



Monday 17 OCTOBER 2022
MEMBERS PRE-SITTING BRIEFING

A total of 34 Members convened at the Maota o Tofilau Eti Alesana - Conference room on Monday 17th October for their usual Member's Pre-Sitting Briefing. The Briefing was chaired by the Hon Mr Speaker and began with an opening prayer by the Deputy Speaker. There was one Bill on the Agenda, *Ports Authority Amendment Bill 2022*. In the absence of the CEO, the Assistant Chief Executive Officer from the Corporate Services attended to present an overview of the Bill and to respond to queries and concerns raised by Members.

(1) PORTS AUTHORITY AMENDMENT BILL 2022

Presenter: Moe Lene
Assistant Chief Executive Officer - Corporate Services

The Assistant CEO clarified that the main purpose of the Bill is to amend the Principal Act 1998 to transfer the Mulifanua and Salelologa Port back to the Samoa Ports Authority from the Shipping Corporation. She further stated and clarified on the intentions of each clause provided in the Bill.

The responsible Minister, Hon OLO Fiti Vaai also assisted the Authority by clarifying on the intention of the Bill. He stated that the amendment emanated from a deliberation between the Corporation and the Authority where it recommended transferring the responsibilities regarding the two proposed Ports back to the Ports Authority from the Shipping Corporation. The Hon Minister further elaborated that the initial rationale for the transferral of the Ports to the Corporation was due to the poor financial position of the Samoa Ports Authority; however, given that the Ports Authority is currently financially stable, the transferral is fitting and appropriate.

Members Queries:

The following briefly provides queries and issues raised by Members on the amendment Bill:

- sought clarification on the rationale behind the proposed amendments;
- sought clarification on the intention of Clause 6 of the Bill which refers to savings and transitional provisions;
- queried whether the staff responsible for carrying out the service that is proposed to be transferred will be transferred as well;
- sought clarification on debts that are to remain with the Corporation as provided in Clause 6;
- queried whether both the Corporation and the Authority have been consulted and have agreed on this amendment;
- Queried why the Port at Satitua Aleipata was not included in the Bill.

The Hon Minister OLO Fiti Vaai responded and reiterated on the rationale behind the amendment proposed and further clarified that currently, the SPA is responsible for only Apia and Asau ports whereas the Corporation is responsible for the Ports at Salelologa and Mulifanua hence the intention to have the four main ports under one body. He then asserted that the staff responsible for the two proposed ports will also be transferred under the Authority from the Corporation along with assets as required in the Bill.

Another senior Member firstly commended the Bill proposed and emphasised that the rationale behind the amendment passed in 2017 was due to the poor facilities and environment for the Authority hence the transferral; as well as the fact that the Corporation was responsible for all vessels and shipping related matters. He then urged the Authority to utilise its money wisely, as they should be able to purchase a new vessel in the future and also to consider negotiating with American Samoa given that it is within their pipelines to have a wharf at Leone and for the Authority to make use of our port at Aleipata in order to avoid long distance travelling. Another Member also raised his concern regarding the Corporation and the Authority as he believes that both have separate mandates and queried whether the Shipping Act should have been amended too given that it's included in the amendment proposed by the Ports Authority Amendment Bill.

Hon OLO Fiti Vaai responded that the Authority are only giving priority to the main ports proposed in the Bill and further clarified that the amendment made in the previous year's did not affect the Shipping legislation hence the Ports Authority Act was only proposed to be amended as reflected in the Bill. He further commended Members for their input and informed that he has taken note of the issues raised.

Other queries raised by Members included the possibility of looking at the establishment of wharves for the inter-islands such as Manono. Furthermore, whether it would be effective to have both the Corporation and the Authority under one body to avoid any conflict; and one Member sought clarification on the Samoan translation of the term Port, 'Taulaga' given that Mulifanua is not categorised as a city or town.

The Hon Minister responded that he took note of the Members concerns and queries. The Assistant CEO also responded and clarified that the term Taulaga does not significantly mean town, rather in reference to the anchor of the boat which is translated in Samoan as Taula o le Vaa.

The Assistant CEO acknowledged the Hon Speaker and Hon. Members for their time and interest on the Bill and concluded her presentation.

The Members Briefing concluded at 11:00am