



LIPOTI MO LE FONO AOAQ FAITULAFONO

**“Tulafono Tau Faaofi o Teuteuga o le Tulafono o
Galuega tau Leoleo 2015”**

**Komiti o Mataupu Tau Faamasinoga,
Leoleo ma Falepuipui
ma Faamasinoga o Fanua ma Suafa**

1. FAUTUAGA

Ua fautuaina e le Komiti o Faamasinoga, Leoleo & Falepuipui, ma Faamasinoga o Fanua ma Suafa le Fono Aoao ina ia faautagia lana Lipoti.

2. TULAFONO TAU FAAOFI NA ILOILOINA.

(Tuuina atu 30/6/2015)

Tulafono Tau Faaofi o Teuteuga o Teuteuga o le Tulafono o Galuega tau Leoleo 2015.

Na iloiloina e le Komiti o Mataupu Tau Faamasinoga, Leoleo & Falepuipui ma Faamasinoga o Fanua ma Suafa¹ le Tulafono Tau Faaofi o Teuteuga o le Tulafono o Galuega tau Leoleo 2015, e tusa ai ma le Faatonuga na tuuina mai e le Fono Aoao i le aso 30 Iuni 2015.

3. TAUALUMAGA

Na valaauina e le Komiti le mamalu o le atunuu e ala i se faasalalauga faalauaitete i luga o le Televise (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. Peitai e leai lava se isi na faaalua sona finagalo pe tuuina mai se finagalo tusitusia e faatatau i lenei Tulafono Tau Faaofi.

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

FESOASOANI (T.T.156)

Matagaluega o Leoleo:

Egon Lincon Keil

-

Komesina

Fetogi R Vaai

-

Loia Faufautua

¹ Tulafono Tumau 173, TUISA Tasi Patea, AFOAFOUVALE John Moors, LAFATELE Patrick Leiataualesa, LENATAI Victor Faafai Tamapua, PAPALII Li'o Taeu Faavaivaiomanu Masipau, LEFAU Harry Schuster, TAPUAI Toese Ah Sam.

Ofisa o le Loia Sili:

Aumua Tuatagaloa Ming C Leung Wai	-	<i>Loia Sili</i>
Siovia Lui	-	<i>Loia a le Malo</i>
Terina Sefo	-	<i>Loia</i>
Grace Lofi	-	<i>Tagata faigaluega lē tumau</i>

4. SAILIILIGA:

Na mafai ona faataunuaina le fonotaga a le Komiti ma le Matagaluega o Leoleo faatasi ma le Ofisa o le Loia Sili i le lauliliuina o lenei Tulafono Tau Faaofi i le aso 15 o Iulai 2015. Na maua ai e le Komiti se oototoga manino ma malamalama mai le Ofisa o le Loia Sili i vaega taua ua faapena ona faia iai teuteuga o le Tulafono o Galuega tau Leoleo 2009. I le matau la a le Komiti e tusa ai ma lana iloiloga, e puupuu lava ma e lē tele se teuteuga o lo o faapena ona faataatia mai i lenei Tulafono Tau Faaofi. Ma o le faavae o lenei teuteuga o le siitia lea o tausaga faaopoopo e litaea ai alii ma tamaitai leoleo mai le auaunaga.

E tusa ai ma le Tulafono Autu o Galuega tau Leoleo o lo o iai i le taimi nei, o le 55 tausaga e tatau ona litaea ai se tasi mai le auaunaga, sei vagana ua tuuina mai se faatagana mai le alii Komesina e toe faaopoopoina ai tausaga galue mo sea tagata. I tuutuuga la o lo o iai i le toe faaopoopoina o tausaga galue, e mafai ona faaopoopoina le isi 5 tausaga mai le tausaga litaea(55) ona faamalolo tumau ai lea i le 60 tausaga.

Peitai ao fagasolo iloiloga a le Komiti, na maua ai se fuafuaga ua taumafai iai le Matagaluega ma le Malo e ala i lenei tulafono tau faaofi, ina ia sii atu i luga tausaga faaopoopo (extension) mai le 60 tausaga, i le 65 tausaga. Na taua e le Ofisa o le Loia Sili le savalia pea e lenei teuteuga o aiaiga faataatitia mo tausaga litaea o lo o i le Tulafono mo Tagata Faigaluega a le Malo. Peitai, e pau le eseese o lo o ua iai nei, o tausaga faaopoopo e tautua ai i le auaunaga e pei ona teuteuina mai le 60 i le 65 tausaga.

Na toe faapupula atili mai e le Matagaluega le auga ma le faamoemoe o lenei tulafono tau faaofi, ina ia taumafai e taofiofi mai ai i latou ua lava le tomai i le

auaunaga faa-leoleo, e pei ona silafia ua faasolo ina toaitiiti le afaigaluega matutua o lo o i ai nei. Ae i ai foi le talitonuga a le Matagaluega, o e ua lava le tautua, ua lava foi le silafia, e maualuga le manatu ina ia taofi mai i latou aua le latou tautua ma le latou silafia e fesoasoani ai i le afaigaluega o lo o ulufale mai pea i le taimi nei.

Na matua faamalieina le Komiti i folasaga na faaalia e Matagaluega, peitai na fesiligia pea e le Komiti nisi o vaega taua e faasino lava i lenei teuteuga. E pei ona matauina, o le teuteuga ua faataatia nei o lo o maualuga ai se manatu a le Komiti ona o le va lea mai le 55 tausaga ma le 65 tausaga, ua vava-mamao tele. E le gata i lea, o le fesiligia e le Komiti o le Matagaluega i se aofaiga o le afaigaluega ua oo i lea tulaga, ua ala ai ona faatinoina lenei tulafono tau faaofi, pe faamata foi o lenei fuafuaga ua nao na faataatia mo le agai i le lumanai. Na taua e le Matagaluega, e pe a ma le 20 pe itiiti ifo foi le aofai o i latou o lo o aafia i le teuteuga fou lenei. Peitai na faamanino mai e le Matagaluega, o lenei teuteuga e faamoemoe muamua lava i le silasila ma le iloiloga totoa a le Komesina i vaega uma ao le'i tuuina atu se faatagana e agavaa ai se ua talosaga mo lea aiaiga.

Na taua foi e le Matagaluega, o lenei teuteuga e le faamalositia mo i latou o lo o galulue faa-konekarate i totonu o le auaunaga, ae na'o mo leoleo lava e aafia ai Constables, Super-intendents, Inspectors ma isi. O le isi tulaga e faatauaina ai e le Matagaluega lenei tulafono tau faaofi, ona ua molimauina lava le faaitiitia o fuainumera o le afaigaluega ona o mafuaaga eseese. O nisi ua faamavae ma saili galuega i isi ofisa ma matagaluega ona o tulaga o totogi, o nisi ua maliliu, ua litaea nisi ma faimalaga i atunuu i fafo ma isi lava mafuaaga.

I le faagasologa o le iloiloga a le Komiti, na faaalia ai le faamalieina i vaega uma o le teuteuga e tusa ma le tulafono tau faaofi. E faatauaina foi e le matagaluega ma le Komiti le agaga atoa o le tulafono tau faaofi ona o itu tau va-fealoai e tatau ona tausisi pea iai le matagaluega ma le feagai ai i le tautuaina o le atunuu lautele. E le gata foi i lea, o tomai ma agavaa a nai sui matutua o le auaunaga ina ia faatumauiina pea lona faaogaina e ala i lenei tulafono tau faaofi; ma

faaauauina ai le sootaga lelei a le Matagaluega ma le atunuu, aemaise o nuu ma afioaga o lo o lagolago i le Matagaluega i le faatinoga o ana galuega.

5. ILOILOGA AUILIILI O LE TULAFONO TAU FAAOFI:

I le iloiloaina auiliili o lenei Tulafono Tau Faaofi i ona Fuaiupu taitasi, ua faamalieina le Komiti ma o lo o talafeagai aiaiga uma e pei ona faatulaga mai.

6. IUGAFONO:

I le maea ai o iloiloga auiliili, na faaiugafonoina ai e le Komiti;

Ina ia faagasolo le Tulafono Tau Faaofi o Teuteuga o le Tulafono o Galuega tau Leoleo 2015 e aunoa ma se teuteuga.

SUI O LE KOMITI:

Tofa TUISA Tasi Patea
TAITAFONO

Susuga PAPALII Li'o F T Masipau
SUI USUFONO

Afioga AFOAFOUVALE John Moors
SUI TAITAFONO

Tofa TAPUAI Toese Ah Sam
SUI USUFONO

Tofa LENATAI Victor Faafoi Tamapua
SUI USUFONO

Tofa LEFAU Harry Schuster
SUI USUFONO

Afioga LAFAITELE Patrick Leiatuaalesa
SUI USUFONO



REPORT TO THE LEGISLATIVE ASSEMBLY

“Police Service Amendment Bill 2015”

Justice, Police and Prisons, Lands and Titles Committee

1. **RECOMMENDATION:**

The Justice, Police and Prisons, Lands and Titles Committee recommends that the Assembly takes note of its Report.

2. **BILL CONSIDERED.**

(Referred 30/6/2015)

Police Service Amendment Bill 2015.

The Justice, Police and Prisons, Land and Titles Committee² considered the Police Service Amendment Bill 2015, in accordance with instructions by the Legislative Assembly on 30th June 2015.

3. **PROCEEDINGS**

The Committee called for public submissions through advertisements broadcast on the Samoa Quality Broadcasting (TV1) and 2AP radio. However, no oral or written submissions were put forth on the Bill.

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

ASSISTANCE (S.O.156)

Ministry of Police:

Egon Lincon Keil	-	<i>Commissioner</i>
Fetogi R Vaai	-	<i>Legal Advisor</i>

Office of the Attorney General:

Aumua Tuatagaloa Ming C Leung Wai	-	<i>Attorney General</i>
Siovia Lui	-	<i>State Solicitor</i>
Terina Sefo	-	<i>Law Clerk</i>
Grace Lofi	-	<i>Part-time</i>

² Standing Order 173, TUISA Tasi Patea, AFOAFOUVALE John Moors, LAFATELE Patrick Leiataualesa, LENATAI Victor Faafoi Tamapua, PAPALII Li'o Taeu Faavaivaomanu Masipau, LEFAU Harry Schuster and TAPUAI Toese Ah Sam.

4. FINDINGS:

During its deliberations, the Committee was able to conduct consultations on the Bill with the Ministry of Police and the Office of the Attorney General on 15 July 2015. The Committee obtained a general explanation from the Office of the Attorney General on the importance of the amendments proposed for the Police Service Act 2009. Based on its findings, the Committee noted that the amendment is minor and the purpose is to amend the retirement age of police officers from the service.

The current Police Services Act (Principal Act) states that the retirement age of police officers is 55, with the exception that an approval from the Commissioner is obtained for an extension. Currently, an additional 5 years is added to the 55 years as an extension after which rendering a police officer retired at the age of 60.

However, during the Committees consideration, it was noted that efforts are in place by the Ministry of Police to extend the age of retirement from 60 to 65 years. The Office of the Attorney General stated that this amendment is consistent with the retirement age as set out in the Public Service Act, however, the only difference is the extension proposed.

The Ministry clarified that the amendment is a mechanism to retain officers who have policing capacity and skill as it is noted that the number of senior officers is decreasing. The Ministry strongly believes that retaining long service officers who are knowledgeable and skilled in the policing profession will greatly assist in training new recruits.

The Committee was satisfied with the submission put forth by the Ministry however they queried other issues pertaining to this amendment. The Committees main concern was the wide gap between the ages of 55 and 65. Furthermore, the Committee queried the Ministry as to the total number of officers that have reached the retirement age influencing this amendment or whether this is for the future. The Ministry stated that there are 20 or less that will be affected by this amendment. The Ministry also confirmed that the eligibility of

an application will be based on the review and consideration of the Commissioner.

The Ministry clarified that this amendment will not be enforced on contract officers as it will only apply to sworn police officers such as Constables, Superintendents, Inspectors and others. In addition, the importance of this Bill for the Ministry is to address the increasing number of officers that have resigned due to various reasons. Some have resigned and sought employment in other ministries due to the level of salaries, others have passed away and some have retired and migrated overseas.

The Committee is satisfied with the amendment as put forth by the Bill. The Committee and the Ministry lay great importance on the overall purpose of the Bill in terms of the relationship that should be maintained by the Ministry while serving the general public. Furthermore, through this Bill the capacity and skills of senior officers will be utilized and the relationship between the Ministry and the nation, especially the rural villages will be maintained.

5. CONSIDERATION IN DETAIL OF THE BILL:

The Committee noted during its consideration in detail of the Bill that the provisions therein are sufficient.

6. RESOLUTION:

At the conclusion of its investigations, the Committee resolved that;

The Police Service Amendment Bill 2015 progress without amendments.

MEMBERS OF THE COMMITTEE

Tofa TUISA Tasi Patea
CHAIRPERSON

Susuga PAPALII Li'o F T Masipau
MEMBER

Afioga AFOAFOUVALE John Moors
DEPUTY CHAIRPERSON

Tofa TAPUAI Toese Ah Sam
MEMBER

Tofa LENATAI Victor Faafoi Tamapua
MEMBER

Tofa LEFAU Harry Schuster
MEMBER

Afioga LAFATELE Patrick Leiatuaalesa
MEMBER