

DISCLAIMER

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Thursday 23rd January 2020
9:07am

i. PRESENTATION OF PAPERS:

1 Annual report was tabled in Parliament

I. GOVERNMENT ORDERS OF THE DAY

1. SUPPLEMENTARY APPROPRIATION BILL (NO.1) 2019/2020- *debate on second reading continues*

GOVERNMENT RESPONSES

i. Hon AFAMASAGA Lepuiai Rico Tupai- Minister for Communication, Information and Technology

The Hon Minister greeted the Members of Parliament, CEOS, his constituency listening in and conveyed his appreciation.

The Hon Minister then stated that there were only two major subjects that were raised from Members (Digital TV and Mobile Service through the TUI Samoa Cable), which he will attempt to address:

- The Hon Minister noted 2 issues raised by certain Members regarding his Ministry; (i) coverage/quality of broadcasting in rural areas (Digital TV) and telecommunication services and confirmed that the member is correct that there are other areas that has not received coverage and the Ministry is working towards solving this issue;
- The TUI Samoa Cable has eased access to internet at reduced costs;
- In regards to Digital TV the Member confirmed that there are some areas where digital TV has not reached such as Vaialele, Fagamalo as well as Taga;
- The second phase of the digital tv aims to reach 95% of the nation and intends to reach 100% by the end of March 2020 if the weather permits.

- Currently the Digital TV is operated by Regulator and the box is sold at SSAB and Bluebird for \$55 tala;
- Noted that once the coverage for Digital TV has reached the whole of Samoa, the Analog will be taken down;
- In regards to the Samoa National Broadband that was established in 2014, it will further be used to simplify access on National Health records and IDs; Furthermore, it will be used to ensure that there is a doctor available in all district hospitals especially in cases of critical condition;
- In regards to resolving cybercrime, government is promoting and creating awareness on the impacts of social media especially the language used by people to criticize members and the public;
- In regards to the SchoolNet program- it is envisaged that the SchoolNet program develops to the stage where online teaching can be made in schools which can counter the problem of teacher shortage.

FUIMAONO Teo Samuleu Teo- Member for Falealili East

Member questioned the Minister in regards to the SchoolNet. He stated that the Committee conducted its visits and recognized that there are machines installed in schools however have not been connected to the SchoolNet. The member further noted that during Committee deliberations, the Member requested the Ministry for records on the usage of the school net and still there is no response. He then asked the Minister to give proof that the school net is being used as stated in his speech to date.

Hon AFAMASAGA Lepuiai Rico Tupai- Minister for Communication, Information and Technology

The Hon Minister clarified his previous comment, that there are some that have used the SchoolNet and some have yet been connected. In addition, there needs to be computers in order to have the connection established.

PM

The PM noted that the Committee that overlooks this is the School's Committee, further, School Principals should take the responsibility to ensure the machines are hooked up correctly and used.

LAAULI POLATAIVAO Leuatea- Member for Gagaifomauga No.3

Thanked the PM for his clarification on the SchoolNet project for schools, now that it is clear that the school committee has to play a part in this project, further noted that there should be more accountability in the spending of USD\$17million appropriated for the SchoolNet project.

Hon AFAMASAGA Lepuiai Rico Tupai- Minister for Communication, Information and Technology

Minister continued that another problem is this, we give the machines to schools but Principals hold it for their own use. He also clarified that the TWG (Technical Working Group) is tasked with overseeing that government plans and policies are being

implemented. The Minister further encouraged parents to introduce computers to their children at an early stage as it is the age of technological advancement.

SULAMANAIA Fetaiai Tauiliili- Member for Vaimauga East

The Member spoke heavily on OLP and requested the Minister to look into finding this group that have been criticizing families about their personal matters. Therefore, the Ministry should be able to hack in the system to identify those unknown cyberbullies on facebook.

LAAULI POLATAIVAO Leuatea- Member for Gagaifomauga No.3

The Member further suggested to further put emphasis on the importance of language being used on social media, for instance, the council at Lauli'i informed those in the village to be careful with what they say and later on, nothing has occurred since.

PM

The PM responded that this nation values freedom of speech however there have been cases where those have gone over the limits. There is a law that guides these kind of misbehavior however implementation needs to be tightened. Furthermore, he elaborated that there are policies to control cybercrime through its national cybersecurity strategy.

ii. Hon FAAOLESA T. Katopau Ainuu- Minister of Justice and Courts Administration

The Minister greeted the House and Government Ministries and agencies together with the population listening in. He then addressed the issues raised by Members regarding the Ministry. In regards to a query raised by the Safata West member, whether 'home detention' can be introduced and replied that Samoa currently operates a similar penalty.

FUIMAONO Teo Samuleu Teo- Member for Falealili East

Fuimaono sought an explanation from the Minister in regards to the impacts of Judges who have been laid off due to unjust rulings. If these Judges acts are found wrongful then there should be appropriate penalties similar to that of court judgements.

PM- interjection

The PM clarified that there is a Judicial Service Commission that has the discretion to have the final say. For instance, if the Commission say the convict should be banned from the Village instead of arresting him/her then that is the final decision as they have the authority to do so.

Hon FAAOLESA T. Katopau Ainuu- Minister of Justice and Courts Administration

The Minister went on to explain that the monitoring/process and procedures/terminating of contracts in regards to files been taken away from the office was dealt with by the Public Service Commission (PSC). The decision of termination was not a decision made by him, rather the PSC who investigated several factors other than the taking of files procedures of the court is very hard, and it is not an easy thing to do as anyone can go to jail. In regards to cases being determined, there needs to be sufficient time given to the Judges to make a decision as they should not be made fast paced.

SULAMANAIA Fetaiai Taviliili- Member for Vaimauga East- interjection

The Member interjected the Minister's statement and expressed his disappointment with the Minister stating "anyone can go to jail" and "the fact that decisions of the court should not be made fast-paced" yet the court case for his son's death has still not been called. He further stated that there are some cases heard, tried and a sentenced at a fast pace yet he has waited more than 12 months for a decision on the matter for his son.

PM- interjection

The PM stated that a new Supreme Court Judge was recently sworn in and 7 Judges were also sworn in for the Land & Titles court. He agreed with the statement put forth by the Member from Vaimauga East and suggested that the Ministry should make a policy similar to that of New Zealand court whereby if after three months a Judge has not made a decision on a case- that judge should be terminated. Another reason for delay is the lack of Judges.

He further stated the notion of '*justice delayed is justice denied*' implicating that the longer a case is left it is always prone for injustice. He further explained that there are two main Courts: Supreme Court and Land & titles Court. Supreme Court matters should be executed immediately when the case is called whereas for Land & Titles Court - it considers a wide range of people thus the need to postpone several cases.

The PM further stressed on the point that decisions should be delivered within 3 months for all pending cases, after 3 months, they should consider the termination of Judges. He further recommended for the Attorney General's Office and the Samoa Law Reform Commission to look into the laws governing court practice and procedures to ensure such problems are dealt with.

iii. LOAU Sola Keneti Sio- Minister for Education, Sports and Culture

The Minister addressed the House, Members of Parliament, respective Parliamentary Committees and commended all the hard work of his Ministry. He mentioned that the Ministry have formulated regulations and guidelines in order to achieve its mission. Policies, plans and guidelines have been made to ensure the effective provision of the services of the Ministry, however despite having all these plans laid out, nothing is perfect, there will be setbacks and challenges. The Minister recalled a comment put forth by a Member where teachers go on half day during pay days and confirmed that this is what is current happening however members should be aware that all teachers and Committees have the same uniform in case one might mistake a teacher for another.

He further stated that Members like to request for additional schools in their constituencies however there is not enough students for these schools. A prime example is at Falevao and Lalomauga where both villages have primary schools. He emphasised that there are enough teachers but the issue arises when Members request to have schools in their own constituency instead of working together (and sharing schools for those villages that are neighbors) which then causes the problem of shortage of teachers.

**Proceedings were adjourned for
normal Parliament recess at 10:45am and resumed at 11:37am**

MOTION

The Hon PM put forth a motion to extend proceedings of the sittings until the Supplementary Appropriation Bill (No.1) 2018/2019 has been passed and then reconvene on the following day, Friday 24th January 2020.

Motion seconded

Motion approved

LOAU Sola Keneti Sio- Minister for Education, Sports and Culture- response cont'd

The Minister spoke on the different roles being interdependent, and encouraged parents to check school committees while school committees are responsible for checking school principals. He further stressed that every schools should have school committees. The Minister went on to address the issue of scholarships and stated that the relevant Ministry is currently dealing with scholarship matters.

In reference to school fees, as recommended by a Member to do part payments of it. The CEO has noted the request to be considered in order to assist low income families. He made known to the Assembly that an Education sector plan has been finalized and is set to be implemented this year. He mentioned the Early Childhood Education (ECE) legislation which mandates children to commence schooling at 4 years and that teachers are continuously being upskilled. One is to attain a Certificate of Teaching (Mulinuu) and Diploma (NUS) and encouraged to attain a Bachelor's degree for the teaching profession

The Minister went on to state that Early Childhood Development is an important part in the child's upbringing, noted that research has proven during early stages of a child's life (especially in the mother's womb) is crucial in the development of their brain. In response to records of the usage of SchoolNet, it is confirmed that there are schools that do not have SchoolNet at the moment at least 61% Primary Schools are connected to the Samoa National Broadband Highway (SNBH) and Colleges at least 38% are using it.

The Minister advised the member who requested for new school buildings to submit their applications to JICA because this where the fund comes from, and then the Ministry of Education will provide a recommendation to endorse (or otherwise) the construction of the school building in the constituency.

LAAULI POLATAIVAO Leuatea- Member for Gagaifomauga No.3

The member reminded the Minister to please look into developing and protecting our Rugby players. Recently there have been several rugby players from his constituency who have been contracted to Japan- they are slowly going away leaving us with nothing.

LOAU Sola Keneti Sio- Minister for Education, Sports and Culture- response cont'd

The Minister finally responded that there is a Steering Committee that looks after this matter. All sports are important in the sight of the Ministry. Recognized that there are a lot of challenges faced by the Rugby Committee. Praises the fact that our local players are being contracted overseas because it will benefit their families here.

iv. SILI Epa Tuiofi- Minister of Finance

The Hon Minister delved straight into addressing the issues raised by several Members regarding the Ministry of Finance as the Prime Minister clarified various issues in his opening response made last night.

He acknowledged the Deputy Chairperson for the Finance and Expenditure Committee as it was noted from his speech last night that the Member for Palauli le Falefa has captured Government's vision for the various developments in Savaii; such as the appropriation to commence relocation process for the Ministry of Justice in Savaii from Tuasivi to Salelologa for convenience and easier access. There has been a reshuffle made on the allocations of money, where some Ministries were unable to achieve their developments due to insufficient funds therefore, unused funds from other Ministries were then transferred to accommodate these developments. The Supplementary also provides funding to renovate the National Provident Fund (NPF) Office in Savaii which will also provide rooms for any companies that wishes to rent it.

In regards to request put forth by members regarding transportation, the member mentioned he met with the World Bank and resolved to construct a bridge from Upolu to three other islands such as Manono, Apolima and Savaii. He noted that plans are in progress for the development and formulation of the 2040 Strategy which is the long term plan of Samoa. Close to 9 million has been allotted from the World Bank to assist with relief efforts for the measles outbreak, as well as to improve our health care standards. A total of \$3 million is received from Dividends from State Owned Enterprises, the Ministry is hopeful that there is the possibility of receiving more from these SOE's as it has been brought to the Minister and the Ministry's attention that SOE's are putting these dividend funds as investments in Commercial Banks; this should not be the case, there are laws which stipulate the timeframe dividends should be paid to Government rather than using these monies to generate interest and more revenue for certain SOE's. The Minister clarified to Members who put forth their requests by using the Surplus, a surplus is present because there are other projects that requires a period of time to be completed; therefore, we should not use the surplus as it is allocated for such major projects.

FAUMUINA TIATIA FAAOLATANE Liuga- Member for Palauli Le Falefa

The Hon Member for Palauli le Falefa queried estimates and actuals - noting that there are projections. He further noted that it was predicted that 90million will be received however the actuals figures only report 1.9million received. Why is this the case?

SILI Epa Tuiofi- Minister of Finance

The Hon Minister clarified that the projections (are not the final costs and amount) there are variations which must be made to ensure the progress of developments, case in point is the development project for the Maliolio bridge - there was a variation required to be made (such as the variation in design) and as designs changes so does the estimated costs which is why figures change hence the change in the amount noted by the Member for Palauli le Falefa. The member further explained that the Asian Development Bank (ADB) funds most of the development projects - however approval of projects does not necessarily mean that the Government operate solely and make decisions solely, therefore it takes time, especially when there are variations, the Government cannot make changes and execute them solely. ADB consultants travel to Samoa conduct negotiations and determine the best fix thus the time consuming process.

FAUMUINA TIATIA FAAOLATANE Liuga- Member for Palauli Le Falefa

The member recalled that the construction of the Maliolio bridge was started by a foreign company from Korea, he also recommended that, they should look into employing our well educated local companies to do the work so that money circulates in the country and that the skills of our children who have been educated in this area is used, rather than employing companies from overseas which is costly and further delays the work. He further pinpointed to the renovations work done for the prisons in Vaiaata which has been delayed up to 4-5 months since its construction. The Members concern is that, the building and resources used to start the work might go to waste if they keep delaying the work. It is simply a waste of money and resources.

Minister of Works, Transport and Infrastructure- PAPALIITELE Niko Lee Hang

The Hon Minister of Works elaborated on the development project for Maliolio and stated that the variations mentioned by the Minister of Finance is the variation in design prepared by the engineer of the bidder who was awarded the contract to conduct the project - hence the decision made by the World Bank to award the contract to the second bidder in line. It was also noted that there was also a request of variation for the Police Academy, to which the Minister of Works responded that variations cannot be made by the Tenders Board. He emphasised on the importance of the Tenders Board following protocol to ensure costs and the quality of the project are aligned (not being too overpriced) such as the bidders for the contract to construct the Police Academy. Tenders Board bases its decisions on recommendations made by consultants and those involved in the bidding process to ensure the most suitable contract is selected.

SILI Epa Tuiofi- Minister of Finance

The Tenders Board are working on effective strategies to ensure that the successful contractor for all Projects comply with the conditions of any projects for developments. In regards to the Tiavea airport and the Maota domestic airport in Savaii, the Hon Minister stated that there needs to be a bigger aircraft to cater for travelers using the Tiavea port; and that there are considerations undergoing to reopen this airport to avoid tourists missing their flights during bad weather conditions and vessels being stopped from travelling from Salelologa to Mulifanua.

LEALALEPULE Rimoni Aiafi- Member for Faleata West

The member queried whether the Ministry is doing something about Samoa being blacklisted in the European Union's list.

SILI Epa Tuioti- Minister of Finance

The Minister clarified that our system and jurisdiction has been updated which is monitored by OECD but ensured Samoa's compliance only with the OECD but for the EU they still have some complications as they are not clear with their own process.

v. TIALAVEA Fea Leniu Tionisio Hunt- Minister for Customs and Revenue and Prisons

The Minister began his address with the Tanugamalala Prisons noting that there are 2 shifts (9am - 5pm; 5pm - 9am); and there is also the 5pm - 1am shift, hence the reason for constructing a facility for the staff on duty to rest/recover to cover the next shift, due to the distance of the Prison. He explained that those sentenced for less than 12 months are given time to do community service such as cleaning the town area and others.

In regards to fees charged on imported vehicles, they are based on two criterias: 1) cost of the car 2) engine size of the car. The rationale behind these criterias is to control people importing cars. The Customs department are awaiting the x-ray to thoroughly check items brought into the country. He also acknowledged Government's decision to have 1 facility for the Customs Office at the International Airport. He further noted that the x-ray machines are important to detect illegal substances brought into Samoa; currently the easiest way to detect such substances are through the K9 dogs yet the only problem is that there is only 2 K9's in Samoa, the Minister then requested to purchase another k9 dog to assist with detection services at our ports of entry to ensure the importation of drugs into Samoa.

The Minister reassured that the Ministry is continuously finding ways to get more revenue as part of revenues collected is now shared to fund the new program operated by the Ministry of Agriculture and Fisheries.

vi. FAIMALOTOA Kika Stowers- Minister of Health

The Minister firstly addressed the Members of Parliament, its support Office and Samoa in all her honorific salutations. She then greeted her constituency with its salutations. She thanked the clergy for their daily prayers and conveyed her appreciation for their support.

She further stated that the Ministry are prioritizing Primary health and expressed her gratitude for the collective work done during the measles outbreak such as our partners from overseas, our people as well as volunteers that lend a helping hand. She also acknowledged the Chairperson of the National Disaster Council and commended the work done by the National Emergency Operation Centre who worked day and night tirelessly

to ensure everyone is aware of prevention methods and notifications provided to the population of Samoa. She further applauded the humble efforts of the Health Ministry, medical doctors and the nurses for working day and night to accommodate for and cure the affected people. She then laid condolences to the families of the victims of the measles tragedy.

She then noted that pandemic is a disease that spreads around the region e.g. influenza in 1918; Endemic - is a disease spread in a geographical level such as chickenpox and measles and Epidemic is an infectious disease spread to a large number of people within a short period of time. To counter all potential diseases that easily spread and affect our people, Plans are in place. She then stated that there is a National Preparedness Plan from 2008 till to date and another plan which was introduced last year. The Health Sector Plan was finalized in 2019 and is now being implemented. All these plans have been prepared and now is the time to work together for the implementations of these plans for the good health of the people.

The Minister further reassured Members to give the Ministry this year to ensure all are being vaccinated and noted that most children who died from the measles are those that were not vaccinated.

The Minister stated that the Ministry will be stressing on the importance of public health and community health. There are plans to reinforce 'Komiti Tumama' whereby medical staff travel to villages to vaccinate and check babies and children. In regards to vans that were donated for the Pacific Games and used for Government's mass vaccination the Minister has already submitted a request to the Treasury for the usage of 10 vans to cater for all district hospitals. By having these vans will perhaps relieve the congestion at the main hospitals. She recalled in her days, medical staff would be visiting their villages once a month and admired how medical supplies were being supplied to check people in the villages and stated that this practice is to be revived soon.

The Minister urged Members to visit their district hospitals and report what is going on in these hospitals. Stated that a number of people visit her Office for assistance, clarifying that she does not have the power for many things and can only advise them of the process there is for certain issues such as requests for overseas treatment.

LAUOFO FONOTOE NUAFESILI Pierre Laufo- Member for Anoamaa West

Is there an intention by the Ministry to submit a report on what had been done during the measles outbreak noting amongst other things what supplies were being donated during the time and where are they now?

FAIMALOTOA Kika Stowers- Minister of Health

The Minister and the PM affirmed that a report has been done and submitted to Cabinet for consideration yesterday.

vii. LOPAOO Natanielu Mua- Minister for Agriculture and Fisheries

The Member noted only 5 members addressed concerns against the Ministry and will therefore attempt to address them:

The Minister stated that in early 2018, road developments have been in place as well as establishing water supply. Furthermore, the road at Vaisala is in construction but a development at Utuloloa will be implemented.

The Member finally commended the Hon Minister for Works for their work and further applaud the efforts put together by his Ministry for their hard work.

viii. PAPALIITELE Niko Lee Hang- Minister for Works, Transport and Infrastructure

The Minister addressed the House, his Constituency and the group of Clergy within. He commended all the work implemented by all SOEs under his portfolio.

The Minister reassured the Members that all requests have been noted and will be implemented as soon as the budget is passed; however, there are too many projects but less funding hence the delay of developments within other constituencies. In reference to a request put forth by a Member regarding street cameras, this will be a challenge as LTA is now under Police but all will be considered.

He made known of government's plans to purchase a new ferry for transportation between Upolu and Savaii before the election in 2020. Furthermore, he clarified the issue on urgent change of bookings where a Member requested that there should not be any additional fees to pay that there is an intention to have a provision in its regulation to clarify that a passenger may change a booking one or two days prior to travel date without paying an additional fee unless it is on the same day of the booking.

The Minister explained that there were some important reasons behind the delay of the Maliolio bridge construction and it is set to be opened in June. He then thanked the Ministry for their patience and efforts in achieving the goals of the Ministry.

MOTION (amended)

Hon PM put forth a motion to amend the previous motion regarding sitting times and stated that due to Members being drained by the long proceedings, therefore today's proceedings to adjourn after the Minister of Tourism's response and will reconvene on Friday 24th January 2020.

Motion seconded

Motion approved

ix. SALA FATA Pinati- Minister for Tourism

The Minister mentioned that only two members put forth concerns and request towards his Ministry in terms of accommodations and tourist attraction sites. He referred to a request

made by the member for Palauli for a vehicle to assist with new accommodations in his constituency but advised that requests are well considered and noted the only challenge is trying to accommodate all requests such as vehicles given that other constituencies will not be able to gain this benefit equally. In regards to access of water for public toilets - the responsible Ministry is currently reviewing this issue.

PM- interjection

The PM clarified the importance of the development of the (garden toilets) as it was built only for the purpose of tourism and not the public. He affirmed that this is a matter that involves everyone especially in the outback villages to not depend or wait upon funds by the government to maintain garden toilets, it should be the responsibility of the village for their own benefit.

SALA FATA Pinati- Minister for Tourism

The Hon Minister emphasised that any developments done it is a collective responsibility of all members of the public to maintain them. He gave an example of a garden bathroom established at Togitogiga however the issue is that the public/people are not maintaining it or keeping it properly. He re-emphasized that it should be a collective effort by everyone to keep our facilities clean.

Proceedings abruptly ended
at 2:20pm and will resume on Friday 24th January 2020 at 9:00am