



# **REPORT TO THE LEGISLATIVE ASSEMBLY**

## **“Fisheries Management Bill 2015”**

**Primary Production, Commerce, Industry and Labour Committee**

**(Presented to the Legislative Assembly)**

**1. RECOMMENDATION:-**

**The Primary Production, Commerce, Industry and Labour Committee recommends that the Assembly take note of its report.**

**2. BILL CONSIDERED:-**

*(Referred 13/08/2015)*

**Fisheries Management Bill 2015.**

The Primary Production, Commerce, Industry and Labour Committee<sup>1</sup> considered the Constitution Amendment Bill (No. 2) 2015 ('Bill') pursuant to the instructions by the Legislative Assembly on 13<sup>th</sup> August 2015.

**3. PROCEEDINGS:-**

The Committee called for oral and/or written public submissions on the Bill through a public notice broadcast on the Samoa Quality Broadcasting (TV1), 2AP radio and the Samoan Parliament Website. However, no submissions pertaining to this Bill were submitted to the Committee.

The Committee sought assistance from the following officials during the course of its deliberations.

**ASSISTANCE (S. O. 156)**

**Office of the Attorney General:**

Loretta Teueli	-	Assistant Attorney General
Kylie Wilson	-	Legal Clerk

**Ministry of Agriculture and Fisheries**

Joyce Samuelu Ah Leong	-	ACEO
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<sup>1</sup> Pursuant to the provisions of Standing Order 174, it shall be the duty of the Primary Production, Commerce, Industry and Labour Committee:

- (a). To consider any bill, petition or other matter referred by the Assembly or pursuant to these Standing Orders; and such Estimates or review of ministerial performance as maybe referred by the Finance & Expenditure Committee
- (b). To examine the policy, administration and expenditure of the ministries and associated government organizations related to primary production, commerce, industry, labour and tourism.

#### **4. FINDINGS:-**

The Committee noted that this Bill seeks to repeal and replace the Fisheries Act 1988 ('Principal Act') and the Fisheries (Ban of Driftnet Fishing) Act 1999.

The Ministry submitted that this Bill was in the consultation stage since 2006 and was compiled after many discussions with various stakeholders such as the commercial fishers, certain Government Ministries, regional organizations and the villages. The Principal Act was reviewed after Samoa signed the Western and Central Pacific Fisheries Convention. The intention is that there is consistency with this Convention and the need to enforce the effective management and regulation of the fishery developments within Samoa's fisheries waters, lagoons and reefs.

This Bill outlines key areas to guide the effective management and conservation of the fishery resources and regulation of domestic fishing developments. The purposes of the Bill are to:

- Regulate and control conservation, management and development of fisheries, including fisheries management plans
- Regulate fishing activities, including allocation of fishing rights,, aquaculture, prohibited methods of fishing and transshipment and port measures;
- Regulate licensing of fishing vessels, including foreign fishing vessels intending to fish within the fisheries waters of Samoa;
- Control Samoan fishing vessels fishing outside Samoa fisheries waters;
- Regulate entering into fisheries treaties, fisheries access agreement, fisheries commercial and other agreements or arrangements;
- Regulate processing, trading and marketing of fish and fisheries products,
- Provide for enforcement measures.

It is noted that the principles and policies within the Principal Act are maintained in the Bill considered and it is further strengthened, transparent and simplified with the use of modern methods to effectively manage and develop our fisheries waters and its resources.

#### **5. CONSIDERATION IN DETAIL OF THE BILL:-**

The Committee considered the Bill in detail and was satisfied with all the provisions therein.

6. **RESOLUTION:-**

At the conclusion of its consideration, the Committee resolved to recommend the Assembly:

**That the Fisheries Management Bill 2015 progress without any amendments to print.**

**7. SIGNATURES OF COMMITTEE MEMBERS.**

Afioga Hon LEAUPEPE Toleafoa Apulu Faafisi.  
**CHAIRPERSON**

Afioga MAUALAIVAO Pat Ah Him  
**MEMBER**

Afioga AFUALO Wood Uti Salele  
**MEMBER**

Afioga TIALAVEA Fea Tionisio Seigafo  
**MEMBER.**

Afioga Hon AEAU Peniamina Leavaiseeta  
**MEMBER.**

Tofa FAIMALOTOA Kika Stowers  
**MEMBER.**

Tofa AVEAU Tuala Lepale Niko Palamo  
**MEMBER.**