



LIPOTI MO LE FONO AOAQ FAITULAFONO

**“Tulafono Tau Faaofi o Teuteuga o le Tulafono
o le Penisini 2014”**

Komiti o Galuega, Felauaiga & Siosiomaga.

1. FAUTUAGA:

E fautuaina e le Komiti o Galuega, Felauaiga & Siosiomaga le Fono Aoao ina ia faautagia lana Lipoti.

2. FAATOMUAGA:

O le Komiti o Galuega, Felauaiga & Siosiomaga ua faavaeina i lalo o aiaiga o Tulafono Tumau 176.

Sui Usufono:

Filifilia

Tofa TUSA Misi Tupuola	Taitaifono	31/05/2011
Afioga AFOAFOUVALE John Moors	Sui Taitaifono	31/05/2011
Tofa LEVAOPOLO Talatonu	Sui Usufono	31/05/2011
Tofa LEALAILEPULE Rimoni Aiafi	Sui Usufono	31/05/2011
Afioga PESETA Vaifou Tevaga	Sui Usufono	31/05/2011
Afioga TOEOLESULUSULU C.P.S.S.	Sui Usufono	31/05/2011
Tofa FAGAAIVALU Kenrick Samu	Sui Usufono	03/10/2011

3. TULAFONO TUMAU 176:

O le a avea o le tiute tauave o le Komiti le:

- (a) Iloiloina o so o se tulafono tau faaofi, talosaga po o so o se isi mataupu ua tuuina atu e le Fono Aoao po o e tusa ai ma Tulafono Tumau; ma Tala Faatatau o Tupe po o le toe iloiloina o le faatinoina o galuega a matagaluega e pei ona tuuina atu i ai e le Komiti o Faamatalaga o Tupe a le Malo;
- (b) Suesueina o faiga faavae, pulega ma tupe alu a matagaluega ma faalapotopotoga a le malo po o nisi faalapotopotoga e fesootai i galuega tau fausaga ma atinae, saogalemu o felauaiga, malosiaga, faasao, siosiomaga, faamatalaga ma le fuaina o fanua.

4. TULAFONO TAU FAAOFI NA ILOILOINA:

(Tuuina atu 18/02/2015)

Tulafono Tau Faaofi o Teuteuga o le Tulafono o le Penisini 2014.

Na iloiloina e le Komiti o Galuega, Felauaiga & Siosiomaga le Tulafono Tau Faaofi o Teuteuga o le Tulafono o le Penisini 2014, e tusa ai ma le Faatonuga na tuuina mai e le Fono Aoao Faitulafono i le aso 18 o Fepuari 2015.

5. TAUALUMAGA:

Na valaauina e le Komiti le mamalu o le atunuu e ala i se faasalalauga faalauaitele i luga o le Televisi (S.Q.B. TV 1) ma le leitio faasalalau a le Faalapotopotoga o Faasalalauga (2AP) mo ni finagalo faaalua po o ni finagalo tusitusia e faatatau i lenei Tulafono Tau Faaofi.

Na tapā e le Komiti le fesoasoani a i latou nei a o faagasolo ana iloiloga.

FESOASOANI (T. T. 156)

Ofisa o le Loia Sili:

Loretta Teueli	-	Loia Sili Fesoasoani
Leitu Moananu	-	Loia

Matagalulega o Tupe

Lavea Tupaimatuna I.Lavea	-	Ofisa Sili o Pulega
Sione Foliaki	-	Ofisa Sili Lagolago o Pulega, <i>Vaega o le Malosiaga</i>
Salote Peteru	-	Faufautua Faaletulafono <i>(Legal Consultant)</i> .

Sui o le Atunuu.

Afioga Le Tagaloa Pita	-	Sui o le Atunuu
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6. SAILILIGA:

6.1 O le Tulafono Tau Faaofi o Teuteuga o le Tulafono o le Penisini 2014, o le a teuteuina ai le Tulafono o le Penisini 2014 ('Tulafono Autu'), lea e aofia ai le:

- Teuteuina o le Fuaiupu 3 o le Tulafono Autu, e ala i le faaopoopo i ai o le faamatalaga fou o "suāuu i aofaiga tetele", ma ia faaoga le faasologa sao o le pi faitau faa-Peretania.

O le Tulafono Tau Faaofi o teuteuga o le Tulafono o le Penisini 2014, o lo o puipua ai a tatou Konekarate (Contract), lea o lo o fai paaga ai le Malo ma Kamupani i le aumaiga o le suāuu i totonu o le atunuu. O le auga o lenei Tulafono Tau Faaofi, o le mataituina lea e le Malo, o le faaulufaleina mai o "suāuu i aofaiga tetele", talu mai le toefuataiga (reform) na afua (rationalise) ai le faatauina mai o le suāuu. O le 'auga o lea toefuata'iga (reform), ona o le manatu i le tulaga e puipua ai le faatauina mai o le suāuu, talu ai ona o le tulafono i le

taimi nei e le o iai se tulaga e puipuia ai ni isi e latou te aumaia ni suāuu i totonu o le atunuu.

- 6.2 Ua aiaia ai foi le tulaga o le aofaiga o soo se penisini ua faaulufale mai e avea o se suāuu, ina ia le sili atu ma le **500, 000 lita (litre)** i le tausaga. O lea tuutuuga e aofia ai ma Kesi Penisini ua Faaliusuavai i le aofaiga lava lea e tasi. E manatu le Komiti, o se tulaga talafeagai tele le aiaia ai foi i lenei tulafono, o se Maliega Tusitusia (consent) a le Minisita mo le saogalemu o penisini auina mai i le atunuu. O manaoga o le Tulafono, afai e faaulufale mai e se isi se penisini i se aofaiga e sili atu i le 500,000 lita i le tausaga, olea faatinoina loa le Tulafono Tau Faaofi lenei, i luga o le tulaga o lea tapā ai le maliega tusitusia a le Minisita, ma e mafai ona tuuina faatasi ma ni tuutuuga pe leai foi, ae ia faia se Talosaga tusitusia tuuina atu i le Minisita, e soo se tasi ua aumaia se penisini i se aofaiga ua tā'ua.

Na faaalua ni atugaluga mai i le mamalu o le atunuu e faatatau i le tulaga o le malosiaga, ua tuuina i le Minisita e toatasi (Individual), e faia ai le maliega tusitusia, ae o le Faaiuga fai faatasi a le Kapeneta. Peitai, o le manatu o le Komiti, o le Minisita e ou le tulafono, e talafeagai e avea ma sui o le Kapeneta, e faatinoina le maliega tusitusia mo lea tulaga.

Na fesiligia e le Komiti se mafuaaga tataua faatulaga mai ai le tapulaa o so o se penisini e faaulufale mai i le 500, 000 lita. Ae peitai, ona o le tulaga o aafiaga mo le teuina malu (storage), aemaise ai o le felauaiga i totonu o le atunuu, lea ua mafua ai ona faatapulaaina le aofai, e faapea foi i le malosiaga o tane e teuina ai suauu. O le malosiaga (capacity) o tane o lo o teuina ai e pei ona matauina e le Komiti, e tusa lea ma le 35 aso e mafai ona teuina ai le penisini mo le taimi nei, ae o lo o faamoemoe ina ia faatuina ni isi tane fou e oo atu i le tolu masina le umi e teuina (store) ai le penisini.

E manatu le Komiti, ina ia silasila le Malo e tauala atu i lenei Tulafono, aua lava le fausia o ni tane e teuina ai le penisini mo le motu tele i Salafai i le lumanai. Na faaalua e le Matagaluega o lo o faagaioia le Tulafono, o lo o iai se nofoaga i Salelologa o lo o fuafua mo lea vaega ma o lea fuafua foi e faaoga le vaa fou o le Faalapotopotoga o Vaa mo le faatinoina o lea tulaga.

Matauina e le Komiti, e aupito i maualalo lava le tau o le suāuu i Samoa nei pe a faatusa i isi atunuu o le Pasefika. E manatu le Komiti, o se Tulafono e taua tele lenei Tulafono Tau Faaofi mo le manuia lautele o le atunuu, aemaise o le malu puipuia o le faaulufale mai o “suāuu i ona aofaiga tetele” (bulk fuel) mo le saogalemu o le mamalu o le atunuu.

7. ILOILOGA AUILIILI O LE TULAFONO TAU FAAOFI:

I le Iloiloina Auiliili o lenei Tulafono Tau Faaofi, ua faamalieina le Komiti ma o lo o talafeagai aiaiga uma ua faatulaga mai vagana ai le Faasaoga i le Fuaiupu 1 ua fautuaina e faapea:-

8. **FAASAOGA:**

la aveese le fuainumera “2014” ma suia i le fuainumera “2015” ina ia faitauina ai le Igoa o le Tulafono e faapea;

“(1) Tulafono o Teuteuga o le Tulafono o le Penisini 2015”

9. **IUGAFONO:**

I le maea iloiloaina o le Tulafono Tau Faaofi na faaiugafonoina ai e le Komiti e fautuaina le Fono Aoao,

Ina ia faagasolo le Tulafono Tau Faaofi o Teuteuga o le Tulafono o le Penisini 2015 faatasi ma le faasaoga.

10. **SAINI A SUI O LE KOMITI:**

TUSA Misi Tupuola
TAITAFONO

AFOAFOUVALE John Moors
SUI TAITAFONO

LEALAILEPULE Rimoni Aiafi
SUI USUFONO

LEVAOPOLO Talatonu
SUI USUFONO

PESETA Vaifou Tevaga
SUI USUFONO

TOEOLESULUSULU C. P. S. Schuster
SUI USUFONO

FAGAAIVALU Kenrick Samu
SUI USUFONO



REPORT FOR THE LEGISLATIVE ASSEMBLY

“PERTROLEUM AMENDMENT BILL 2014”

Works, Transport and Environment Committee

1. RECOMMENDATION:

The Works, Transport and Environment Committee recommends that the Assembly take note of its Report.

2. PREMABLE:

The Works, Transport and Environment Committee is constituted pursuant to the provisions of Standing Orders 176.

Members:

Tofa TUSA Misi Tupuola	Chairman
Afioga AFOAFOUVALE John Moors	Member
Tofa LEVAOPOLO Talatonu	Member
Tofa LEALAILEPULE Rimoni Aiafi	Member
Afioga PESETA Vaifou Tevaga	Member
Afioga TOEOLESULUSULU C.P.S.S	Member
Tofa FAGAAIVALU Kendrick Samu	Member

Appointed:

31/05/2011.
31/05/2011.
31/05/2011.
31/05/2011.
31/05/2011.
31/05/2011.
03/10/2011.

3. STANDING ORDER 176:

In accordance with the provisions of Standing Orders 176, it shall be the duty of the Works, Transport and Environment Committee to:-

- a) To consider any bill, petition or any 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 ministries and associated government organizations related to construction and development, transport and transport safety, energy, conservation, environment, land information and surveying.

4. BILL CONSIDERED:

(Presented 18/02/2015)

Petroleum Amendment Bill 2014.

The Works, Transport and Environment Committee considered the Petroleum Amendment Bill 2014 pursuant to the Instructions issued by the Legislative Assembly on the 18th of February 2015.

5. PROCEEDINGS:-

The Works, Transport and Environment Committee called for oral and/or written public submissions on the Bill through a public notice broadcast on radio (2AP) and television (S.Q.B. TV 1).

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

ASSISTANCE (S.O. 156)

Office of the Attorney General:

Loretta Teueli - State Solicitor
Leitu Moananu - Senior Legal Drafter

Ministry of Finance

Lavea Tupaimatuna I. Lavea - Chief Executive Officer
Sione Foliaki - Chief Executive Officer
(*Energy Policy & Coordination Division*)
Salote Peteru - Legal Consultant

Member of the Public

Afioga Le Tagaloa Pita

6. FINDINGS:-

6.1 The Petroleum Amendment Bill 2014 seeks to amend the Petroleum Act 2014 (principal Act), which includes:

- Amendment of section 3 of the Principal Act by adding the definition of “bulk fuel” in its correct alphabetical order.

The Petroleum Amendment Bill 2014 protects our contractors who are in partnership with the government and companies that import petroleum into the country. The main objective of the Bill is for the government to monitor the importation of “bulk fuel” since the reform that rationalized the importation of fuel. The aim of this reform is based on safety and security on importation of fuel, since safety regulations for importing fuel is not stated within the legislation.

6.2 Also provided is the amount of petroleum imported as fuel, which is in quantities greater than 500,000 litres per annum. This quantity arrangement also includes Liquefied Petroleum Gas. The Committee strongly believes that the Bill will be complied to with a written consent of the Minister which guarantees safety of fuel imported. If someone imports a higher quantity of fuel that is more than 500,000 litres within a year, the Bill will be enforced on the basis of acquiring the Ministers written consent together with conditions. It is important that a written consent is given by the Minister for those who are importing fuel.

The public voiced concerns on the power given to an individual, namely the Minister in issuing written consent when it should be the decision made by Cabinet. However, the Committee believes that it is appropriate that the Minister responsible for the Bill be the representative of Cabinet in issuing this written consent.

The Committee questioned why the quantity of fuel imported cannot be more than the estimated 500,000 litres. Unfortunately this is a result to the lack of storage especially transporting of fuel within the country and the capacity of tanks storing fuel. The capacity storage of these tanks noted by the Committee is estimated at 35 days, although the new tanks that will be installed will store fuel for up to three months.

The Committee believes that through this Bill, Government should look at constructing tanks to store fuel for the island of Savaii in the future. The Ministry informed the Committee that there is a designated area in Salelologa for storage and there are plans to use the new vessel from Samoa Shipping to assist with the matter.

The Committee also noted that our country has the lowest fuel costs compared to other Pacific countries. The Committee believes that this is a really important Bill that will greatly benefit the country, especially with the importation of “bulk fuel” into the country.

7. CONSIDERATION IN DETAIL OF THE BILL:-

The Committee considered the Petroleum Amendment Bill 2014 in detail and was satisfied with all the provisions except for Correction in Clause 1 which reads:-

8. CORRECTION:

To omit the figure “2014” and substitute thereby the figure “2015” so that the title reads;
“(1) Petroleum Amendment Act 2015”

9. RESOLUTION:

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

That the Petroleum Amendment Bill 2015 progress with corrections.

10. COMMITTEE SIGNATURES:

TUSA Misi Tupuola
CHAIRMAN

AFOAFOUVALE John Moors
VICE CHAIRMAN

LEALAILEPULE Rimoni Aiafi
Member

LEVAOPOLO Talatonu
Member

PESETA Vaifou Tevaga
Member

TOEOLESULUSULU C.P.S. Schuster
Member

FAGAAIVALU Kendrick Samu
Member