

DISCLAIMER

This Report provides a brief of **'PART A'** of the Proceedings of Parliament on **Thursday 9 March 2023**. While all efforts have been made to provide an informative brief, this information must not be relied upon as an alternative to the official Hansard record of proceedings of Parliament. If you have any specific questions about **'PART A'** of the Proceedings of Parliament on **Thursday 9 March 2023**, you should consult the official Hansard or seek assistance from the Office of the Clerk of the Legislative Assembly.

PART A

**DAY 3
9:30am**

I. GOVERNMENT ORDERS OF THE DAY

- **Consideration of Parliamentary Committee Reports and Government Responses (cont.)**

1. **P.P. 2022/2023 No. 14, Report of the Finance and Expenditure Committee on P.P. 2020/2021 No. 78 and P.P. 2021/2022 No.33, Report of Operations and Statement of Accounts of the Samoa Senior Citizens Benefit Fund for Financial Years 2019/2020 & 2020/2021.**
- **P.P. 2022/2023 No.77, Government Responses on P.P. 2022/2023 No. 14**

Mr. Speaker announced that the floor is open for Members who wish to raise issues or make queries on the recommendations and responses put forth.

- **Tofa FALEOMAVAEGA Titimaea Tafua, Chairperson for Finance and Expenditure Committee and Member for Aleipata Itupa i Lalo**

The Chairperson greeted Mr. Speaker and Members present in the Chamber, then acknowledged his constituency for their support. The member further commended the member for Anoamaa 2 for important matters raised, such as requesting for the continuation of the \$300 one-off payment for pensioners, however he noted that this is not the right time to implement such recommendations given our economic situation. The member also clarified queries raised against pension received by elders living in New Zealand who are also entitled to pensions offered by NPF. The Chairperson noted that when people who reside in NZ come to Samoa they only receive half (less) of the pension amount.

i. **Tofa Hon LAUOFO Fonotoe Nuafesili Pierre Laufo – Member for Anoamaa 2**

The member clarified that the 300tala one-off payment is at the discretion of the NPF and its Committee to consider its implementation at the appropriate time.

- **Tofa FALEOMAVAEGA Titimaea Tafua, Chairperson for Finance and Expenditure Committee and Member for Aleipata Itupa i Lalo**

Chairperson addressed the recommendation to include pensioners' vehicles as one of the benefits when traveling between inter-islands and the request to include trips to Manono for pensioners will be taken into consideration.

- **Tofa Hon OLO Fiti Afoa Vaai – Minister of Works, Transport and Infrastructure**

The Hon Minister clarified that the NPF may consider the payout of interisland ferry trips fares for pension holders from Manono as requested by the Member for Aiga i le Tai. The Minister clarified that the Shipping Services is conducting follow-up with the NPF to fast track payments for inter-island trips for pension holders in Manono.

- **Tofa FALEOMAVAEGA Titimaea Tafua, Chairperson for Finance and Expenditure Committee and Member for Aleipata Itupa i Lalo**

The Chairperson in response, elaborated that that during Committee's consideration of the NPF Report; the Committee queried the matter of delay payments for Shipping fares and medical check ups and supplies to which the NPF responded that the delay is owed to the Shipping Corporation and Health Ministry with submission of receipts and relevant paperwork required by the Fund to prepare checks.

- **Afioga Hon LEOTA Laki Lamositele: Acting Minister of Finance, Minister of MWCSO and Member for Palauli 2**

The Hon Minister took note of all recommendations regarding the improvement of pension services for the senior citizens and for further benefits for the pensioners with hope that will be included in the next FY budget.

- **Tofa FALEOMAVAEGA Titimaea Tafua, Chairperson for Finance and Expenditure Committee and Member for Aleipata Itupa i Lalo**

Moved a motion for the Assembly to approve its Report on P.P. 2022/2023 No. 14, Report of the Finance and Expenditure Committee on P.P. 2020/2021 No. 78 and P.P. 2021/2022 No.33, Report of Operations and Statement of Accounts of the Samoa Senior

Citizens Benefit Fund for Financial Years 2019/2020 & 2020/2021; motion seconded and approved.

- **Afioga Hon LEOTA Laki Lamositele: Acting Minister of Finance, Minister of MWCSD and Member for Palauli 2**

The Hon Minister moved a motion for the Assembly to approve its responses provided on each recommendation put forth by the Committee; motion seconded and approved.

2. **P.P. 2022/2023 No. 15, Report of the Social Sector Committee on P.P. 2021/2022 No. 8, Annual Report of the Accident Compensation Corporation for Financial Year 2019/2020.**
- **P.P. 2022/2023 No.78, Government Responses on P.P. 2022/2023 No. 15**

Afioga LAUMATIAMANU Ringo M Purcell, Chairperson for the Social Sector Committee and Member for Safata 2. The Chairperson moved a motion for the Assembly to reconsider its Report on the findings and recommendations on the above-mentioned report; motion seconded and approved

The Chairperson firstly greeted the House and Samoa in all her honorific salutations and then delivered a summary on the Committee's findings and called out its recommendations on the Annual Report of ACC for the FY 2019/2020 as follows:

Recommendation 1:

To prepare a policy on the retirees if they could receive a refund of about 10% of their levy payment when they were working.

Recommendation 2:

To develop more strategies focusing on the awareness concerning safety especially health during this period

Recommendation 3:

Strengthen assistance to other Government bodies that assist with safety awareness programs

- **Afioga Hon FIAME Naomi Mataafa, Prime Minister & Acting Minister for the Ministry of Commerce, Industry and Labour**

The Hon. Prime Minister greeted the House and acknowledged all members' support and prayers while she was away for medical reasons in New Zealand at the beginning of the year.

Response to Recommendation 1:

The purpose of the Accident Compensation legislation is to make provision for general safety and the prevention of accidents; for the rehabilitation and compensation of workers who suffer personal injury by accident. There is indeed no provision to refund the retirees as there is another arm of Government that provide for the retirees.

Nevertheless, ACC will seek advice from the Office of the Attorney General on reviewing the Accident Compensation legislation to incorporate the recommendation.

Response to Recommendation 2:

Safety promotion programs are an important function of the Corporation and it continues to include budgetary obligations annually. Meeting certain policies in funding safety programs for the relevant stakeholders that utilize radio and television are a must. ACC is joined by relevant stakeholders to promote safety in not just work places but also villages as per Press Release attached.

Response to Recommendation 3:

The Budget for 2019-2023 has stipulated some of the assistance that ACC continues to fund their safety promotion and awareness programs. The following are some of the government bodies and private sector that received ACC assistance.

1. Ministry of Commerce, Industry and Labour
2. Ministry of Works, Transport and Infrastructure
3. Ministry of Police and Prison
4. Ministry of Health - CT Scan
5. Ministry of Finance - Assistance towards its Budget
6. Land Transport Authority
7. Fire and Emergency Services
8. Pacific Games
9. Spinal Network of Samoa
10. Radios: 2AP FM 540, Talofa FM (88.5, 91.5 and 99.9) and Eye Spy FM 87.5
11. Televisions: TV1 SBC, TV4 Upumana, TV8 NUS.

Believes that they will work together for a better and safer Samoa.

**Mr. Speaker announced that the Chamber is now open for any Member to raise issues/concerns/queries on the recommendations and government responses provided accordingly.*

i. Tofa Hon LAUOFO Fonotoe Nuafesili Pierre Laufo – Member for Anoamaa 2

The Hon member greeted all who were present in the Chamber and all of Samoa in her honorific salutations, then acknowledged the services of all Government Ministries and Corporations. The member commended the ACC and its management as he highlighted the increase of revenue amounting to \$17,339,000. He further mentioned the main cause of numerous accidents in Samoa is due to the excessive consumption of alcohol.

He further commended the provision by the ACC that allows benefits for sports related injuries. Questioned the process of how Sport Clubs and players can receive ACC benefits and whether they are required to pay 1% levy, similar to the percentage deducted from public servants

salaries. Hon LAUOFO queried the process involving land bought by ACC funds in Otahuhu-NZ which costs about 41 million Samoan Tala as he knows it is operated by STEC.

He then raised concern on the benefit received by deceased employees as he knows there is only 4k for death benefit however, he believes this should be increased. On the same note, it is important to raise this amount especially if the deceased individual has never claimed his/her ACC benefit while working. The Hon Member also raised a matter in the report regarding benefits of a deceased father/husband which can be claimed by his wife and children. He also noted that there are different benefits for employed mothers with children and unemployed mothers with children and urged the Committee to look into this.

The Member sought clarification on the benefits received by the mother and children when the father dies, while there is no mention whether the father receives the same benefit if the mother dies. He also queried the Corporation about one of their provision which allows students to be eligible for ACC benefits. The member sought clarification about this process questioning whether students will need to pay levy or how will they be able to claim these benefits. The member also acknowledged ACC's management for their contribution to the Ministry of Health through the purchasing of the CT scan and further advised the Corporation that they should also be willing to purchase important scans needed by the Ministry of Health, as these are all beneficial for the country.

ii. Afioga ALIIMALEMANU Moti Momoemausu Alofa Tuuau – Member for Alataua West

The Member greeted the Prime Minister, Cabinet, Leader of the Opposition, Members of Parliament and Samoa. She then touched on the benefits gained by a mother/wife of a deceased husband/father. The Member noted that 20k is received if the mother is unemployed and 16k if mother is employed; the Member expressed her disagreement with this classification as all widowed mothers should receive the same amount, regardless them being employed or not. Afioga ALIIMALEMANU then queried whether the Corporation has intentions to review its policies specifically with the policy which prohibits retired employees from acquiring their ACC benefits when they pass away after 5-6years since retirement. The member advised the Corporation to review these policies as it seems unfair to the employees who continuously pay ACC their entire lives and not be entitled to any benefit. She then queried what the exact rationale was for the establishment of the Accident Compensation Corporation.

iii. Afioga Hon LAUTAFI Fio Selafi Purcell – Member for Satupaitea

The Member greeted the House and CEOs present and his Constituency. He then asserted that he does not have much to say as the period covered in the report was during his time as Minister of the ACC; however he wanted to highlight on the activities presented in the Annual Report Corporation.

Other announcement by the Speaker

Mr. Speaker announced that proceedings will go on recess and the Hon Prime Minister will be excused to prepare for her trip overseas on democratic and parliamentary matters

and wished her well on behalf of Samoa and that she may continue to be in good health and will always be remembered in prayers; to which the Hon Prime Minister conveyed thanks and gratitude.

**Proceedings set aside at 10:50am; and
Resumed at 11:34am**

Hon Deputy Prime Minister: MOTION

The Hon DPM asserted that the Assembly has many reports to consider and in order to cover all reports in an efficient manner, the motion is moved to set aside Standing Order 32(1) to change sitting hours to allow proceedings to continue until 1pm and reconvene at 2pm until 6pm; motion seconded and approved.

Afioga Hon LAUTAFI Fio Selafi Purcell- Satupaitea (cont.)

The Hon member briefly touched on the Corporation's achievements noted in the Committee Report. The member noted that the considered FY records the lowest number of accidents occurred, which is an indication of the effective collaboration of the Corporation and Government Ministries and other Corporations to ensure the safety and wellbeing of employees. Furthermore, Hon LAUTAFI acknowledged the ACC benefits for Sports meaning those who play sports in a club are eligible to injury/accident compensations. This also goes for the provision that reflects students' eligibility to ACC benefits. The member also acknowledged the Corporation's partnership with ACC in NZ as this has broadened opportunities for the Corporation in terms of acquired skills and knowledge for the Corporation's overall operations. The Member also acknowledged the time when we hosted the Pacific games, in which he feels, facilities were well prepared as well as our people in terms of skills and knowledge. The Member urged the Chairman and Corporation to extend this coverage. He also emphasized the need to conduct awareness programs about the ACC and their benefits and functions so the public are well informed about benefits they are entitled to claim in times of accidents.

The Member stated that the Corporation is collecting and storing for rainy days, ACC is budgeting for when bigger problems/accidents occur, but the Member feels that they should consider minor issues. The member stressed the importance of collaboration between the ACC and other Ministries to ensure the safety of all people to avoid consequences and accidents for instance; develop safety measures on the road to decrease the number of related-accidents. The member further commended the Committee and the ACC for their continuous effort and service to the country. Furthermore, Hon LAUTAFI expressed his support for the Committee's Recommendations and advised the ACC for necessary review of their mandated legislations so that its guiding principles align with the current situation of the country.

The Member advised and suggested the Attorney General to amend relevant legislation/regulations of the ACC.

iv. Afioga LEANA Ronnie Posini – Member for Safata 1

The Member greeted the House, Government Officials and welcomed the newly elected member for Vaimauga 3. Furthermore, acknowledged the Prime Minister and wished her well on her trip. The member advised the Government to consider conducting a review of the Corporation's mandated legislations so that they are relevant to current circumstances; such as creating more benefits to our people and retired employees. The Member touched on retirees in regards to the policy when employees reach the retirement age, they would not be able to receive these benefits yet they have worked for more than 40 years. He also queried the benefit afforded to employees who pass away after the first year of employment. The member also suggested to have compensation for those employed in the agriculture sector; including those working in plantations, or fishermen. The member stressed that the same level of consideration should be given to people working the land, fishing as they all contribute to the development of Samoa.

v. Afioga FUAAVA Suluimalo Amataga- Aleipata Itupa i Luga

The Member acknowledged the OCLA for the meal prepared and addressed all Members of Parliament and respective CEOs present in the House, he also paid acknowledgment to Samoa listening in and his constituency for their support. He also commended and expressed support on the Committee's recommendation and responses from Government. In regards to recommendation 1, the Member suggested that the Office of the Attorney General and the Committee should review and amend several policies, particularly the 10%. The Member suggested those who retire and have not claimed any ACC benefits should be entitled to receive at least 10% percent of their ACC as these employees have adhered to Occupational Health and Safety measures. The Member recalled his time working at SWA and stated that meter readers working at SWA usually encounter such unfortunate circumstances and accidents, such as they get bitten by dogs on the job; however it is a timely process and wait for them when they claim compensation, thus his request to shorten and simplify the process for the people. The member queried whether the ACC has any intention to implement a policy to provide some form of assistance during the pandemic outbreak like COVID19. He then concluded by proposing an increase of the death benefit from 4k

vi. Afioga ALAIASA Moefaauouo Malagatutogia i Sepulona Moananu: Anoamaa 1

The Member addressed the House then acknowledge the newly elected Member for Vaimauga 3 and wished him well on his duties and responsibilities. Afioga ALAIASA briefly touched on the importance of the Corporation, and its recorded profit. He was also pleased to acknowledge the decrease in the number of accidents occurred in the reporting period. He commended the Government on the ban of certain liquor, such as 'olioli' which was one of the underlying causes of

violence and accidents. Furthermore, the Member also noted that another contributing factor to accidents is the irresponsibility of youth, driving vehicles without licenses. He then acknowledged the Corporation's funding of the CT Scan. Further advised the Corporation to look into other ways they can contribute to our national development. The Member also encouraged the Corporation to look into importing another scanner to further improve the Health service for our people.

He then expressed his objection on the recommendation to provide a portion of benefit for the retired people as this Corporation was intended for those who were affected in accidents. Afioga ALAIASA reminded Members that the ACC deduction from our salaries is our contribution to the welfare of our people, then he asserted that if he does not benefit from his ACC contribution, then maybe in the future it will be beneficial to his son or another family member. The member encouraged the development of the Corporation as a national reserve for unforeseen accidents.

vii. Susuga MAULOLO Tavita Aмоса, Member for Sagaga 2

The Member greeted Mr. Speaker, Deputy PM, Cabinet and all members of Parliament. Expressed gratitude for the report at hand and the Committee for their report. He then highlighted the decrease of accidents for the FY19/20 from and urged the Committee to look at the underlying reasons for this significant achievement. He then noted that the revisions/amendments to the Act were last made in 2019 and suggested new amendments be made. Further advised the Committee and ACC to consider benefits for those involved in accidents other than car-related traffic accidents, He then mentioned that there were certain policies which needed review, particularly the policy whereby employed mothers receive only 16k of the deceased father's ACC while an unemployed mother receives 20k; the member stressed that this is contradictory to their vision and must be reconsidered.

- **Afioga LAUMATIAMANU Ringo M Purcell, Chairperson for the Social Sector Committee and Member for Safata 2.**

The Chairperson acknowledged all matters raised by the respective Members then addressed the issues; in regards to the process of benefits given to Sports players/clubs, the Chairperson noted that a final process is under review. In regards to the Otahuhu Project, the Chairperson clarified that the Corporation spent 4.7million and the building is leased to STEC with payments being made to the Ministry of Finance.

He then clarified that the 20k offered to the widowed parent is applied to both mothers and fathers who are all entitled to claim 20k regardless of being employed or not. The Chair also mentioned that the ACC was established in 1989, since then the population of Samoa has increased, the number of vehicles have also increased thus the overall number of vehicle accidents which the Corporation responds too has increased immensely since its establishment.

viii. Afioga ALAIASA Moefaauouo Malagatutogiai Sepulona Moananu: Anoamaa 1

The Member stated that the Chairperson mentioned there being a Committee Recommendation for the formulation of a 'retirement benefit'

- **Tofa Hon OLO Fiti Vaai – Minister of Works, Transport and Infrastructure**

The Hon. Minister clarified the levy given to LTA was mainly used for methods to promote and enforce road safety such as road safety awareness initiatives.

- **Afioga Hon TUALA – Deputy Prime Minister and Acting Minister for the ACC**

The Hon Deputy Prime Minister commended the Corporation on efforts to improve the safety of employees. The Minister also mentioned that the Principal Act was last amended in 2009. Furthermore, Hon Deputy PM asserted that the majority of issues and concerns raised by Members have been noted by the Corporation's Board and Management, however the only issue he will speak on is the matter raised to review and amend the legislation to ensure the functions and policies of the Corporation factor the changes in times. Hon TUALA noted that it has been more than 10 years since the last amendment and asserted that the Corporation and Government would take into consideration the matters and issues raised.

SPEAKERS RULING:

Speaker interjected: due to the interference of our radio broadcast on 2AP Radio, the Speaker ruled that proceedings will be set aside and reconvened at 2pm to ensure broadcasting services is fixed.

Proceedings set aside at 12:39pm and will resume at 2pm