



LEGISLATIVE ASSEMBLY OF SAMOA  
**PROCEDURAL &  
STATISTICAL DIGEST NO. 17**  
AUGUST 11 – 13, 17, 27 2015

AUGUST 2015					
M	T	W	T	F	
10	11	12	13	14	
17	18	19	20	21	
24	25	26	27	28	

## BILLS

### 1.01 Bills Introduced

Eight bills were introduced on Tuesday 11 August: the *Competition and Consumer Bill 2015*, *Electoral Amendment Bill (No.3) 2015*, *Evidence Bill 2015*, *Foreign Investment Amendment Bill 2015*, *Fisheries Management Bill 2015*, *Land Titles Registration Amendment Bill 2015*, *Lands Survey and Environment Amendment Bill 2015*, and the *Sentencing Bill 2015*. All bills were presented to the Assembly on a message from the Council of Deputies with the *Electoral amendment Bill (No.3) 2015* introduced under a Certificate of Urgency.

On Monday 17 August, the *Excise Tax Rates Amendment Bill 2015* and the *Electoral Amendment Bill (No.4) 2015* were introduced, second read, considered in detailed and passed by the Legislative Assembly.

The *Electoral Amendment Bill (No.5) 2015* was introduced under a Certificate of Urgency and it was second read, considered in detail, third read and passed by the Assembly on the 27 August.

**Standing Orders: 95 & 99.**  
**Constitution: Article 43.**

### 1.02 Bills Second Read and Referred to Select Committees.

Seven bills were second read and referred to Select Committees on Thursday 13 August: the *Foreign Investment Amendment Bill 2015* was referred to the Foreign Affairs, Trade and revenue Committee. The *Sentencing Bill 2015* and *Evidence Bill 2015* were both referred to Finance and Expenditure Committee. The *Fisheries Management Bill 2015* was referred to the Commerce, Industry and Labour Committee. The *Lands, Surveys and Environment Amendment Bill 2015* and the *Lands, Titles Registration amendment Bill 2015* were both referred to the Works, Transport and Environment Committee. The *Competition and Consumer Bill 2015* was referred to the Primary Production, Commerce, Industry & Labour Committee.

**Standing Orders: 100, 101 & 137.**

### **1.03 Bills Introduced under Certificate of Urgency**

The *Electoral Amendment Bill (No.3) 2015* was introduced under a Certificate of Urgency on Tuesday 11 August.

On Monday 17 August, the *Excise Tax Rates Amendment Bill 2015* and *Electoral Amendment Bill (No.4) 2015* were both introduced under a Certificate of Urgency.

On Thursday 27 August, the *Electoral Amendment Bill (No.5) 2015* was introduced under a Certificate of Urgency.

*Note: Unless a Certificate of Urgency has been signed by O Le Ao o le Malo and presented to the Assembly, a Bill's 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).**

### **1.04 Bills passed by the Assembly**

Eight bills were third read and passed by the Assembly on Thursday 13 August: the *Electoral Amendment Bill (No.3) 2015*, *Petroleum Amendment Bill 2015*, *Samoa Ports Authority Amendment Bill 2015*, *Water Schemes Bill 2015*, *Central Bank of Samoa Bill 2015*, *Road Traffic Amendment Bill 2015*, *Tax Information Exchange Amendment Bill 2015* and the *Credit Union Bill 2015*. On Monday 17 August, two bills were first read, second read, considered in detail and third read and were passed by the Assembly: the *Excise Tax Rates Amendment Bill 2015* and the *Electoral Amendment Bill (No.4) 2015*.

On Thursday 27 August, five bills were third read and passed by the Assembly: the *National Prosecution Office Bill 2015*, *Infants Amendment Bill 2015*, *Police Service Amendment Bill 2015*, *Foreign Investment Amendment Bill 2015* and the *Electoral Amendment Bill (No.5) 2015*.

**Standing Orders: 94(1), 101, 102, 106, 107, 108, 109-112, 131 – 137.**

## **ASSEMBLY BUSINESS**

### **1.05 Message from the Council of Deputies**

A message from the Council of Deputies to permit the introduction of 8 bills on Tuesday 11 August was read out by the Speaker, including one bill under a Certificate of Urgency.

**Standing Order: 44(e).  
Constitution: Article 43.**

### **1.06 Message from O Le Ao o le Malo**

On Monday 17 August, Mr Speaker read out a message from *O Le Ao o le Malo* to permit the introduction of 2 bills pursuant to Standing Order 59 and Article 95 of the Constitution.

On Thursday 27 August, Mr Speaker read out a message from *O Le Ao o le Malo* to permit the *Electoral Amendment Bill (No.5) 2015* to proceed under the Certificate of Urgency.

*Note: All messages from O 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: Article 59.**

### **1.07 Obituary speech for two former Members**

After reading the message from the Council of Deputies on Tuesday 11 August, Mr Speaker read out an Obituary Speech for a former Members of Parliament: Tofa TALIAOA Pita, former representative for Sagaga le Usoga from 2001-2006. The House observed a minute of silence as a gesture of respect for the former Member.

On Thursday 27 August, Mr Speaker read out an Obituary speech for a former Member of Parliament: Afioga LEILUA Punivalu a former representative of Falealili from 1985-1988 and 1996-2001. The House observed a minute of silence as a gesture of respect for the former Member.

**Standing Order: 44(1) (f).**

### **1.08 Four Government Responses tabled**

Four government responses were tabled on Tuesday 11 August on three reports from the Justice Committee on the Ministry of Police and Prisons Annual Reports for 2007/2008 and 2008/2009, the Ministry of Police Annual Report for the Years 2009/2010, 2010/2011 & 2011/2013 and the Annual Report of the Samoa Law Reform Commission for the Year 2012/2013, and one from Finance and Expenditure Committee on the Annual Report of the Samoa International Finance Authority for 2012.

**Standing Order: 54.  
Parliamentary papers: 2014/2015 No's 58, 102, 137 & 186.**

### **1.09 Select Committees reports adopted & Motions.**

TUSA Misi Tupuola, Committee Chair for the Works, Transport and Environment Committee, moved a motion that the Assembly adopt the Committee's report; the motion was approved. (*Petroleum Amendment Bill 2014*).

TUSA Misi Tupuola, Committee Chair for the Works, Transport and Environment Committee, moved a motion for the Assembly to adopt its report. The Question was put and the motion was approved. (*Samoa Ports Authority Amendment 2014*)

Hon GATOLOAIFAANA, Committee Chair for the Health & Social Services, Internal Affairs, Community and Social Development Committee moved that the Assembly adopt its report; the motion was approved. (*Water Schemes Bill 2015*).

Hon PAPALIITELE Niko Lee Hang, Chair of the Finance & Expenditure Committee, moved a motion that the Assembly adopt the Committee's report; the motion was approved. (*Central Bank of Samoa Bill 2015*).

TUSA Misi Tupuola, Chair for the Works, Transport and Environment Committee, moved a motion that the Assembly adopt its report; the motion was approved. (*Road Traffic Amendment Bill 2015*).

SOOALO Mene, Committee Chair for the Foreign Affairs, Trade and Revenue Committee and Member for Gagaifomauga No.2, moved a motion that the Assembly adopt its report; the motion was approved. (*Tax Information Exchange Amendment Bill 2015*).

Hon PAPALIITELE Niko Lee Hang, Committee Chair for the Finance & Expenditure Committee moved a motion that the Assembly adopt its report; the motion was approved. (*Credit Union Bill 2014*).

**Standing Order: 127.**

## **SPEAKER**

### **1.1 Point of Order Raised by Speaker**

On Tuesday 11 August, Mr Speaker (AGAFILI Patisela Eteuati Tolovaa) reminded Members that under the Standing Orders, only merits of the Bill may be discussed during second reading debates. Comments at this point on specific details of the bill may be open to interpretation, therefore it is required that Members speak only on the Merits of Bills.

On Monday 17 August, Mr Speaker reminded Members that comments should be made in regards to the Bill and not directed personally at Members.

On Thursday 27 August, Mr Speaker directed members to rephrase their statements as they could potentially be offensive to some. He also reminded the House of Standing Order 18 (Election of Prime Minister), and that it must be observed. On the same day, he stated that he would use his discretion to discern whether or not comments made by the Member for Vaimauga West should be struck from official record.

**Standing Orders: 58, 59, 60&61, 61(2) & (3) & 100(2).**

### **1.2 Speakers Ruling**

Mr Speaker ruled that the request to remove the Member for Vaimauga West No.2, LEFAU Harry Schuster concerning the Attorney General did not affect the Attorney General negatively, and therefore will not be struck from official records.

Mr Speaker ruled that both the *Sentencing Bill 2015* and the *Evidence Bill 2015* would be considered together.

**Standing Orders: 101 & 169.**

## **PARLIAMENTARY COMMITTEES**

### **1.3 Eleven Select Committee Reports tabled**

Four Select Committee Reports were tabled on Tuesday 11 August: 2 by the Works, Transport and Environment Committee, 1 by the Health and Social Services Committee and 1 by Finance and Expenditure Committee. On Wednesday 12 August, one Committee Report was tabled by the Works, Transport and Environment Committee. There were two Committee Report tabled on Thursday 13 August, 1 each by the Foreign Affairs, Trade and Revenue Committee and Finance and Expenditure Committee. On the 27 August, four reports were tabled: 3 by the Justice Committee and one by the Foreign Affairs Committee.

**Standing Order: 51.**

**Parliamentary papers: 2015/2016 No's 35, 36, 37, 38, 40, 41, 42, 45, 46, 47 & 49.**

## **ORDER OF BUSINESS**

### **1.4 Change to Sitting Hours**

On Thursday 13 August, the Hon Prime Minister moved a motion to set aside Standing Order 31(1) to extend sitting hours, whereby the House would reconvene at 7:00pm; the motion was approved.

The Hon Prime Minister moved a motion for the suspension of Standing Order 31 to permit the extension of sitting hours, for the House to reconvene at 7pm until 11pm on Thursday 27 August; the motion was approved.

**Standing Orders: 31(1) & 45.**

### **1.5 Change in Order of Business**

The Hon Prime Minister stated that there were only 6 months until the end of the Parliamentary term and 13 Bills had yet to be reported on by various Select Committees. He therefore moved a motion that all 13 outstanding reports on Bills should be tabled at the next Parliamentary sitting on 11 September 2015. Further to this, the 7 Bills referred to Committees during the present sitting must be reported on to the Assembly in the October sitting; the motion was approved.

On Thursday 27 August, a motion was moved by the Hon Prime Minister for the suspension of Standing Orders 106 and 107(4) to permit the consideration in detail and third reading of Bills on the same sitting day.

**Standing Orders: 44 & 53.**

## **WITHDRAWALS**

### **1.6 Withdrawal of Words**

Mr Speaker instructed the Clerk to strike the comments from Parliament's official Records made by the member for Faasaleleaga No.4 on Tuesday 11 August.

On Thursday 13 August, another withdrawal from Official Records was made under the Speaker's order regarding to words spoken by the Member for Faleata West.

On Monday 17 August, Mr Speaker ordered the withdrawal of words spoken by the member for Faleata West.

Mr Speaker also ordered the withdrawal of words spoken by the member for Vaimauga West, Tofa Lefau Harry Schuster on Thursday 27 August.

Mr Speaker informed the House that he would decide whether to withdraw the Hon Minister's comments from the Official Records in accordance with the Member for Palauli le Falefa, Hon FAUMUINA Tiatia Faaolatane Liuga request.

The Hon Prime Minister moved a motion that the words "individual voter" be removed from the Samoan text of the Bill as there is only one roll.

*Note: Words or statements given within the Chamber may be ordered to be removed from the official Hansard at Mr Speaker's discretion; particularly words or statements which may be interpreted as offensive, inaccurate or contentious.*

**Standing Orders: 60(c) & 82(2).**

<b>STATISTICAL DIGEST</b> <b>11 – 13, 17 &amp; 27 AUGUST 2015</b>		
LEGISLATION	11 – 13, 17 & 27 AUGUST 2015	Oct 2013 to date
<b><i>Bills presented to the Assembly</i></b>		
<ul style="list-style-type: none"> <li>• <b>Government Bills:</b> <ul style="list-style-type: none"> <li>- Normal Passage</li> <li>- Certificate of Urgency</li> <li>- Private Members Bills</li> </ul> </li> <li>• <b>Bills referred to Committees</b></li> </ul>	7 1 0 7	55 13 0 46
OTHER BUSINESS	11 – 13, 17 & 27 AUGUST 2015	Oct 2013 to date
<ul style="list-style-type: none"> <li>• Number of Sitting days</li> <li>• Total hours of Sitting (excluding suspensions):               <ul style="list-style-type: none"> <li>- Business of the Assembly</li> <li>- Government Business</li> <li>- Private Member's Business</li> <li>- Other opportunities for Private Members</li> </ul> </li> </ul>	5 23 hours 44 mins  25 mins 23 hours 19 mins 0 mins 0 mins	58 304 hours 23 mins  45 hours 22 mins 250 hours 46 mins 1 hour 13 mins 0 mins
Questions delivered in the Chamber	0	0
Urgent Questions delivered in the Chamber	0	7
Answers to questions (written)	0	0
Answers to questions (oral)	0	7
Petitions presented	0	0
Divisions	1	4
Parliamentary Committee reports presented	4	140