

Day 2: Thursday 19 March 2015
9:00am – 1.04pm

MOTION BY THE PRIME MINISTER

The Hon Prime Minister moved to suspend Standing Order 100(1) to permit second reading today of Bills read a first time on Tuesday, 17th March 2015. Motion agreed to.

I. GOVERNMENT ORDERS OF THE DAY

1. Statistics Bill 2015 (Third Reading)

The Hon **PRIME MINISTER, Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi** moved a motion for the Bill be read a third time. Motion approved and the Bill was read a third time.

2. Public Finance Management Bill 2015 (Third Reading)

The Hon **PRIME MINISTER, Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi** moved a motion for the Bill be read a third time. Motion approved and the Bill was read a third time.

3. Public Holidays Amendment Bill 2014 (Consideration in Detail)

a. P.P. 2014/2015 No. 212, Report of the Primary Production, Commerce, Industry and Labour Committee on the Public Holidays Amendment Bill 2014.

The Chairperson, **Hon LEAUPEPE Toleafoa Apulu Faafisi, Member for Aana Alofi No. 1** moved for the Committee report to be approved by the Assembly. Motion agreed to.

The Bill was considered in detail along with Committee Report.

The **Public Holidays Amendment Bill 2015** progressed with amendments and correction.

4. Metrology Bill 2014 (Consideration in Detail)

a. P.P. 2014/2015 No. 213, Report of the Primary Production, Commerce, Industry and Labour Committee on the Metrology Bill 2014

The Chairperson, **Hon LEAUPEPE Toleafoa Apulu Faafisi, Member for Aana Alofi No. 1.** moved for the Committee report to be approved by the Assembly. Motion agreed to.

The Bill was considered in detail along with Committee Report.

CLAUSE 4

- i. **LEALAILEPULE Rimoni Aiafi, Member for Faleata West** queried Clause 4 of the Bill, on set units, and asked if the Ministry of Education was consulted in the consideration of this Bill?

The **Hon MINISTER OF EDUCATION, SPORTS AND CULTURE, MAGELE Mauiliu**, in response to the Member of Faleata West's query stated that both methods of measurement are taught in schools.

The **CHAIRPERSON** further clarified that the Ministry of Education was consulted and provided advice regarding this issue.

The **Hon DEPUTY PRIME MINISTER** stated that the law does not prohibit schools from teaching both units of measurement.

CLAUSE 11

- i. **TOEOLESULUSULU Cedric Pose Salesa Schuster, Member for Aana Alofi No. 3** queried Clause 11 and questioned whether the Ministry is prepared to implement these new set units of measurement. Further, questioned whether rural business owners have been advised on these changes?

The **Hon DEPUTY PRIME MINISTER** clarified that the Bill will only be enforced when it is passed by Parliament, as stated within provisions of the Bill.

TOEOLESULUSULU reiterates his concern on whether rural shops were consulted on these changes.

The **CHAIRPERSON** stated that rural retail and wholesale shops have been consulted.

CLAUSE 14

- i. **LEVAOPOLO Talatonu, Member for Gagaemauga No. 2** queried Clause 14 and raised concerns regarding bar code on products without measurement of the weight of products.

The **CHAIRPERSON** made note of the Fair Trading Act on provisions that give consumers the right to fair measurement of products when purchased.

LEVAOPOLO makes reference to the report, and states that there is no indication that the Committee has assessed this situation.

The **Hon DEPUTY PRIME MINISTER** stated that this role lies with the Ministry to carry out periodic visitation and assess the usage of measurements.

- ii. **Hon PAPALIITELE Niko Lee Hang, Individual Voter.**

The Member recommended that labeling and measuring of goods should be carried out in the presence of the consumer.

The **Hon DEPUTY PRIME MINISTER** reiterated that this is carried out by the Ministry as is the explanation given earlier to Member of Opposition.

CLAUSE 15 and 16

- i. **TOEOLESULUSULU Cedric Pose Salesa Schuster, Member for Aana Alofi No. 3** queried whether imported products are checked for weight accuracy.

The **CHAIRPERSON** stated that the Bill does not prohibit such practice to be carried out. However, this Bill is to ensure that we are in line with practice carried out by other countries.

CLAUSE 17

i. **TOEOLESULUSULU Cedric Pose Salesa Schuster, Member for Aana Alofi No. 3**

The Member makes note to provision of the Bill and states that a 'person' is mentioned and not a 'company'. He raised concern regarding whether a company would be liable for incorrect measurements and queried if this can be changed.

AVEAU stated that according to the Bill, it clarifies that a 'person' is also a 'company'.

TOEOLESULU makes note to the Interpretation section of the Bill and states that this differentiation is not provided.

CLAUSE 18

i. **LEVAOPOLO Talatonu, Member for Gagaemauga No. 2** queries Clause 18, where it makes note to 'person' and not to 'company' and asked for clarification.

CLAUSE 34

i. **LEALAILEPULE Rimoni Aiafi, Member for Faleata West** queries powers given to the Chief Executive Officer to select Agencies that carry out the responsibilities of this Bill. The Member raised concerns as to the need to add

more personnel when there are officers within the Ministry that are able to carry out these duties.

The **Metrology Bill 2015** progressed with amendments and correction.

5. Health Promotion Foundation Bill 2014 (consideration in detail)

a. P.P. 2014/2015 No. 214, Report of the Health, Social Service, Internal Affairs, Community and Social Development Committee on the Health Promotion Foundation Bill 2014.

The Chairperson, **Hon GATOLOAIFAANA Amataga Alesana-Gidlow, Member for Faasaleleaga No. 1** moved for the Committee report to be approved by the Assembly. Motion agreed to.

The Bill was considered in detail along with Committee Report.

CLAUSE 4

i. LEALAILEPULE Rimoni Aiafi, Member for Faleata West

The Member made note that a high percentage of witnesses are against the establishment of the Foundation.

ii. TOEOLESULUSULU Cedric Pose Salesa Schuster, Member for Aana Alofi No. 3 queried as to the approximate cost to set up this Foundation.

The **CHAIRPERSON** noted that the analysis and investigation on this Bill was carried out over a long period by the Committee. The Chairperson further stated that a large sum of Government funds is spent on patients that need to be transferred

overseas, whereas, establishing this Foundation will decrease this problem and ensure that the Foundation focuses on promoting healthy living.

TOEOLESULUSULU noted that there are several branches that deal with promoting healthy living, as it his concern that this will duplicate duties.

Hon GATOLOAIFAANA clarified that employees from within the Ministry will be utilized as they already have the expertise in this matter.

Hon MINISTER OF HEALTH, TUITAMA Talalelei Tuiatama, Member for Aana Alofi No. 1 clarified that the Foundation is separated from the Ministry of Health, as they will focus soley only promotion. Furthermore, this will allow a separation of labour and encourage specialization amongst employees.

CLAUSE 16

i. **LEALAILEPULE Rimoni Aiafi, Member for Faleata West**

The Member queried whether the Committee assessed the need for an Advisory Committee when there is currently a Board that can perform these functions.

The **CHAIRPERSON** stated that there is a need for an Advisory Board, as it comprises of specialist that can support decision making of the Board.

The **DEPUTY CHAIRPERSON** stated the Foundation focuses on health promotion and finding income.

The **LEADER OF OPPOSITION** stated that a large sum of money is spent on supporting this new Advisory Board and made note that there is insufficient Gross Domestic Product (GDP) and unwise spending is not need. The Leader of Opposition

stated that this Bill promotes the usage by the ruling government of the Advisory Boards for their political supporters.

The **Hon PRIME MINISTER** clarified that there is a need for an advisory group as there are experienced specialist who are able to assist the Ministry of Health. He referenced the Advisory Group that was established to preserve and conserve Samoan artefacts. The Hon Prime Minister also made note to awareness on dentistry as an example of lack of promotion, therefore, increasing dental health concerns in the country.

The **DEPUTY CHAIRPERSON** stated that the Foundation is established primarily to find income.

The **Hon PRIME MINISTER** stated that the statement made by the Deputy Chairperson is erroneous, as the Foundation is not established to seek income. It is about separating duties between treatment and prevention. The core purpose for the establishment of this Foundation is prevention through encouraging the use of food as medicine as an alternative to prescribed medicine and not for the purpose to seek income.

Hon TUITAMA clarified that this Foundation is only comprised of 2 – 3 Members and queried as to why the Opposition is against the establishment of the Foundation. He went on to state that Cabinet have considered the advantages and disadvantages of this Bill. Furthermore, in 1989 the World Health Organisation reviewed health prevention scheme and in 1996 Pacific leaders adopted a Declaration that established the vision to be a 'Health Island/Region', therefore introducing the term 'Health Prevention'. The Minister stated that this Bill is to address rising concerns with Health Problems, thus the need to promotion prevention

of such diseases. Furthermore, the World Health Organisation has established an advisory Committee which comprises of 12 Members to advise the Director General in which the Minister of Health is a member of as a representative for the Pacific Region. One of its prescribed agenda is to 'seek ways to prevent diseases', of which this initiative is reflected in the Bill.

CLAUSE 22

- i. **LEALAILEPULE Rimoni Aiafi, Member for Faleata West** made note that there are going to be four different Health Sectors (Ministry of Health, National Health Services, Kidney Foundation and now the Health Promotion Foundation). He queried as to whether the people who are currently promoting health will be moved to this Sector?

TUITAMA clarified that in Clause 2 of the Bill it states that the Foundation will still be under the Ministry of Health.

LEALAILEPULE clarified on his question and stated that the response put forth is not satisfactory.

The **CHAIRPERSON** clarified that those who are already employed under the promotion of prevention of disease in the current system will continue to be employed but transferred under this new section. There is only the need to employ a new manager and other specialists but current employees will be employed to carry out these duties.

- ii. **TOEOLESULUSULU Cedric Pose Salesa Schuster, Member for Aana Alofi No. 3**

The Member queried as to why these employees were not able to improve the services as this is the purpose of the Bill. Made note that these employees are to

be used again for the Foundation, yet they were not able to improve such services in their current capacity.

The **CHAIRPERSON** clarified that there is currently a lack of funds allotted to promotion. However, by separately establishing the Foundation this will enable a greater allocation of funds from the Ministry of Finance for the promotion of disease preventions. As this is another avenue that can essentially focus on prevention without overlapping other duties.

The **Health Promotion Foundation Bill 2013** progressed with correction.

6. Teachers Bill 2015 (second reading)

The **Hon Minister of Education, Sports and Culture, MAGELE Mauiliu** moved a motion for the Bill be read a second time. Upon the motion being moved, the Hon Minister presented a brief clarification of the Bill to the House. The Minister stated that the Bill reflects strategies performed in overseas countries in order to improve Math and Science subjects within Samoa. Currently, there are 12 scholarships awarded to Science and Math teachers, 15 scholarships for teachers to be launched in 2016, targeting Science and Math qualifications. Furthermore, there are 60 scholarships offered in the University of the South Pacific for Science and Math teachers in service. Teachers have enrolled under the Bachelor of Science, Chemistry and Physics are due for completion in mid-2016.

Proceedings were suspended for morning recess at 10:45am

Proceedings resumed at 11:50am

The **Hon Minister of Education, Sports and Culture, MAGELE Mauiliu** continues clarification to the House. Note that there are 50 Faculty of Education students who

are set to graduate this year, 48 entered the Faculty with a grade 4 when usually those with grades 16 – 18 is the entrance in the Faculty. The image of teaching as a career was never regarded highly by most student as those of medicine and law. The Ministry is however, trying to improve the image of ‘teaching’ as a career path for students. Teachers are required to be registered in order to teach, this does not include those teaching in the University as it is a different system. The Teacher Council will comprise of 13 members, who are given the duty of granting registrations and well as continuing professional development and promotion of teaching as a career path. The Minister noted that this is an attempt by the Government to adopt the same standard as practiced in New Zealand and Australia. A Commission for teachers will also be established in order to deal with grievances against a teacher. The Bill seeks to develop the professional capacity of teachers so as to improve the education system in Samoa. The Minister further seeks speeches from the Member of Faleata East and Salega as they graduated as qualified teachers.

- i. **LEFAU Harry Schuster, Member for Vaimauga West** stated that the Minister of Education’s explanation of the Bill is biased. As he ignores the fact that he had background on teaching abroad.
- ii. **PAPALII Lio Taeu Masipau, Member for Faasaleleaga No. 2**

The Member expressed gratitude to the Minister for his clarification, as there are matters raised in the Minister explanation that is not addressed in the Bill. He encouraged that the Bill and its intentions be put to practice, and recognized the collectiveness of the current Board to ensure that Science and Mathematics textbooks are available in all libraries and schools. The Member stated that Sapapalii (Mataaeveve College) contributes ST\$5000 annually in order to help and develop the school. Sapapalii has taken the lead to develop and improve

schools. He made note, that in previous year school inspections were carried out, however this is no longer the practice. Therefore, supports the idea that spot checks by inspectors will encourage teachers to carry out their duties.

iii. TOEOLESULUSULU Cedric Pose Salesa Schuster, Member for Aana Alofi No. 3

The Member queried whether Part-time teachers are exempt from the provisions of the bill. Furthermore, there should be an increase in teacher's salary. He recommended that the functions of the Council should include an assessment to ensure there are sufficient resources to support teachers. He stated that if teachers have a good support, their delivery will be more effective.

iv. TUISA Tasi Patea, Member for Sagaga le Falefa expressed gratitude to the Ministry for bringing this subject into Parliament for discussion, before the end of the Parliamentary Term.

v. TUFUGA Gafoaleata Faitua, Member for Vaisigano No. 1. expressed gratitude on behalf of his constituency. He noted the explanation by the Minister, whereby 40 students with grade 1 -12 enter teaching as a career. He queried for the Minister to clarify on the Math grade that will enable a student to enter the Faculty of Education. Furthermore, a clarification of an offence committed by teachers which will be dealt with only by the council. Another point raised concerning license of teachers that have migrated abroad. Lastly, salary of teachers.

The **Hon PRIME MINISTER** clarified that Clause 3 of the Bill will bind teachers in Primary, Intermediate and Colleges. He noted that in order for teaching standards to improve all teachers will have to be registered. Furthermore, Government

provides subsidies to College Schools so as to ensure that schools are developed for the sake of its students this however, does not include NUS lecturers who are covered under the National University of Samoa Act.

- vi. **AFUALO Wood Uti Salele, Member for Salega**, stated that in almost every country, the perception of being a teacher has a 'noble cause', and as a professor he supports the principle and merits of the Bill. Furthermore, the member noted that becoming a teacher is not an easy career. Recommended that the Minister should consider having the credit system for grading.

- vii. **AVEAU Nikotemo Palamo, Member for Faleata East**, noted that all Members of Parliament were educated by Teachers, of which a single classroom would comprise of 30 – 40 students, as it is the teachers obligation to steer lessons each day to accommodate for the needs of each child whilst taking into account the different level of knowledge. However, the Member supports the intention of the Bill. As it seeks to improve the educational system in the country and not to praise teachers. However, he recommended that the process for registration as a teacher should be simplified. The Member raised concerns on penalties against teachers, stated that it is investigated by both the Public Service Commission and the Council as is stipulated under the Bill. However, there is also a provision that cases be referred to the Police. The Member recommended that investigations should be conducted by the Council and then Police, as there is a fear that by having several processes in investigating any penalties will undermine the duties and responsibilities of the Police.

viii. ***LEAUPEPE Toeafoa Apulu Faafisi, Member for Aana Alofi No. 1***

The Member expressed gratitude for the recognition given to teaching profession through this Bill. Noted that nowadays that children are not just taught various subjects but also their behavior and conduct.

ix. ***TUUU Anasii, Member for Siumu*** stated that he and his constituency support the Bill.

x. ***LEALAILEPULE Rimoni Aiafi, Member for Faleata West***

The Member stated that teachers have a great influence on people. Recommended provision of the Bill should provide that the Council and Tribunal take into account grievances that occur in the teaching profession. Member made note that the Bill includes Private and Church schools, however, raised concern with compliance from Private Schools of these laws. The Member queried as to whether the Bill takes into account those who provide private tutorials. Furthermore, his concern that given the limited meetings of the Council per year, and recommended that whether it is possible to have people who will undertake the duties under the Bill and report to the Council upon each meeting. The Member also raised matter concerning teachers' rights, and recommended that it should be provided for in the Bill. Due to the fact that teaching profession is difficult as children are sometimes hard to control. Therefore, there should be in place policies that can protect teachers when an issue of discipline is raised.

Proceedings adjourned at 1. 02pm

The House will recommence on Friday 20th March 2015 at 9:00am