

DAY 5: Monday 26th January
TIME: 11:21am

I. GOVERNMENT ORDERS OF THE DAY

1. Public Bodies (Performance and Accountability) Bill 2014 – second reading

B. Debates

1) *Tofa AVEAU Tuala Lepale Niko Palamo, Member of FALEATA EAST*

- a. The Member queried under Clause 7 whether the whistleblower provision covers the context of “mutual working relations”
 - Interjection by the Prime Minister – A similar scenario occurred in the investigation of the Police Commissioner that began from a Commission of Inquiry based on allegations brought forth by an anonymous writer; however, the writer was identified and fired from her position. Cabinet, however, made sure that this individual was reinstated. It is difficult to act on an anonymous tip therefore this whistleblower provision is long overdue.
- b. The Member stated that Public Enterprises are to be funded by Boards where it was previously provided by the government. The Member further queried as to who will be accountable for these loan requests and recommended that the Ministry of Finance have a say on loan advancements for security purposes.
 - Interjection by the Minister of Public Enterprises – the Minister clarified that before advancing loans, the decision is brought forth to the Board for assessment. The Ministry will create a mechanism where loan options offered by enterprises will be approved by

the Board before taking any further action.

- Interjection by the Prime Minister – The Minister responded that government will be responsible and that any matter considered for approval, including Ministerial assets, is given by the Cabinet.

2) Tofa LEVAOPOLO Talatonu, Member of GAGAEMAUGA NO.2

- a. Ombudsman - The Member remarked on the allegation process; where a report is first carried out by the Ombudsman who will then refer this report to the Chief Executive Officer before it is finally presented before Cabinet. This process ensures that whistleblowers will not be penalised and encourage more to report.
 - Interjection by the Minister of Public Enterprises – The Minister responded that preliminary work is done to assess the seriousness of the allegation. Once this assessment is complete, it will be transferred with alternatives that are decided by the CEO, Minister and Shareholder.
- b. The Member remarked on the CIF formula and stated that this formula used for procurement of resources is an added expense for the Government.
 - Interjection by the Prime Minister/ Minister of Finance – CIF is used to effectively assess the costs (duty) of resources that the Government purchases from overseas.

- Interjection by Minister of Public Enterprises – The Minister stated that the framework was established for Ministries to follow in procuring required resources.

3) Afioga AFUALO Wood Salele, Member of SALEGA

- a. The Member requested that the Ministry acquire avenues that result in the creation of more job opportunities. The Member also stated that legislation which Ministries are mandated under should be updated as most are out of date.
 - Interjection by the Minister of Public Enterprises – It is government that decides on the issue of employment opportunities.

4) Susuga PAPALII Lio Masepau, Member of FAASALELEAGA NO. 2

- a. The Member noted a decreasing gap between government expenditure and government revenue and recommended that it should be the government's foremost objective to resolve this issue.

5) Susuga Hon PAPALIITELE Niko Lee Hang, INDIVIDUAL VOTERS

- a. In response to the Member of Faasaleleaga No.2's comment that Public Trading Bodies will assist with issue of employment opportunities.
- b. The Member clarified that the Ministry will assess all State Owned Enterprise performances and achievements of

targets set. If the Enterprise does not meet the target CEOs will be held accountable for underperformance.

6) Afioga TAEFU Lemi, Member of FALELATAI and SAMATAU

- a. The Member recommended that CEO salaries are standardized and remarked on the composition of the Board of Directors.
- b. The Member noted that Ministries are too independent and have begun to move away from their core functions and stated that the establishment of this Ministry should look into this matter.
- c. The Member recommended that the Ministry carry out a resource utilization plan as he noted that Corporations are over resourced with vehicles and staff.
- d. The Member in his final remarks supported the Bill as there are no issues with policies and procedures but there are however problems with its implementation and called on the Ministry to look into this matter.

7) Tofa TOEOLESULUSULU Cedric Schuster, Member of AANA ALOFI NO. 3

- a. The Member stated that a provision on deadlines for Annual Reports should be made. The Member also sought clarification on processes for contracts on works and services.
 - Interjection by the Minister of Public Enterprises - The Minister stated that a streamline process is in place to ensure that matters are dealt with in a timely manner.

Public Bodies (Performance and Accountability) Amendment Bill 2015 – considered in detail and third read under the Urgency Certificate provisions.

2. Scientific Research Organisation of Samoa Amendment Bill 2014 – consideration in detail

a. Amendment to Clause 3, 4 and 5

- The Member of Faleata West noted an overlap of duties between SROS and MNRE. The Member stated that SROS should not conduct the Environmental Impact Assessments (EIA) as it is not a private entity and noted that the EIA is under the mandate of MNRE.

C. The Minister of Natural Resources and Environment – The Minister clarified that the EIA is not conducted by MNRE but by contract agencies to which SROS can also carry out these assessments including development concepts.

II. ORDERS OF THE DAY

1. P.P. 2014/2015 No. 58, Report of the Justice, Police and Prisons and Land & Titles Committee on P.P. 2013/2014 No. 78 & P.P. 2013/2014 No. 79, Ministry of Police and Prisons Annual Reports for the Years 2007 – 2008 and Financial Year 2008-2009 – consideration

1) AVEAU Niko Palamo, Member of FALEATA EAST

- a. The Member wished to follow up on the food supply for Prisons as well as the Oloamanu Centre for young offenders.
 - The Prime Minister congratulated the Committee for their report and asked the Chairperson for clarification regarding food supply as the subject is not mentioned in

the report. The Chairperson (Member of Sagaga le Falefa) responded that food supply for prisons has improved. The other housing issue raised is not an issue in the report under review.

2. P.P. 2014/2015 No. 109, Report of the Health and Social Services, Internal Affairs, Community and Social Development Committee on P.P. 2012/2013 No. 36, Political Declaration of the High-Level Meeting of the General Assembly on the Prevention and Control of Non-Communicable Diseases – consideration

1) TofaLEALAILEPULE RimoniAiafi, Member of FALEATA WEST

- a. The Member queried as to the status of a building for non-communicable diseases and stated that this building would greatly assist with treatment of infectious diseases. He queried whether the issues with management have been resolved.
 - Prime Minister – there have been obstacles in establishing such a building. It is better to visit the hospital than building a branch that has posed a problem for the government. The Minister stated that government continues to provide support on Health initiatives.
 - Minister of Health – Aid and independent funding was available but could not be used due to conflicts within the organisation. The Ministry requested the government for assistance on an additional sum to hire specialists, which was granted. The Ministry has also looked into ways of continuing this service but is currently awaiting a company proposal to continue this service and negotiations are underway. The SPAGHL initiative is also soon to be

continued once the paperwork is received from the CEO of the Health Ministry.

3. P.P. 2014/2015 No. 131, Report of the Education Committee on P.P. 2014/2015 No. 7, Annual Report of the Samoa Sports Facilities Authority for the year 2011/2012 – consideration

1) AfiogaMUAGUTUTAGATA Peter Ah Him, Member of SAGAGA LE USOGA

- a. The Member sought clarification on the second recommendation and queried as to the specific costs of hiring these facilities.

2) AfiogaTOEOLESULUSULU Cedric Schuster, Member of AANA ALOFI NO. 3

- a. The Member recommended that facilities be opened for international sport trainees
 - Prime Minister – The Minister stated that committee will assess recommendations.

Parliamentary Proceedings were adjourned until Tuesday 27th January 2015 at 9am