

DAY 6: Tuesday 27th January

TIME: 3pm – 9pm

II. ORDERS OF THE DAY – CONSIDERATION OF SELECT COMMITTEE REPORTS

9. P.P. 2014/2015 No. 188, Report of the Justice, Police & Prisons and Land & Titles Committee on P.P.2014/2015 No. 11, Ministry of Justice Annual Report for 2011/2012.

1) *Afioga TOEOLESULUSULU Cedric Schuster, Member of AANA ALOFI NO.3*

- a. The Member queried whether the digitized records will be accessed by the Public; similar to the PACLII website and also queried as to when this access can be implemented.
 - Interjection by the Chairperson – The Chairperson responded that work is in progress for the digitization of records and stated that this information should be accessible to the public including records from the Lands and Titles Court.

2) *Tofa LEALALEPULE Rimoni Aiafi, Member of FALEATA WEST*

- a. The Member referred to the 2012/2013 Report where the Committee recommended that a review of Court Judges should be conducted and the Member stated whether judges can be re-hired from those employed in 2011.

- Interjection by Chairperson – The Chairperson clarified that 6 Judges were appointed for the Lands and Titles Court in 2011 there is, however, a need for more experienced judges for the Higher and Lower Courts. The Chairperson also noted that Judges were brought in from Australia and New Zealand to assist with the Courts especially the Supreme Court. This was necessary for non-partisan reasons and providing an independent viewpoint.

10. P.P. 2014/2015 No. 192, Report of the Justice, Police & Prisons and Land & Titles Committee on P.P. 2014/2015 No. 12, Report of the Samoa Law Reform Commission on the National Heritage of Samoa – Report 13/13.

1) Tofa AVEAU Nikotemo Palamo, Member of FALEATA EAST

- a. The Member stated that there should be a difference between the protection of sea and land artefacts. The Member supported the Committee's purpose to protect heritage sites but disagreed with the Committee's power to make regulations.
 - Interjection by the Chairperson – Under a point of clarification the Chairperson stated that the Samoa Law Reform Commission has drafted a legislation concerning the protection and

preservation of Samoan artefacts. There are more opportunities to further discuss and improve this legislation once it is presented before the Parliament.

11. P.P. 2014/2015 No. 170, Primary Production, Commerce, Industry and Labour Committee Report on P.P. 2013/2014 No. 82, Ministry of Agriculture and Fisheries Annual Report for the Year 2011/2012.

1) *Afioga TOEOLESULUSULU Cedric Schuster, Member of AANA ALOFI NO.3*

- a. The Member stated that a limit should be set on the number of Myna birds in Samoa.

2) *Tofa LEALAILEPULE Rimoni Aiafi, Member of FALEATA WEST*

- a. The Member noted a contradiction in the Committee Report on whether the Myna bird should be protected or extinguished.
 - Interjection by the Minister of Natural Resources and Environment – The Minister recommended that these species are useful but its numbers should be under control.
 - Interjection by the Member of Vaa o Fonoti/Committee Member – the Member clarified that the recommendations were towards the Ministry of Agriculture and not the Ministry of Natural Resources and Environment.

- Interjection by the Prime Minister – the Minister stated that a project is in place to remove these Myna birds as they destroy crops and clarified that any statement made by Cabinet is a sufficient response.
- Interjection by the Member of Aana Alofi No.1/Chairperson – The Chairperson stated that Myna birds are useful in removing certain pests, for example, fleas.

III. ORDERS OF THE DAY

1. 2014/2015 No. 42, Government Responses on 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 Year 2011.

1) *Afioga Hon PALUSALUE FAAPO II, Leader of Opposition*

- a. The Leader questioned the provisions under Standing Order 54 and stated that it does not state that debate is prohibited on Government Responses.
- The Speaker clarified that parliamentary practise and procedures adhered to by the Parliament such as those of the NZHOR do not permit debate on Government Responses
 - A short heated debate took place between the Leader of Opposition and the Prime Minister over the process for Government Responses.
 - Similarly, the Leader of Opposition challenged the Speaker's interpretation of Standing Order 54 and refused to accept that

alldemocratic parliaments do not debate Government Responses as was the clarification from the Chair. Proceedings adjourned at 5pm.

Proceedings resumed at 5:28pm

- The Speaker accepted the Leader of Opposition's apology for his previous disorderly conduct. The Speaker, however, did not accept the Leader of Opposition's motion to approve all Government Responses without Cabinet having to read them out.
- The Leader of Opposition interjected on comments made by the Minister of Works, Transport and Infrastructure during the eighth consideration of Government Responses without the Chair's permission. The Speaker ruled that the Leader of Opposition be removed from the precincts of Parliament as per Standing Order 91 (3) for disorderly conduct.
- The Member of Faleata West moved a motion to pass all remaining Government Responses (numbered 25 to 51 on the Order Paper). The Speaker overruled this motion and stated that it is important for the public to listen to these responses. Nonetheless, the Prime Minister seconded the motion. Question put and the motion was approved.
- The Prime Minister moved the adjournment motion at 9pm for the Assembly to reconvene on 17th February 2015 as per Parliamentary Sitting Calendar.

Proceedings adjourned at 9pm.