



**JUNE
2018**

PARLIAMENTARY SITTING SUMMARY

DISCLAIMER

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Friday 22nd June 2018

9:10am

Notice from the Leader of the House

Mr Speaker read the Notice from the Leader of the House to permit the progress of the following Bills under Certificate of Urgency:

Excise Tax Rate Amendment Bill 2018; and
Income Tax Amendment Bill 2018

GOVERNMENT ORDERS OF THE DAY – Reading of Bills

1. MONEY LAUNDERING PREVENTION AMENDMENT BILL – second reading

In the absence of the Minister of Finance, the Hon Prime Minister moved the second reading of the Money Laundering Prevention Amendment Bill 2018; motion seconded and the Hon Prime Minister spoke to clarify the objects of the Bill.

The Hon Prime Minister stated that in the past, the opportunity to deliberate on bills did not exist, neither was a forum (Pre-Sitting briefing) established whereby the administering authorities of respective Bills provide presentations to Members explaining the background and purpose of a principal or amending legislation, as is the current practice for Parliamentarians. Given this, his clarification is further information to what has already been explained.

The Hon Prime Minister elaborated that initially the Bill implements Samoa's obligations and adherence to anti-money laundering and to counter terrorist financing international standards under Samoa's Mutual Evaluation Report 2015. Furthermore, the Bill is to ensure Samoa's preparedness for the Asia Pacific Group (APG) assessment in 2018, which evaluates the technical compliance of Samoa to international standards. Thus the need to provide stringent legislation to ensure Samoa meets international standards of financial reporting and to update provisions to avoid money launderers from entering our shores.

I. LAAULI Leuatea Polataivao Fosi, Member for Gagaifomauga No.3

The Member expressed his support for the bill and requested that the Bill be referred to the Committee, to afford the public the opportunity to voice their opinions and for the Committee to provide clarification so as to avoid confusion.

II. SULAMANAIA Fetaiai Tuivilili Tuivasa, Member for Vaimauga

The Member acknowledged the efforts of the Authority, appreciating the inclusion of cargo and postal mail in the provisions for searching and investigating whether fraudulent money is brought into the country as well as sent overseas. The Member also acknowledged the new x-ray scanner which is used by customs at the airport and the border at the wharf.

III. ALIIMALEMANU Alofa Tuuau , Member for Alataua East

The Member noted the efforts of the Ministry and the relevant Authority in making the relevant preparations for the Bill, noting that 3 years is sufficient time to train the enforcement agencies (police officers, border control and customs quarantine officers, western union and other money transfer agencies) to ensure effectiveness of carrying out their duties and responsibilities. The Member also noted her support for the passage of the Bill under Urgency in order to meet international requirement deadlines.

IV. OLO Fiti Afoa Vaai, Member for Salega East

The Member acknowledged the Hon Prime Minister for his clarification and requested relevant training be implemented for the enforcement agencies. The Member noted that any income earned should be taxed, he then expressed his disagreement on international agencies dictating local actions.

INTERJECTION – Hon PRIME MINISTER

The Hon Prime Minister clarified that being a signatory to international agreements requires obligation of the nation to meet the conditions of the agreement/treaty - such is the case with the introduced bill. The Hon PM iterated the importance of committing to the terms of agreement.

MONEY LAUNDERING PREVENTION AMENDMENT BILL – Consideration in Detail

- Clause 2 - *Approved*
- Clause 3 - *Approved as amended*
- Clause 4 - *Approved as amended*
- Clause 5 - *Approved as amended*
- Clause 6 - *Approved*
- Clause 7 - *Approved*
- Clause 8 - *Approved as amended*
- Clause 9 - *Approved*
- Clause 10 - *Approved as amended*
- Clause 11 - *Approved as amended*
- Clause 12 - *Approved as amended*

Clause 1: Short title and commencement
Approved

2. EDUCATION AMENDMENT BILL 2018 – second reading

The Hon Minister for Education, LOAU Sola Keneti Sio moved for the Education Amendment Bill 2018 to be second read and spoke to clarify the objects of the Bill; motion seconded.

The Hon Minister clarified that the Bill proposes the following changes to the Principal Act:

To amend the compulsory school-age from '4 years (for Early Childhood Education) and between 5 years to 16 years old (for primary and secondary school); To allow the use of reasonable force by a secondary school teacher on a child, if the force is used in a reasonable circumstance (including but not limited to preventing or minimizing harm to the child and so forth).

The Bill further amends section 23 of the Principal Act to insert a new subsection to prohibit the use of any object by a secondary school teacher when imposing force on a child as this is an offence under the Crimes Act 2013; to prohibit the use of alcohol, narcotics and tobacco for teachers and students during school hours or during any school organized activity.

***Proceedings were set aside at 10:40am; and
resumed at 11:23am***

I. GATOLOAIFAANA Amataga Alesana-Gidlow, Member for Faasaleleaga No.1

The Member acknowledged the Minister for the Bill and its intentions. In regards to the inclusion of Early Childhood Education (ECE) in formal learning; the Member queried the Ministry's preparedness to meet the required capacity needed to effectively implement ECE in all government schools. She then proceeded to acknowledge the efforts of the Ministry in emphasising the prohibition of tobacco, alcohol and narcotics in schools.

GATOLOAIFAANA reminded the Minister of previous worries regarding the poor levels of literacy and mathematics recorded at the Ministry, querying the status of this issue. The Member noted her concern with the Ministry diverting its attention whilst other issues have not been fully addressed.

II. FAAULUSAU Rosa Duffy-Stowers, Member for Gagaifomauga No.3

The Member expressed her support for the Bill and then proceeded to voice her issues; firstly acknowledged the inclusion of special needs teaching within different schools, and then queried the enforcement of the provisions of the bill noting that the required capacity should be met.

III. LEALAILEPULE Rimoni Aiafi, Member for Faleata West

The Member explained his request in previous Sittings to extend the age stipulated by law to conclude compulsory learning from 14 years to 18 years old as this would ensure the population of Samoa is an educated population. LEALAILEPULE queried the capacity of the Ministry to enforce the requirements, particularly in terms of having enough teachers in the education system. The Member queried the change of the term 'disability' to 'special needs' as the change was also recent.

In terms of reasonable force, the Member asserted that the more appropriate term would be, 'disciplinary action'. LEALAILEPULE extended his appreciation to the Minister and Ministry for the amendments and urged proper monitoring and administering of the provisions to it is enforced accordingly.

INTERJECTION – Hon PRIME MINISTER

The Hon PM clarified that there are certain actions not stipulated in the bill, however is considered as an 'implied term' and further stated that common sense should be used at all times.

IV. Ili Setefano Taateo Tafili, Member for Aana Alofi No.2

The Member emphasised that there are two important issues in any nation 'healthy mind' and 'healthy life' and proceeded to acknowledge the provisions of the bill noting that the operations of Early Childhood Education rests with the Ministry of Education

V. NAFOITOA Talaimanu Ketii, Member for Gagaaemauga No.3

The Member addressed the issue of reasonable force; noting that the amendment only caters for 'secondary school teachers' and neglects colleges. NAFOITOA stated that these provisions should be precise and exact so as to avoid loopholes for other teachers or students to use to their advantage. The Member stated that the bill should also address students and teachers who encourage/assist/incite the violent act.

VI. PAU Sefo Taumata Pau, Member for Faasaleleaga No.2

The Member made reference to Clause 6, noting his support with the proposed substitution on the prohibition of alcohol, tobacco and narcotics; however, he perceived that the term 'compound' was not in alignment with the context and therefore requested to replace school compounds with school properties to notify students and teachers that they cannot consume alcohol and other prohibited products in any property own by the school. The Member for Faasaleleaga No.2 conveyed his support for the Bill and acknowledged the Manu Samoa Rugby team.

Proceedings were adjourned at 12:00pm to reconvene on Monday 25 June 2018 at 9:00am