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**Monday 22<sup>nd</sup> June 2020**

**DAY 5**

**9:05am**

**Hon Prime Minister - MINISTERIAL STATEMENT**

The Hon Prime Minister acknowledged Samoa in her honorific salutations, Mr Speaker, the Clergy (Religious Denominations in Samoa). Hon PM stated that before Government attempts to respond to the queries and issues raised by Members in their general speeches on the budget, he believes that a Ministerial Statement is warranted to clarify issues raised by certain Members of Parliament; specifically pertaining to the issue of 'Privatisation of Government assets'. Hon PM recalled times of his predecessor Hon Tofilau Eti Alesana whereby the 'collective responsibility' of Government was evidenced as to this day in decision making to ensure the prosperous of its people. Hon PM stated that the Privatization Policy of Government was implemented to avert the potential of bankruptcy incurred by Government; main aim is to reduce losses incurred by Government.

Hon PM utilised WESTEC as an example; stated that this was the main Ministry with maximum returns during the administration of New Zealand. Hon TUILAIPA further iterated that the sobriquet for the Ministry was the "Garden of Eden" as the agricultural industry was booming; cocoa, coconut, banana, taro, and cattle farming thrived at the time. Furthermore, he commented on the massive returns on the investments in WESTEC which therefore led to the Corporation offering lending services.

Hon TUILAIPA commented on the poor state of affairs for WESTEC upon HRPP taking the reigns and proceeded to further list factors responsible for the fall of WESTEC (Cyclone Ofa, Cyclone Val). Hon PM stated that the Government of the day implemented the best option at the time; thus the establishment of the Samoa Land Corporation tasked with the management and regulation of land and assets of Government with the first Chairman being the Hon PM (who was then the Minister of Finance). Hon PM commented on the new measures for revenue generation implemented by the Current Government through its drive to boost the Tourism industry. Hon TUILAIPA further proceeded to note that this is the justification for the upgrading of airports and airlines. The Hon PM proceeded to explain the interdependent nature of the benefits, which emanate from Tourism in regards to the hospitality service providers, those in the agricultural and fisheries sector, etc (noting that the hospitality industry rely on the

agricultural and fisheries sector for providing food and handicrafts for tourists). The PM noted that success of the tourism industry has a trickling effect on other industries of the nation, hence the importance of Government's prioritisation of its development. The Hon PM also mentioned the importance on expanding the airport to cater for our tourism (major contributing factor to economy) and assist with our local business such as accommodations (hotels etc) and food supplies (markets in regards to ingredients used for healthy food).

The Hon PM stated that Tourism contributed almost half a billion to the economy of the nation before the Covid 19 pandemic. PM jested that these developments and current market conditions have complimented the business ventures of the two MP's whom are hypocritically criticizing the current state of affairs of Samoa. Hon TUILAEPa then commended predecessors of Government, such as Tofilau Eti Alesana, Polataivao Fosi and many others for their excellent vision that has resulted in a better Samoa.

PM TUILAEPa cited Government Companies which have been privatised, such as Vailima, Samoa Tel, Kitano, etc. He then called for Samoa to back its airlines (Samoa Airways). PM further stated that there are always critics whom refuse to understand irrespective of facts presented and quoted past changes by HRPP, such as the Right-Hand Drive switch; for instance, limiting imported cars (based on criterias) such as prohibiting cars that are not right hand drive etc.

The Hon PM proceeded to comment on the 3 Bills in consideration and stated that it seemed hypocritical when individuals whom call for emphasis on the Samoan culture but refused to incorporate and recognise our Culture in Acts and Legislation. Emphasised that there are submissions from our Samoan people in overseas who were unable to attend the Committee's deliberation to voice their understanding on the controversial Bills as they are fully knowledgeable that the rationale of the 3 Bills gives more light on Samoa's customs and culture.

The PM recalled critics on the establishment of the Tanoa Tusitalo (1970-1973) 50 years ago. Hon TUILAEPa stated that there was a Casino Hotel during German Administration where the Tanoa Tusitala Hotel was located. The Chairperson of the taskforce included Tuiloma Neroni Slade, Hans Krause and Tuilaepa Sailele Malielegao. The Government appropriated 1million to keep the Hotel in operation; this amount equates to 10million. Hon TUILAEPa stated that his predecessor suggested the Privatisation of the hotel (to save government expenditure).

The Hon PM quoted the qualms raised by the opposition at the time (there is still money to be made). The Hon PM quoted his response to the opposition at the time "Do not be fooled and content with peanuts". Hon PM further stated that the new guidelines allow Samoans to be shareholders of big companies and clarified that UTOS is the regulatory body tasked with the managing of these shares. The UTOS hold a founding share of the Vodafone Company. Hon PM stated that Cabinet will elaborate more during their responses. PM proceeded to comment on the benefits Samoans will reap when purchasing shares from Big Companies. Hon PM acknowledged the two members who raised the following matters with

the intention of courting controversy as this has aroused the need to further clarify and elaborate on such important matters.

**LAAULI Leuatea Polataivao Fosi Schmidt, Member for Gagaifomauga No.3**

The Member expressed disappointment as he believes the Hon PM has utilised the privileges afforded to Ministerial Statements to evade deliberations on his statements made in the House; as the Standing Orders prohibit the right of reply or deliberations on such statements.

**MR SPEAKER**

Mr Speaker refuted the claims made by the Member and clarified that the rationale of Ministerial Statements from the Leader of the House is to ascertain Government's position on any matter – further to providing clarification on any matter/issue queried or raised by Members within the House.

**FAUMUINA Faaolatane Tiatia Liuga – Member for Palauli le Falefa**

The Member for Palauli le Falefa moved a motion to table the Hon PM's Ministerial Statements; motion seconded and approved.

**OLO Fiti Afoa Vaai – Member for Salega East**

interrupted on a point of order that the Honorable Minister was registered as AFAMASAGA Lepuiai Rico Tupai instead of TAULESULUSULU.

**Mr Speaker**

Hon Speaker acknowledged the Member for moving the motion as this is the usual process [granting the opportunity to deliberate on statements made by the Hon PM].

**Government Orders of the Day: Reading of Bills**

- I. Supplementary Appropriation Bill (No.3) 2019/2020 - continuation of second reading debates**

**GOVERNMENT RESPONSES**

**1. Hon AFAMASAGA Toeolesulusulu Lepuiai Rico Tupai - Minister of Communication and Information Technology**

The Hon Minister greeted the House and Samoa in all her honorific salutations. He addressed his constituency Aana Alofi No.3; and proceeded to respond to the issues/concerns/queries raised by Members.

The Hon Minister proceeded to note the quick internet speed for Samoa and cited some positive outcomes of the internet; Distance Learning, Video Chat, TV educational programs, School Net etc. The Hon Minister attributed the swift speed of the internet to the Tui Samoa Cable. The Minister also noted that since the arrival of the Tui Samoa cable in Feb 2018, it has provided the public with low rates and fast coverage. Hon Minister stated that Vodafone and Digicel telecommunication networks complement each other. He noted that fees for internet have dropped immensely by 80%. Hon Minister compared Samoa with NZ data deals and asserted that Samoa is cheaper, eg. In New Zealand NZD\$49 provides 4GB while Samoa offers 10GB for \$20 tala.

On the issue of School Net - awesome initiative which utilizes SNBH. - has over 200 Connectivity's this includes schools and other organisations included in this established network. Hon Minister noted that only a few number of schools were not using the School Net for learning due to lack of relevant resources (lack of computer machines and relevant knowledge by teachers on how to implement the project). Hon Minister continued to note that upon the closure of schools, students utilized mobiles phones for online learning to ensure learning was not hindered during Covid19 lockdown. Hon Minister stated that the availability of free sims and access to wide educational resources online fosters critical thinking and encourages the autonomy of the Child in learning. In regards to Samoa National Broadband Hub (SNBH); Hon Minister stated that there are multiple schools utilizing this for learning.

#### **OLO Fiti Afoa Vaai- Member for Salega (clarification)**

Member refuted claims by the Hon Minister about the utilization of SNBH and stated that only 2 schools in his constituency utilize the SNBH. Furthermore, the Member stated that the SNBH has been installed but no connection, thus no utilization of SNBH as stated by the Hon Minister.

#### **TAFUA Maluelue Tafua- Member for Aleipata**

The Member commented on the issue of 200 schools utilizing school net and queried whether relevant training was conducted for the Educators to upskill them in the utilization of the SNBH by the Ministry to ensure effective execution of this service. Need refresher training. He then acknowledged the works of the Ministries and called for training of the Medical Officers and Educators to utilise the SNBH.

#### **Hon AFAMASAGA Toeolesulusulu Lepuai Rico Tupai - Minister of Communication and Information Technology (Cont.)**

Hon Minister clarified that the SNBH does not require internet and all issues put forth by previous members are noted. In regards to TV, about 85% of the population has installed the digital TV box. The Ministry intends to complete the transition from analogue to digital by end of July as the analogue will be turned off.

Hon Minister noted certain measures to consider in order to get a better signal; for families using old tv/analog tv - purchase a digital box; for those with the new tv/digital however with a bad signal - use an outdoor antenna. Hon Minister acknowledged partnerships with Digicel, Vodafone, Netvo etc. Hon AFAMASAGA proceeded to clarify the sale of SamoaTel and noted at the time (2001) there was only a home zone network utilised. He further noted that at the time SamoaTel had a 2g system. Hon Minister stated that 25% shares for UTOS in the sale for Samoatel. The Hon Minister stated that the sale of Bluesky Samoa was already on 4g, and further stating that all equipment's have been upgraded to accommodate 4g. In regards to UTOS, the Hon Minister asserted that it is a means for those unemployed to earn more revenues.

### **OLO Fiti Afoa Vaai – Member for Salega East**

In 2009, financial report by SamoaTel noted 10 million in revenue for Government. To date; dividends for Government is only 1-2 million. He then refuted claims that Samoans do not have the expertise to run a Communication Company (stated that majority of employees in Digicel & Vodafone are locals). In regards to the amount of 40 million for Fibre Optic which was sold for 11 million was this inclusive of infrastructure; (implying the selling price was lower) and queried whether it is a lease or a sale.

### **Hon AFAMASAGA Toeolesulusulu Lepuiai Rico Tupai - Minister of Communication and Information Technology (Cont.)**

The Hon Minister echoed sentiments from the Hon PM's Ministerial Statement and asserted that Government has 20% shares in Digicel through the NPF. Furthermore, he stated that the previously utilised Home Zone phones were utilised, currently, we are able to have advance technology and fast internet which has raised Samoa's standard to be aligned with the rest of the world. Hon AFAMASAG explained that Digicel's inception in 2006 was quite slow if compared to its current state whereby it has climbed the ladder, with benefits reflected in various sectors of the community. In this regard, Hon Minister refuted that investment in Digicel is a liability with high financial risk for Government as the benefits of privatization outweighs the cons. He proceeded to explain the Gateways and elaborated that Tutuila Gateways run through USA as the administrator (therefore, it needs American approval).

### **Hon Prime Minister - Interjection**

Hon PM stated that the matter raised by the Member was posed by a newspaper journalist in the past; then refuted claims and queried the need for anyone to spy on Samoa.

### **LAAULI Leuatea Polataivao Fosi Schmidt, Member for Gagaifomauga No.3**

The Member reiterated that his concern is on the hacking of online information and then urged the Minister to establish a legislation to protect Samoa's information from cyber security. Asserting that it is a mere request for love of country.

### **Hon Prime Minister – Point of Clarification**

Rejected notions of "alofa" as implied by the Gagaifomauga No.3 and Salega East Members and stated that this is the guiding principle on which Government operates by.

### **Hon AFAMASAGA Toeolesulusulu Lepuai Rico Tupai - Minister of Communication and Information Technology (Cont.)**

The Hon Minister objected statements made by the Member for Gagaifomauga No.3 that Samoa's gateway goes through Fiji; Hon Minister asserted that Samoa's cable does not go through Fiji; rather it goes to Australia through Fiji.

The Hon MCIT responded in regards to the query on the inclusion of infrastructure in the sale of BlueSky; and stated that if the fibre optic wire was not included, the value would only be a miniscule 7 million. The Minister stated that the legislation which provides for cyber security matters is nearing completion. However, the Hon Minister urged Ministries and the public that the legislation does not delay their roles in being vigilant with monitoring their respective online information and ensuring it is secure. The Hon Minister asserted that we must work smart not hard. In regards to ATH, it is valued at approximately 1 billion. To accentuate his point, the value is high and is a good investment with immense (projected) returns. The Hon Minister commented on the progress of the TUISAMOA cable - 55% shares in Bluesky, 20% Digicel. Overall, 70% returns for the Cable.

Hon AFAMASAGA noted that consultants with the World Bank to sell at 250 USD for a cable and stated that the possibility of bankruptcy was imminent if their recommendations were not heeded however the cables are currently sold at 15 USD, and noted that the first recommendation from the WB consultants was very expensive. The Hon Minister asserted that the profits recorded in the past FY justifies Governments move.

### **FUIMAONO Teo Sam Teo – Member for Falealili West**

The Member sought clarification on the storage size of ISP allocated to service providers, as he believes there is a conflict of interest. He then called for an open market process in the selection of service providers to foster competition which will result in the lowering of prices.

**Proceedings suspended at 10:47am;  
and resumed at 11:34am.**

**Hon Prime Minister - MOTION**

Motion was moved to return to normal sitting hours of the Assembly;  
9am – 1pm; *motion seconded and approved.*

**Hon AFAMASAGA Toeolesulusulu Lepuiai Rico Tupai - Minister of Communication and Information Technology (Cont.)**

In response to the Members query, Hon Minister asserted that the ISP is not allocated, rather each wire (ISP) is purchased by the service providers in accordance with specific limits they can purchase; individuals considering to utilise the cable are required to personally purchase the wire. Hon Minister clarified that the conflict of Interest matter raised by the Member of Falealili and stated that 76% comes back to the public while 24% goes to shareholders. Minister noted figures to illustrate the disbursing of revenue from the Cable 1. Furthermore, on the issue of having conflicted interests; the Minister clarified that there are 3 guiding principles in place to stamp out the possibility of collusion in addition to the legislation of the Office of the Regulator.

The Hon Minister elaborated on the costing of internet, and asserted that telecommunication network endeavours to reduce the cost of the wires so that the cost of data plans and internet plans provided to its customers is also reduced and eventually increasing the demand for the network provider.

In regards to the TuiSamoa cable, Hon Minister recalled an incident in 2018 whereby the Tongan gateway was cut and therefore affecting connection, therefore heightening the need for the Government to purchase multiple gateways to ensure there are no bearings on communications. Hon Minister elaborated on development of the Ministry and stated that the Manatua cable is soon to be complete, awaiting wire. it is schedule to launch by the end of the month. The Hon Minister stated that the initiative is to foster overseas investments, which will in turn provide immense economic benefits for Samoa.

The Minister added on, that one of the projects of the Ministry is the Call-Centre, currently in operation; apart from other Accountants Company that audits overseas accounts, or they work on overseas accounts, so we have successful projects that is developing the infrastructure of Samoa. The Hon Minister stated that there is a wire production company located at the Apia Wharf which produces cable wires; the Minister also informed the House that Papua New Guinea have also began to purchase wires from Samoa and therefore the vision to have Samoa the central hub for information technology services in the Pacific is coming to fruition.

ICT Council (Digital Transformation Authority) - Noted that there are talks for E-Health initiatives with the aim of moving to more electronically and ameliorating standing in cues as Medical Records will be available online. Hon Minister added on that travels from Savaii will be discouraged if the aforementioned is implemented. The Minister explained that the service

of online shopping/payment is an indication that Samoa has developed, and the importance of establishing the National ID.

**Sulamanaia Tuiliili Tuivasa, Member for Vaimauga East**

The Member reminded the Minister of MCIT of his concerns raised; such as the Member expressing disappointment on TV's being weaponised and called for a regulation of codes to what is acceptable for National TV in regards to Religious Slandering. The other matter raised by the Member was the sale of Bluesky Company to Vodafone; the Member sought clarification as to the sale of this company as he recalls the Government purchased Bluesky for 11 million while it was being sole to Vodafone for 80 million and asserted that the Government should have benefitted from the selling of this company. The Member called for full public access to the 3 cables stated by the Minister. SULAMANAIA commented on the expansion of the telecommunication company 'Digicel' into the hotel industry and queried where the funds came from.

**OLO Fiti Afoa Vaai – Member for Salega East**

The Member queried the payment of \$50 for the registration of National IDs.

**Hon SPEAKER**

Mr Speaker asserted that the issue of National ID's has already been addressed and advised the Member to refrain from raising this issue again.

**Hon AFAMASAGA Toeolesulusulu Lepuiai Rico Tupai - Minister of Communication and Information Technology (Cont.)**

The Government TV; the Hon Minister stated that this is the pro's of Digital it is a platform for all to utilise. The Digicel Lava Hotel is a good investment to Samoa (the more hotels the merrier) Hon Minister explained that only the name has changed but the owners remain the same (Digicel). In response to Member queries, the Hon Minister reiterated that the Government receives 20% share from the service providers such as Digicel and Vodafone.

**Hon Prime Minister – Point of Clarification**

Hon PM stated that the government provide support (tax credit) for the development of hotels in Samoa. He stated that there is a limit to Government giving out fund to help Hotels in Samoa, just to help with the developing of these businesses, added on that Government intends to cease offering tax credit to businesses who offer support for development projects in the community, such as sporting events or educational competitions. Tax credit (the policy in

place is to stimulate the growth of the hospitality sector of Samoa). Hon PM stated that they are looking at closing the Tax Credit.

In regards to concern raised by the Member for Vaimauga East, Hon PM expressed disappointment at the uncalled for Slandering on Public TV of the Catholic Church and noted that this is why the Council of Churches was established to deal with such matters. Hon PM stated that the heads of Churches must take initiative in fostering peace and harmony in the community rather than inciting hate through religious differences. Hon TUILAEPAPA stated that harmony and peace must be attained and their grievances be voiced at the Church Council Rather than uncalled for attacks in public. Furthermore, the PM noted that interpretation of the Bible must not be imposed on each as it is always subjective to religious denomination.

The Hon PM stated that this is a means of conflict in the Middle East (Religious Differences) and further stated that this (inciting religious differences) should NOT be a practice in a country that proclaims being founded on God.

### **Hon AFAMASAGA Toeolesulusulu Lepuiai Rico Tupai - Minister of Communication and Information Technology (Cont.)**

The Hon Minister continued his response and informed the House that the Office of the Regulator is awaiting funds from the Insurance company to build another office, however, currently operations of the Office of the Regulator continues while it is located at the 2AP Office. The Hon Minister concluded by acknowledging the support of his constituency and the support of his family, and recalled the struggles of his past, thus being more grateful for the development of today.

## **2. Hon FAAOLESA Katopau Ainuu, Minister for Justice, and Courts Administration**

The Hon Minister acknowledged all who were present in the House. He noted that there were not many matters raised by Members pertaining to his Portfolio which he will respond to; He acknowledged the new Chief Justice Satiu Simativa Perese. The Hon Minister attempted to further clarify on issues raised by Members. Hon Minister addressed the Member for Falealili on the issue of controlling legal fees specifically for the processing of adoption.

The Minister iterated that after consultations with the Attorney General and the CEO for MJCA, he was informed that there is currently a legislation, which seeks to regulate Legal Fees, however this legislation is not effectively enforced hence the variation in legal fees. The Minister stated he attended a workshop in Bali aimed at stemming Human Trafficking & Slavery and the hon PM posed the rhetoric of drafting a legislation to stamp out Human trafficking. The Hon Minister stated that while local families send their children with the hopes of a brighter future; they overlook the potential dangerous.

### **Hon FAAOLESA Katopau Ainuu, Minister for Justice, and Courts Administration**

In response to the Member for Lefaga & Faleseela calling for appointing judges from Chiefs in all villages: the Hon Minister responded by stating that this is indeed the practice. He

iterated that currently there is an examination for applicants to take, if the exam is successful then the applicant progresses to the next stage where an interview will take place. Furthermore, the Hon Minister stated that this has indeed ameliorated the Conflicts of Interest. In response to Members calling for an appropriation for costs for Savaii voters, the Hon Minister noted that they will take this matter into consideration. The Hon Minister responded to calls for an Electoral Office in Savaii and asserted that the matter will be considered in the future after the completion of the Upolu Office. Hon Minister spoke on the assistance of certain acts in the formulation of the Electoral Bills (which are now Acts) Electoral Constituency, etc. Hon Minister stated that the Office of the Electoral Commission will utilise a 300 million technological equipment from South Korea in the processing of the 2021 General Elections.

### **LAAULI Leuatea Polataivao Fosi, Member for Gagaifomauga No.3**

The Member commented on the removal of Saleaula seat and reiterated that the act only changes the electoral voting borders and has no bearing on the traditional salutations of the village.

### **FAASOOTAULOA Pati Taulapapa - Member for Gagaemauga No.2**

The MP elaborated on the quote ‘*Samoa ua uma na tofi*’ and reiterated that Samoa’s salutations is not defined by Electoral Constituencies/boundaries and iterated statements by the Hon PM that this change is not set in stone. The Member conveyed his wishes for the return of Saleaula as another constituency. (Before the electoral boundaries were re-defined in 2019).

### **SULAMANAIA Fetaiai Tauilili Tuivasa, Member for Vaimauga East**

The Member queried the selection criteria for Samoan Judges and sought that criterias to be opened to include Samoan orators and chiefs who are well versed with Samoan culture as opposed to academic qualifications.

### **Hon PRIME MINISTER - Clarification**

The Hon Prime Minister accentuated that proposal for cases in Court are opened; all are welcomed to apply to Judges or Advisors for the Land and Titles Court; Hon PM further emphasized that it is not limited to background eligibility etc.

### **Hon PAPALIITELE Niko Lee Hang – Minister for Works, Transport and Infrastructure**

The Hon Minister stated that if the requests for the Member for Faasaleleaga is accepted, this will cause a deficit for the operations of the Samoa Shipping Corporation.

**Hon FAAOLESA Katopau Ainuu, Minister for Justice, and Courts Administration**

The Hon Minister noted that a new court House for Savaii will be complete by December 2020. He noted the unprecedented video link trial and stated that it indirectly helps with public safety (transporting inmates for their hearing). The Minister stated that the new court house in Savaii, will be properly resourced and equipped to ensure effective execution of court matters in Savaii. The Video link trial and advance systems will assist with the protection and safety of the public, especially with transporting prisoners to and fro.

The Minister concluded by stating that the common theme for the works of the executive is a "healthy prosperous Samoa" The Hon Minister called to keep an open mind in regards to the 3 bills which has caused so much debate. He called to incorporate our customs into our ways of doing things. Moreover, the Minister called on the Law Society to keep an open mind and think through a Samoan lens rather than a perspective influenced by the Westminster system. Hon Minister also touched on the development of our country as we have graduated from (LDC) Least Developed Country but we have moved under the status of Developing countries (since 2014) which has contributed in enhancing our GDP. He then commended the Special Committee for their ongoing deliberations on the controversial Bills

**LAAULILEMALIETOA Polataivao Fosi Schmidt, Member for Gagaifomauga No.3**

The Member called for Hon Minister to refrain from mentioning the Law Society as per Standing Orders as these people cannot reply to statements made in the House.

**LAUOFO Fonotoe Nuafesili Pierre Laufo, Member for Anoamaa West**

The Member clarified that it is imperative that various differing views are presented to further ensure the betterment of the 3 proposed bills.

**LEALALEPULE Rimoni Aiafi, Member for Faleata**

The Member stated that the Minister was merely advising, and called for the Minister to clarify whether claims about land alienation are justifiable and to also clarify the connection between the Lands to the Bills that are still in deliberations at the moment, how it is affected by the Bill.

**Hon FAAOLESA Katopau Ainuu, Minister for Justice, and Courts Administration**

The Hon Minister concluded his remarks by urging the public that his door is always open to further clarify the 3 Bills.

**Proceedings adjourned at 1 pm;  
and will reconvene at 9am on Tuesday 23 June 2020**