2013, the National Payment System Bill 2013; Apprenticeship Bill 2013; Unit Titles Amendment Bill 2013 and the Food Bill 2013 were second read with ensuing debates and subsequent referral to the following select committees for inquiry:

- The National Payment System Bill 2013, referred to the Finance & Expenditure Committee
- Apprenticeship Bill 2013 and the Unit Titles Amendment Bill, both referred to the Works, Transport & Environment Committee
- Food Bill 2013, referred to Health & Social Services, Internal Affairs, Community & Social Development Committee

Standing Orders: 100, 101

1.03 Bills passed by the Assembly

Two Bills were third read and passed by the Assembly on Tuesday 8 October: the Road Traffic Amendment Bill and the Audit Bill 2013. Bills that have been third read and passed by the Assembly must then be printed fair, authenticated and assented to by Le Ao o le Malo. Once assent has been given, the Bill becomes an Act of Parliament, enforceable by law.

Standing Orders: 94 (1), 101, 102, 106, 107, 108, 109 – 112

1.04 Amendment Bill considered under Certificate of Urgency

On Wednesday 9 October, the Police Service Amendment Bill 2013 was introduced under a Certificate of Urgency signed by Le Ao o le Malo. The Certificate of Urgency received by the Speaker circumvents the usual requirement that Bills must be publically published and distributed to Members prior to introduction. It also allows for a Bill to be first read, second read, considered in detail and third read in a single sitting day. The above Bill passed all requisite procedural stages in one sitting day and was effectively passed by the Assembly.

Note: Unless a Certificate of Urgency has been signed by Le Ao o le Malo and presented to the Assembly, a Bills passage through the Assembly must follow the normal procedure as set out in Standing Order 99(1).

Standing Orders: 99 – 112, 99(2), 100(1), 101(2), 107(4)

ASSEMBLY BUSINESS

1.05 Message from Le Ao o le Malo

A message from Le Ao o le Malo to permit the introduction of five Bills on Tuesday 8 October was read out by the Speaker, following the formal opening of the Sitting and prayers at 9:00am.

Note: All messages from Le Ao o le Malo addressed to the Assembly shall be read immediately after Prayers or after a Member(s) has been sworn in by the Speaker.

Standing Orders: 75 (1), 95

Constitution of the Independent State of Samoa: Article 59

1.06 Ministerial statement on The Women Parliamentary Forum

Following the Speaker's opening announcements the Prime Minister delivered a ministerial statement on the Women's Parliamentary Forum. The Prime Minister addressed the House and the women who were present to observe Parliamentary proceedings. The Prime Minister commented on the recently passed Constitutional Amendment Bill, which will ensure a minimum 10% of women membership in Parliament (as of the 2016 general elections) and its correlation with the Forum. He concluded by encouraging all women to become actively involved in politics as a means of national progression.

Note: Debates during ministerial statements are not permitted but a Member may move to have the statement printed and laid on the Table as a Paper for consideration.

Standing Order: 62 (3)

1.07 *Speaker's statement on the breach of the Code of Parliamentary Ethics*

Following the Prime Minister's ministerial statement, the Speaker made a statement regarding the recent decision handed down by the District Court regarding a Member of the Opposition (*See 1.07 & 1.08*). He stated that the Member's conduct was a clear breach of the Code of Parliamentary Ethics under Standing Order 14, specifically subsection (4): "Proper Exercise of Power". However, owing to the fact that there is little precedent as to matters which may be referred to the Privileges and Ethics Committee upon breach of the Code, he put the matter before the Assembly for its consideration. The Member was then, by indulgence of the Chair, given time to present a statement to the Assembly, followed by statements from the Prime Minister and Leader of the Opposition.

Note: Standing Order 14(2), Respect for the Law, states that all members shall uphold the Laws of Samoa and the breach of the Code of Ethics may be dealt with the Privileges and Ethics Committee or as determined by Parliament.

Standing Orders: 14, 164

1.08 *Member apologises for breach of the Code of Parliamentary Ethics*

By leave of the Chair, the MP for Aana Alofi No.3 who was recently convicted and subsequently fined by the District Court was asked to provide a statement to the Assembly. The Member addressed the Assembly by offering his apologies to the Prime Minister, the Government and Parliament. The Speaker presented the apology to the Assembly, asking the Prime Minister to respond on its behalf.

Note: Standing Order 63 provides a means (by indulgence of the Assembly and leave of Mr Speaker) for Members to provide personal explanations after the presentation of Ministerial Statements and other provisions as outlined in Standing Order 44. A Member's explanation should cover issues of a personal nature and must be limited to the Member's vindication of their own conduct. Debate is not permitted during this time.

Standing Orders: 44, 63

1.09 *Statements by indulgence on Member's apology*

The Prime Minister acknowledged and accepted the Member's apology on behalf of the Assembly, while reiterating the importance of all Members adhering to and upholding the law as well as the integrity of Parliament. The Leader of the Opposition thanked the Prime Minister and then spoke in support. The Speaker offered further support to the preceding

statements and issued a firm warning to Members to avoid future personal incidents whereby the law and the Parliamentary Code of Ethics may be breached.

Standing Orders: 14, 190, 193

1.10 Other Announcements by Mr Speaker

On Tuesday 8 October 2013, the Speaker acknowledged the presence of the participants for the Women's Parliamentary Forum and welcomed the participants to the House. The acknowledgement was followed by a ministerial statement by the Prime Minister in recognition of the same.

Standing Order: 44 (e)

PARLIAMENTARY COMMITTEES

1.11 Committee recommendations approved without debate

On Tuesday 8 October, recommendations given by the Primary Production, Commerce, Industry & Labour Committee on the Annual Report of the Samoa Tourism Authority (Financial Year ended 30 June 2013) were approved by the Assembly without debate.

Parliamentary Paper: 2012/2013 No.32

Standing Order: 53

1.12 Prime Minister participates in debate on Committee report

The Prime Minister acknowledged the Committee recommendations given by the Finance & Expenditure Committee on the operations of the Unit Trust of Samoa Financial Institution on Wednesday 9 October.

Parliamentary Paper: 2012/2013 No.48

Standing Order: 53

1.13 Deputy Chair presents Committee report

In the absence of the Committee Chair on Tuesday 8 October, the Deputy Chair moved recommendations by the Justice, Police & Prisons and Land & Titles committee on the annual report of the Ministry of Justice (Financial Year ended 30 June 2010) which were subsequently approved by the Assembly.

1.14 Government to provide responses to Committee reports

The Finance Committee report on the Betting (Totalisator) Agency Board financial report (Financial Year ended 30 June 2010) and the Justice, Police & Prisons and Land & Titles Committee report on the Annual Report of the Fire and Emergency Services Authority (Financial Year 2008/2009) were moved by Committee Chairs on Tuesday 8 October 2013 and approved by the Assembly. The Speaker in accordance with Standing Order 54 advised that Government should provide a full response within 90 days.

Parliamentary Papers: 2012/2013 No.33; 2012/2013 No.49

Standing Order: 54

STATISTICAL DIGEST 8 – 9 OCTOBER 2013	
LEGISLATION	
<i>Bills presented to the Assembly</i>	
<ul style="list-style-type: none"> • Government Bills: <ul style="list-style-type: none"> - Normal Passage - Certificate of Urgency - Private Members Bills • Bills referred to Committees 	5 1 0 4
OTHER BUSINESS	
<ul style="list-style-type: none"> • Number of Sitting days • Total hours of Sitting (excluding suspensions): <ul style="list-style-type: none"> - Business of the Assembly - Government Business - Private Member's Business - Other opportunities for Private Members 	2 6 hours 44 mins 1 hour 4 mins 5 hours 40 mins 0 mins 0 mins
Questions lodged	0
Urgent Questions lodged	0
Answers to questions (written)	0
Answers to questions (oral)	0
Petitions presented	0
Divisions	0
Parliamentary Committee reports presented	2