

**DISCLAIMER**

This Report provides a brief of the Proceedings of Parliament on Tuesday 17<sup>th</sup> December 2019. 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 the Proceedings of Parliament on Tuesday 17<sup>th</sup> December 2019, you should consult the official Hansard or seek assistance from the Office of the Clerk of the Legislative Assembly.

**Tuesday 17<sup>th</sup> December 2019**

**9:13am**

**i. MESSAGE FROM O LE AO O LE MALO:**

Pursuant to Article 59 of the Constitution, a Message from O Le Ao o Le Malo permitted the introduction of the following Bills:

1. Supplementary Appropriation Bill (No.1) 2019/2020;
2. Public Finance Management Amendment Bill 2019;
3. Tax Administration (Electronic System) Amendment Bill 2019.

**ii. NOTICE FROM THE LEADER OF THE HOUSE**

Pursuant to S.O 76, Mr Speaker read the Notice from the Leader of the House to permit the progress of the following Bills:

- Agriculture and Fisheries Sector Bill 2019;
- Telecommunications Amendment Bill 2019;
- Police Powers Amendment Bill 2019;
- Miscellaneous (Boards of Public Bodies) Amendment Bill 2019;
- Intellectual Property Amendment Bill 2019; and
- Infants Amendment Bill (No.2) 2019.

**iii. CERTIFICATE OF URGENCY**

The following Bills have been placed under Certificate of Urgency:

- Tax Administration (Electronic System) Amendment Bill 2019;
- Telecommunications Amendment Bill 2019;
- Miscellaneous (Boards of Public Bodies) Amendment Bill 2019;
- Intellectual Property Amendment Bill 2019; and
- Infants Amendment Bill (No.2) 2019.

**iv. OBITUARY**

Mr. Speaker acknowledged the passing away of two former Members of Parliament:

- Afioga Unasa Mesi Galo, Member for Faalalafaga Faasaleleaga Nu.13, 2011-2006, 2006-2011;
- Afioga Patu Ativalu Togi II, Member for Vaimauga Sisifo, 2001-2006.

**v. PARLIAMENTARY COMMITTEE REPORTS TABLED:**

A total of 7 Committee reports were tabled in Parliament: 3 Committee Reports from the Economic Sector Committee and 4 Reports from the Infrastructure Committee.

**I. MINISTERIAL STATEMENT AND TABLING THE ORDERS OF STATE OF EMERGENCY****PM- TUILAIPA Dr. SAILELE MALIELEGAOI**

The Prime Minister began by outlining the Government's response to the measles outbreak, most importantly the mass vaccination campaign whereby the country was literally closed down for two days (Thursday and Friday) to ensure that everyone was vaccinated. He added that the Order of Emergency was announced on the 15<sup>th</sup> November 2019 and to end on the 15<sup>th</sup> December 2019 however as a result of a Cabinet meeting with the Disaster Management Teams, the Order of Emergency will be extended for another two weeks (end on the 29<sup>th</sup> December 2019).

The new Order of Emergency comes with amendments such as the banning of all children below the age of 14 years of age from being present in all public gatherings except if there is proof that that child has received all the required vaccinations. Banning of children under the age of 14 years of age from travelling between Upolu and Savaii; continuation of exams for students in Universities and Colleges.

He further added that this was not the first time Samoa was affected by measles, in 1981 there were several cases of measles at the time. He confirmed that the epidemic begun when a lady travelled from New Zealand to a Methodist church general meeting and was only alerted in September regarding measles. Blood tests were later run for confirmation and in October we received the green light that it was measles thus in 15<sup>th</sup> November the first order of emergency was declared.

He again urged the families to take their children to be vaccinated and added that the legal requirement is for the Order of emergency to be tabled in Parliament thus the ministerial statement concerning it.

**MOTION**

The Deputy Prime Minister, Fiame Naomi Mataafa put forth the motion for the Prime Minister's Ministerial Speech and the Order of Emergency to be tabled in Parliament.

**Motion approved****II. GOVERNMENT ORDERS OF THE DAY- Reading of Bills****1. SUPPLEMENTARY APPROPRIATION BILL (NO.1) 2019/2020– first reading****MOTION**

Hon SILI Epa Tuioti, Minister of Finance moved a motion for the Bill to be first read.

Motion seconded by: Minister of Ministry of Education, Sports and Culture and Minister for Ministry of Justice, Courts and Administration.

Bill was first read.

**2. First Supplementary Estimates 2019/2020 – tabling**

*Minister of Finance tabled the First Supplementary Estimates 2019/2020*

**3. SUPPLEMENTARY APPROPRIATION BILL (NO.1) 2019/2020 – second reading****MOTION**

Hon SILI Epa Tuioti, Minister of Finance moved a motion for the Bill to be second read.

Motion seconded by: Minister for Ministry of Education, Sports and Culture

Bill was second read.

**4. FINANCIAL STATEMENT ON THE FIRST SUPPLEMENTARY ESTIMATE 2019/2020****Hon. SILI Epa Tuioti- Minister of Finance**

The Minister first conveyed acknowledgement and gratitude for the aid and donations made by Samoa's international partners for the measles outbreak. He also acknowledged the work of Public servants, volunteers from overseas and health workers for the tremendous efforts put forth in attempting to tackling the outbreak. The Minister confirmed that approximately \$6 million was allotted from the Government's unforeseen funds to assist with the measles outbreak.

He noted that as a result of the outbreak, Samoa's economy is currently at a fragile state. It is estimated that Samoa's economy will lose approximately \$22 million Tala. He further mentioned that the Samoa National Provident Fund (S.N.PF) released \$7.8 million to finance a special dividend of 1.1% to all its members in an attempt to generate spending and therefore somewhat stimulate economic activity within the country.

The Minister then enlisted the following Ministries who have requested for a Supplementary Budget to finance leftover activities for the financial year 2019/2020.

**Firstly, additional receipts of \$13,620,404 which includes:**

1. Ministry of Public Enterprises: \$3801186 an additional being declared under dividends from Government Corporations

2. Ministry of Finance - \$9280098

- receipts from the SPG - \$5628,695 these are funds remaining from the preparations for the games;
- Fuel levy – 1100000- this will be used to assist in the maintenance and building the resilience of roads, drainages footpaths and walkways;
- Proceeds from the sale of JICA buses donated for UNSIDS - 1844,897- this fund will be given to assist with the maintenance of the Tanugamalala prison.
- Measles Epidemic Donations amount to- \$706,506- recorded aids from our donors however there are other donors that will be recorded thereafter and will be tabled in the next sitting;

3. Ministry of Customs and Revenue - \$39120

- additional Ministry to Ministry VAGST resulting from the additional expenditure.

**Secondly, Additional Grant Receipts of \$93,38813:**

1. World Bank - SAT\$8820000

2. United Nations Organisation - SAT\$518,813

**Third - Reshuffled Expenditure Programs - \$1156549**

1. MJCA - \$350000

2. Ministry of Prison - \$806,549

**The Expenditure Programs:**

1. **MCIL** - \$64,005

2. **MJCA**- \$505455

- Conference on the Right of the Children - \$300,000;
- Salaries for 3 New Judges for the Land and Titles Court - \$112, 455.

3. **Office of the Legislative Assembly** - \$210,000 to assist with the electricity bill of the New Maota Fono;

4. **MPCS** - \$4,350,729

- i. staff Quarters;
- ii. staff additional;
- iii. Perimeter and AntiClimb Fence;
- iv. Miscellaneous Remaining Works for the Tanugamalala Prison;
- v. Assets for Town Cleaning;
- vi. On call Allowances;
- vii. Prison Doctors.

5. **Ministry of Customs and Revenue** - \$211,706

Project Unit for Tax Information Management System TIM

- \$10,000 - electronic tax system;
- \$115,000 - generator

**6. Statistics Bureau - \$829, 988**

- i) \$763, 788 - Stats of Agricultural Development
- ii) \$66,200 - Conduct a survey on revenues and expenditures for families

**7. Health - \$3,933,000**

- i) \$3,600,000 - payment of Staff overtime;
- \$48,000 for the hospital (medicine storage);
- \$285,000 - pay the Ministry's debt to ACC.

**8. Ministry of Finance - \$10,743,251**

- i) \$250,000 - Scholarships for National University of Samoa;
- ii) \$357,458 - costs for purchasing the Forum Samoa to the Organization of Shipping Services of Samoa;
- iii) Tax Information Management System - \$1393286
- iv) \$158,000 - for the Ministry of Police
- v) Disaster and Emergency Facility - \$84,62507
- vi) Street Address Project - \$30,000
- vii) Samoa Economic Recovery Campaign - \$250000

**9. Ministry of Police - \$158, 07**

- Police Academy

**10. Ministry of Public Enterprises - \$38,696**

- Relocation of Office

**11. Samoa Tourism Authority - \$253000**

- Agro Tourism Park - Atele

**12. Land Transport Authority - \$2300000**

**United Nations Organisations combined assistance for the Community Sector Measles Outbreak Response (\$518,813)**

**WHO - \$300,000**

**UNDP - \$106,213**

**UN RCCO - \$52,600**

**UNFPA - \$60,000**

**5. INFANTS AMENDMENT BILL (NO.2) 2019- first reading**

**MOTION**

The Hon Prime Minister, Tuilaepa Dr. Sailele Malielegaoi moved a motion for the Bill to be first read.

***Motion approved***

**6. INFANTS AMENDMENT BILL (NO.2) 2019- *second reading***

**MOTION**

The Hon Prime Minister, Tuilaepa Dr. Sailele Malielegaoi moved a motion for the Bill to be second read and wishes to speak on the Bill.

***Motion approved***

**i. TUILAEPA DR. SAILELE MALIELEGAOI- *Prime Minister***

The Hon Prime Minister stated that the Bill is a response to the current measles outbreak which enforces the compulsory vaccination of all children. He further added that the measles outbreak was a wake-up call to the government to put forth a law to enforce vaccination for children. He referred to the Bill as the 'Bill of Love' as it reflects the government's commitment to protecting its children.

The Prime Minister further applauded American Samoa's efforts in controlling the spread of such virus by disallowing anyone from Samoa to enter its borders unless there is valid proof that that person has been vaccinated fully. He again mentioned the history of when Samoa was affected with the Influenza Epidemic in which Samoa lost countless lives yet its neighboring country, American Samoa were saved.

He concluded that by passing such law, Samoa is setting a milestone to which its foreign country friends could follow to ensure the safety of our children.

***Parliament adjourned for its normal recess and reconvened at 11:38am***

***Debate on the second reading***

**ii. LAAULI POLATAIVAO LEAUATEA- *Member for Gagaifomauga No.3***

The member for Gagaifomauga No.3 firstly expressed his sincere condolences and sympathies to the two families from his Constituency whose babies died as a result of the measles outbreak. He again reiterated the PM's labelling of the discussed Bill as the "Bill of Love" and asked to clarify what the real meaning of love is. He further argued that the term 'love' is unfortunately fading away in Samoa considering the two incidences where babies were abandoned by their mothers.

The member further questioned the government, how and why did the measles come onto the shores of Samoa and blamed the government for their carelessness and not thinking ahead prior to the outbreak to establish measures that would prevent our people from being affected. He further urged the government to heavily enforce the Village Fono Act to encourage Alii and Faipule to continue with awareness programmes regarding

vaccination. He concluded by advising the Minister of Health to ensure that this will not happen again in Samoa.

***PM- interjection***

The Hon PM advised the Member to be considerate with the words he has used in his speech and clarified that some of our people prefer traditional healing rather than being vaccinated which has further exacerbated the problem. He further advised the Member to respect the Alii and Faipule and it is the Parliament's job only to remind the Alii and Faipule of what should be done in the villages.

**iii. TAFUA MALUELUE TAFUA- Member for Aleiptata Itu i Lalo**

The Member expressed that he is happy that a clause in the Bill (Samoan translation) has been corrected as result of the Pre-sitting discussions that were made the day before the sitting. He conveyed his support for the Bill and advised the Ministry of Health to ensure that the Act will be implemented effectively as well as ensure that all of the Samoan population are vaccinated.

**iv. FAUMUINA TIATIA FAAOLATANE LIUGA- Member for Palauli le Falefa**

The Member also showed his support for the Bill and sought to add onto the Prime Minister's clarification speech on the Bill, that the Bill covers all other communicable diseases that a child may be infected and not just measles. He further added, that Members were made aware, as a result of discussions in the Pre-sitting from the CEO of the Ministry of Health, that a child is to receive approximately 16 vaccinations to be protected from all communicable diseases. He also clarified and for the information of the public, that the vaccination is free-of-charge. Perhaps this is another reason some parents refuse to get their children vaccinated is because they think it is costly.

**v. OLO FITI AFOA VAAI- Member for Salega East**

Member for Salega East applauded work that has been done by government in response to the measles outbreak particularly its two-day mass vaccination campaign. He further went on to highlight the three main categories of people that the Bill seeks to enforce responsibility on in regards to vaccination: 1) enforce the duty of parents to their child is to ensure that they are fully vaccinated, 2) enforce the involvement of all Schools through the support of the Ministry of Education, Sports and Culture (MESC) to ensure that all children prior to their enrollment are fully vaccinated and 3) urge and encourage Alii and Faipule of villages to encourage and enforce village policies that will enforce parents to get their children vaccinated. The member further explained his concern with the third group of people in the Bill (i.e. Alii and Faipule) that they may neglect their duty to encourage mothers. He then suggested that rather than give villages the freedom to establish their own policies regarding compulsory vaccination, government should come up with a policy that will be adopted by all villages for consistency purposes.

**vi. LAUOFO FONOTOE NUAFESILI PIERRE LAUOFO- Member for Anoamaa West**

The Member suggested that the policies written by Alii and Faipule in villages should be in line with the Strategies of the Ministry of Health. He then advised the Ministry to provide copies of pamphlets and vaccination booklets to Alii and Faipule so they can fully understand thus produce effective policies. The Member added, such village policies should also be registered with Justice to ensure its legality. He further suggested to the Government and the Ministry of Health that the Ministry should make its rounds to villages every two to three months to monitor the implementation of these policies and whether the children are being well looked after.

**vii. ALIIMALEMANU ALOFA TUUAU- Member for Alataua West**

She conveyed her support for the Bill and then suggested to government that the District Strategic Plan would be a great tool for the Ministry to monitor the Bill.

***PM- interjection***

All Ministries that are involved with the Implementation of this Bill should all abide by the Ministry of Health policies. He further clarified that the MMR vaccines protects the children from three diseases, Measles, Mumps and Rubella (which is a measles type in Germany).

**MOTION**

The Hon Prime Minister, Tuilaepa Dr. Sailele Malielegaoi moved a motion that the hours of the Sitting be extended until the Orders of today's Sitting are completed.

***Motion approved***

**7. INFANTS AMENDMENT BILL (NO.2) 2019- Consideration in detail**

Clause 2- approved;  
Clause 3- approved;  
Clause 4- approved;  
Clause 5- approved;  
Clause 6- approved.

Short Title and commencement- approved;

***Bill approved and progressed without amendments***

**8. INFANTS AMENDMENT BILL (NO.2) 2019- third reading****MOTION**

The Hon Prime Minister, Tuilaepa Dr. Sailele Malielegaoi moved a motion that the Bill be third read.



Seconded by: Ministry of Women, Community and Social Development  
**Motion approved**

**INFANTS AMENDMENT BILL (NO.2) 2019 PASSED**

**9. PUBLIC FINANCE MANAGEMENT AMENDMENT BILL 2019- first reading**

**MOTION**

The Hon Minister of Finance, Sili Epa Tuioti moved a motion that the Bill be first read.  
Seconded by: Ministry of Women, Community and Social Development  
**Motion approved**

**10. AGRICULTURE AND FISHERIES SECTOR BILL 2019- first reading**

**MOTION**

The Hon Minister of Agriculture and Fisheries, Lopao Natanielu Mua moved a motion that the Bill be first read.  
Seconded by: Ministry of Women, Community and Social Development  
**Motion approved**

**11. TAX ADMINISTRATION (ELECTRONIC SYSTEM) AMENDMENT BILL 2019- first reading**

**MOTION**

The Hon Minister of Customs and Revenue, Tialavea Fea Leniu Tionisio Hunt moved a motion that the Bill be first read.  
Seconded by: Minister for Ministry of Women, Community and Social Development, Minister of MAF, Minister of MOF.  
**Motion approved**

**12. POLICE POWERS AMENDMENT BILL 2019- first reading**

**MOTION**

The Hon PM moved a motion that the Bill be first read.  
Seconded by: Minister for Ministry of Women, Community and Social Development.  
**Motion approved**

**13. TELECOMMUNICATIONS AMENDMENT BILL 2019- first reading**

**MOTION**

The Hon Minister for Ministry of Communications, Information and Technology, Afamasaga Rico Tupai moved a motion that the Bill be first read.

Seconded by: Minister for Ministry of Justice, Courts and Administration.

***Motion approved***

#### **14. MISCELLANEOUS (BOARDS OF PUBLIC BODIES) AMENDMENT BILL 2019- *first reading***

##### **MOTION**

The Hon Minister for Public Enterprises, Lautafi Fio Selafi Purcell moved a motion that the Bill be first read.

Seconded by: Minister for Ministry of Natural Resources and Environment.

***Motion approved***

#### **15. INTELLECTUAL PROPERTY AMENDMENT BILL 2019- *first reading***

##### **MOTION**

The Hon Minister for Public Enterprises, Lautafi Fio Selafi Purcell moved a motion that the Bill be first read.

Seconded by: Minister for Tourism and Minister for MWCSO.

***Motion approved***

##### **MOTION**

The Hon PM moved a motion for the proceedings to be adjourned.

Seconded by: Minister for Tourism and Minister for MWCSO.

***Motion approved***

**Proceedings were adjourned at 1:25pm and  
will reconvene on 22<sup>nd</sup> January 2020**