

MONDAY, 25 JUNE 2018

Mr Speaker took the Chair at 9:00am.

Prayer.

OPENING REMARKS BY MR SPEAKER

MR SPEAKER: I announce that Proceedings of the Legislative Assembly resumed.

Respectfully I take this opportunity to welcome the esteemed Parliament gathered here this morning, the presence of the Leader of the Government and the notable Cabinet, Associate Ministers and Committee Chairpersons. Greetings to good health restoration received this new morning.

I also greet the various Heads of Government Ministries and Corporations and all the public servants and their contributions to our business this morning. I greet you all in the spirit of good health this morning.

EDUCATION AMENDMENT BILL 2018

– resumption of second reading debate from 22/06/2018

MR SPEAKER: Before orders were set aside last week, Members of the House have concluded their views on the Bill. I now call the Hon Minister of Education, Sports and Culture for his response towards the raising issues by the Members regarding the Bill under discussion.

With respect I call on the Hon Minister of Education.

Afioga Hon LOAU SOLA KENETI SIO (Minister of Education, Sports and Culture): Thank you Mr Speaker for the golden opportunity received this morning, with great respect I greet your honor the Speaker and Members of the House. We are all awoken by the divine love and kindness of the Father above this morning.

I trust the respects of the House and praises and the honorifics have already been voiced by the honorable Speaker on behalf of the House in reflection of God's love upon the wonderful spirit we have this morning.

I trust our prayers have been heard by God for His gracious love upon this House through your honorable the Speaker.

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Education Amendment Bill 2018
- second reading

With respect I greet and welcome everyone this Sitting day. As the saying goes, *'momoe i manu ae sau mala e atia'e'*, nevertheless, the House has reconvened gratefully. Yesterday we entered God's house to worship and find blessings which is the lamp unto our feet and light unto our path in order for our work to go well for the benefit of the country as a whole.

I take this opportunity to welcome the Government Heads of Ministries and Public Enterprises and their service for the welfare of our people.

With respect I move to resume the Education Amendment Bill 2018 to amend parts of the Principal Act 2009 to 2018 which is the objective of the Ministry moving forward, to see and make improvement on a yearly basis with regards to its policies and guidelines.

I also aim to answer some of the queries voiced by the Members in the past week particularly the recommendations put forward to help improve this Bill to its entirety. In further, I appreciate all the raising concerns and proposals put forward.

I attempt to clarify the general matters or each item in summary as most of them point towards the same thing specifically the recommendations.

Some of the Members pointed whether possible there was an infrastructure for the Ministry to be able achieve its accomplishments for the sake of the Bill as intended. In response to this, the Ministry has similar view on this for the Bill to be reviewed fully to reflect good management of education standards within schools.

With regards to the raising issue by the lady Member on the update and outcome of literacy and numeracy in schools, the Ministry have observed and noted great improvement with the results of the students in this area. As known, this is one area that is well monitored around the country and positively, the quicker literacy and numeracy is for students, I trust this will enable them to progress well in the future.

Another raising matter is our pre-schools and the starting age for primary schools which is now 4 when it used to be 5. The objective here is to get children to school as soon as possible and as witnessed, majority of the children are now in pre-schools. Hence, a regulation is now stipulated on this area to guide the works of the Ministry into the future.

In implementing this system, children can now attend pre-school at 4 years old whilst the 5 year olds can enter the primary level. Henceforth, children must enter school as soon as they reach 4 years old according to the law. The importance of this law is to guide the curricular progress of the Ministry in the future and to monitor the attendance of children in pre-school levels. Notably, we have also received some of the comments regarding the teachers' pay for pre-schools.

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This is one area that the Ministry is looking into and possibly enough, a recommendation will be made for this matter based on extensive knowledge and skills that the teachers have in this level of education. The NUS currently has a program to pursue the degree level for Early Childhood Education or ECE for teachers teaching in pre-schools. There is also a council for ECE certificates at the current. On personal objective, certificate, diploma, degree and therefore, the teaching profession now has a complete set of achievements for this career to be carried out. Such is the State's dream for all this to be achieved very soon for our pre-schools.

Thank you for the recommendations given which will have our consideration. We should remember that this Bill will be reconsidered by our Committee which is another opportunity for Members and the public to show their opinions before this is reported back to the House.

There was a mention of corporal punishment adhered within the Bill however it is now being used, it is called reasonable force, yes it is....

MR SPEAKER: Pardon the Minister; I call on the Hon Prime Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi (Prime Minister): Mr Speaker, in the Samoan language, it is teaching and love.

Afioga Hon LOAU SOLA KENETI SIO: The main objective for technology that has our disagreement is to protect the teachers and those involved since this could mean more than one issue. The amendments implemented within the Bill are also directed towards our secondary schools or colleges and it does not include early childhood education and primary schools. This means that there are strict provisions imposed on these areas. However, the main intention for the Ministry and the Office of the Attorney General for this review is to ensure the protection upon those in this kind of situation. A simple example is school brawl at the market causing trouble to stall owners' goods by reasonable force or even fights on school grounds. When the teacher intervenes to break up the fight, he or she could be affected by torn shirt and so forth. As a result the severity of this force can only be determined before the Court. The Ministry is also preparing guidelines for teachers to follow especially for improving their future and to protect them from such consequences.

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I told our teachers not to do it, if you are unhappy, inform the other teachers as they could end up in serious trouble if they harm a child. Under the Police Act it is stated that assault is an assault whether you pinch a child or pull their shirt, charges will be pressed. As such, the teachers can be protected under this clarifying Bill.

Mr Speaker these are the only issues raised by...

MR SPEAKER: Pardon the Hon Minister, I call on the Member Faleata West.

Tofa Lealailepule Rimoni Aiafi (Faleata West): Mr Speaker, I want to thank the Hon Minister, the force mentioned is to protect the teachers as responded by the Minister, this is vital lest the Bill will contradict with the Police Act. Another matter voiced by the Hon Minister is the amendment of the term special needs using the literature and resources available mind you most of these terms we use comes from the Ministry of Education. The term disability describes the mental and physical inability of a person, we should note that in promoting Inclusive Education everyone is equal yet again you state that these people have mental and physical disability which is kind of degrading whereas special need sounds more like it and appropriate.

Another matter mentioned is the amendment of Village Schools to public schools Hon Minister; remember the partnership initiated by the Ministry to permit ownership of the rural villages over their schools. We are all aware that these schools are State-owned rather it is the village council's responsibility to own it, like Vaitele Primary School. Nevertheless, let us leave it as it is, with great respect.

MR SPEAKER: Very well, your opinion is now duly noted, I call on the Hon Minister.

Afioga Hon LOAU SOLA KENETI SIO: Thank you, my fellow Member is correct; according to...I seem to have forgotten disability. The term disability is one of the widely used terms by the United Nations Convention. Nonetheless it is also used by Government Ministries like the Ministry of Women, Community and Social Development who initiated the Disability regulation. The use of this term coincides with the use of other Government Ministries. I know the Member is right but as I said earlier there is still an opportunity for this issue to be evaluated by the Committee and if the term special needs still remains then we will be the only country using it. Nonetheless, we will look into it, although the term disability was recommended by the Ministry as it is commonly used around the world today.

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Excise Tax Rates Amendment Bill 2018
- second reading

Mr Speaker the change of Government schools to Education... can be done and should bear no big difference. Public schools is well specified as Government is bearing funds for majority of the activities, hence is the intention honorable Speaker. But thank you to all Members for the raising concerns to improving this Bill, thank you for the opportunity.

I see that the Member taking the floor did not have a chance to the proposed Bill, therefore Mr Speaker, bless our proceedings this morning.

MR SPEAKER: Thank you.

Motion approved and the Education Amendment Bill 2018 was read a second time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be referred to the Social Sector Committee for consideration and report back to the Assembly in the next sitting.

EXCISE TAX RATES AMENDMENT BILL 2018
- second reading

MR SPEAKER: Since I have in my hand the Certificate of Urgency, the House will now move on with the second reading of the Bill.

I humbly call upon the Hon Minister of Revenue.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT (Minister of Revenue): Thank you Mr Speaker, I take this opportunity to greet the Hon Prime Minister and Cabinet, Associate Ministers, the opposite side of the House and the Heads of Government Ministries and Corporations present this morning.

Mr Speaker I move a motion *that the Excise Tax Rates Amendment Bill 2018 be read a second time and I wish to clarify it.*

MR SPEAKER: Thank you.

Seconded by the Minister Women, Community and Social Development, Minister of Agriculture and Fisheries and the Minister of Works, Transport and Infrastructure.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Thank you Mr Speaker, this Bill imposes tax on the Tobacco Act passed in 2017 during the budget whereby 5% tax increase be applied every 3 years.

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Excise Tax Rates Amendment Bill 2018
- consideration in detail

Tax increase has already been imposed last year and in July of this year 2018, another 5% will be imposed including another 5% in 2019. The objective of this Bill is to implement the Act passed in the previous year. This Bill emphasizes the new tax rates starting this July and next year.

This is the clarification.

MR SPEAKER: Thank you. Perhaps the clarification is now understood in relation to the amendments of this Bill.

Motion approved and the Excise Tax Rates Amendment Bill 2018 was read a second time.

EXCISE TAX RATES AMENDMENT BILL 2018
– consideration in detail

MR SPEAKER: Pursuant to Standing Orders consideration in detail starts with Clause 2.

CLAUSE 2: Amendments to the Schedule.

Approved.

CLAUSE 3: Consequential Amendments.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and Commencement.

TITLE: Excise Tax Rates Amendment Bill 2018.

Approved.

The Excise Tax Rates Amendment Bill 2018 progressed without Amendments.

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EXCISE TAX RATES AMENDMENT BILL 2018
– third reading

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker, I move *that the Excise Tax Rates Amendment Bill 2018 be read a third time.*

Seconded by the Minister of Agriculture and Fisheries, Minister of Works, Transport and Infrastructure and the Minister of Women, Community and Social Development.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

INCOME TAX AMENDMENT BILL 2018
– second reading

MR SPEAKER: Since I have in my hand the Certificate of Urgency the Legislative Assembly will now progress with the second reading of the Bill.

I call on the Hon Minister of Revenue.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker I move the motion, *That the Income Tax Amendment Bill 2018 be read a second time and I wish to clarify it.*

Seconded by the Minister of Agriculture and Fisheries and the Minister of Women, Community and Social Development.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Thank you Mr Speaker for the opportunity, this Bill seeks to amend two sections.

The first amendment will allow sponsors to make 200% tax income donations to the 2019 South Pacific Games next year.

The objective of the Bill is to make it easier for the South Pacific Games Committee to receive donations in order for them to earn money and be able to carry out the job. Donations commence from \$5,000 upwards which is minimum amount. The benefit is specifically intended for businesses with the contribution they provide to the South Pacific Games Committee, the \$100,000 given is subtracted from their \$200,000 revenue hence no tax cuts.

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Income Tax Amendment Bill 2018
– second reading

The second amendment of this Bill is directed towards Church Ministers. The purpose of the Bill is to amend regular income from Church Ministers included in the tax. This also includes other people paying taxes. This means only regular monetary gifts collected on a weekly or fortnightly basis that is permitted. This excludes gifts received from other occasions such as funerals, weddings and title bestowals that does not happen every week. It is unusual to have funerals every week and neither is a wedding happening every year. Therefore, these are not every day gifts.

The Leader of the Government announced in his radio talks program on 2AP the decision made by the Cabinet however, the provisions implemented within the Bill according to those who drafted this legislation is quite broad. The tax collectors could otherwise include other activities that rarely happen in a week. This means that the tax collectors would have to be alert, persevering, eager and diligent otherwise, the Bill will result in the inclusion of other rare gifts.

As the clearly states, despite listening countlessly to the proposed plans of the State as reiterated by the Hon Prime Minister, before this bill was drafted, many have heard it too the many clarifications broadcasted on 2AP, this Bill has come into effect given the proposed amendments specified.

This is the clarification of the Amended Bill to avoid the inclusion of other rare benefits/gifts like the benefits awarded to employees in the public and private sector, and therefore only money collected on a weekly and fortnightly basis will be taxed and must be paid.

Mr Speaker this is the clarification, I only wish to emphasize that taxes only applies to wages earned on a weekly or fortnightly basis for Church Ministers. This is a brief summary of the Bill that has already been passed, thank you.

MR SPEAKER: Very well thank you. If the clarification made by the Minister is now understood we will move on to our question.

I call on the Member for Alataua West.

Afioga ALIIMALEMANU ALOFA TUUAU (Alataua West): Thank you for the opportunity. I humbly greet the Speaker of the House, the respectable Members of the House and Heads of Government Ministries and Corporations present here this morning. Since the Bill is aimed at Church Ministers, why not exempt monetary gifts earned from funerals since it affects all of us including the Le Ao o le Malo. Many will be affected but it looks like only the Church Ministers are not exempted from this given that in the end, some will question us Members and the Government Heads about this respect in terms of monetary gifts?

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Income Tax Amendment Bill 2018
– second reading

This is an opinion with respect because the Bill seems to signify only Church Ministers and not everyone in general. Thank you for the opportunity.

MR SPEAKER: Thank you. I call on the Member for Salega. Pardon me I call on the Hon Minister of Revenue.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker I thank the Member for the opinion voiced. The Bill includes any public servant receiving normal income earning and monetary gifts gained from other things. Thank you for the opportunity.

MR SPEAKER: Thank you. I call on the Hon Prime Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker this portrays the important clarification given by the Hon Minister. The matter regards normal earnings. We all know that taxes are also cut from our normal pay. The Hon Minister also stated that the Bill is quite broad. As he clarified earlier this is a reason why there are many talks on this Bill resulting in the incorporation of other things. Such is reason for this as no one is raising these things although our thoughts have just been driven to object the taxing of pastors by using accurate wordings to visibly define clear interpretations rather than including something that should not be here. Other forms of monetary gifts like the *usu* or traditional practice that receives further income for the Church Minister would result in further works amongst the tax collectors to handle. No one collects taxes from these traditional practices; it will only make matters complicated. Matters concerning our cultural practice are our usual way of life and should not be regulated under the Bill; it will only complicate things especially for the tax collectors, rather allow them to do the easier things and normal tasks.

MR SPEAKER: Thank you. Perhaps the clarification given is now understood.

I call on Members who wish to speak upon this Bill? I will give the opportunity to one of the lady Members, I call on the Member for Gagaifomauga No.3.

Afioga FAAULUSAU ROSA DUFFY-STOWERS (Gagaifomauga No.3): Thank you Mr Speaker for the opportunity. I humbly greet our Parliament this morning.

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Income Tax Amendment Bill 2018
– second reading

In accordance to the Bill before us, I wish to voice an opinion regarding the amendment No.1 and the 200%. This is a great initiative implemented to attract companies to donate funding assistance to our sports. I think this 200% is a bit too much why not align it with the term deposits in the banks like fix term deposits and find out the suitable percentage to be applied. If 20% or 120% allow them 120% and a return of 20% to us. My utmost concern is the various targets laid out in the Budget for the Ministry of Revenue lest it affects the budget towards the end due to this proposed amendment in the Bill.

I agree with the arrangement in the second Amendment for Church Ministers. A humble suggestion on the matter we can still note church Ministers why not set up something where they can do tax return. We can use the method practiced in the past to allow a certain amount of donations under exemption and from there; we can determine the increasing amount as the cost of living rises over time including individual donations to easily identify the specific amount of tax to be paid by Church Ministers.

This is an opinion on the matter with respect, thank you for the opportunity.

MR SPEAKER: Thank you. I call on the Member for Vaimauga East. Pardon the Member I call on the Hon Prime Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker I wish to assist on this complex matter. The Bill is to clarify the many statements that are regarded as confusing and misinterpreted when in reality; nothing like this should be done. The reason behind this Bill is to ensure those who are making false statements against this Bill when clearly and normally, this is all about monetary offering or *alofa* and rewards for regardless of the wording and interpretation, work is all that counts, because if the pastors do not perform their duties, they will not get any *alofa* or monetary gift. Therefore, any reward is regarded as revenue under the Bill. The assistance for the Ministry to review past processes on incurring taxes is vital. Normally in the past a form is filled in order to obtain the tax deductions for workers. If excess tax is deducted this excess is returned. The reason for this change was recommended by the Head of the Ministry for Revenue to be in line with international tax systems and to make processes easier and to avoid the delay of people not filling up their tax forms leading to confusions with their tax deductions and refunds.

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Income Tax Amendment Bill 2018
– second reading

Meetings were normally conducted for Chief Executive Officers of the Commonwealth on taxation to discuss appropriate ways to resolve this matter and to make processes easier. The current process is that income earnings are assessed and the equivalent amount of tax to a certain amount. Nonetheless the recommendation given is important, it will also give the Ministry the opportunity to review these methods once again and evaluate whether it is beneficial. Filling up forms was the normal process otherwise, a penalty is issued. If we have 24,000 public servants we should also have 24,000... and in addition to that we have 500 Church Ministers which is close to 30,000 forms that needs filling up. This is a very time consuming process especially when you are asked to pay up your dividend.

This is the reason why it stipulates that all tax collectors, the only concern we want to know is a person's earning daily and how much is taxed based on this amount. This does not include those working in Government Ministries as their taxes are assessed by the payroll officer.

This will be the only impact of such arrangement but the recommendation given will be heeded. The Ministry will look into it again and evaluate whether it would be possible to use old methods that is also agreed to by some church Ministers. They would prefer the old process based on the belief that they might get overtaxed. These issues can be taken easily.

MR SPEAKER: Thank you. I call on the Member for Vaimauga East.

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA (Vaimauga East): Thank you Mr Speaker for the opportunity. Before I voice an opinion on the matter this constituency humbly greets the Hon Prime Minister and Cabinet and the Members of the House. I also greet the Speaker of the House in administering our proceedings over the past week. I further give praises to God for His protection upon us to carry out the work for the betterment of our country.

I want to thank the Hon Minister and Associate Minister for implementing this important Bill.

This Ministry perchance collects 90% of revenue in the country. I am grateful to the head of the Ministry and staff for their current role, but a concern on the Bill in relation to the 200% stated by one of the Members. I believe it is too much, how about 150% I am worried as there are companies that owes the Ministries and one of the difficulties for them is that they will have to find \$10,000 to pay up this \$10,000 debt in full.

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– second reading

That is the situation now. 200% is way too much why not decrease it to 150% because money that will be made through donations will be given to the South Pacific Games which is credit to the Ministry, hence the 50% is a bonus. This is my opinion as a Member.

I also support tax deduction that is practiced in hotels which is very good considering deduction of donations from revenue and expenditure.

I only pray as the Hon Minister mentioned \$5,000 earlier on, there should be a way to attract companies and businesses for sponsors and in return the Ministry can offer a reward for their donation. I humbly request that all public servants including us Members and everyone who gets revenue earning given this 200% to attract investors and if we were to apply it to our people, \$5,000 is a lot. For example, when a Member donates \$200 to the South Pacific Games from fortnightly deductions, then that is fine. It seems that we are trying to attract businesses yet again it would be beneficial for them as we are also dependent on these businesses in accordance to the Budget Statement there is an appropriation of 90%. However, this will mean that the target will not be achieved. Why not get everyone else involved and whoever submits a donation of \$100, the Ministry will make deductions from tax. It seems the Bill is reliant on businesses only and not considering us. If you donate \$100 then the tax cut will be \$200 when you get your pay. I just want to recommend that we are running out of time but this 200% is too high and should be reduced to 150%. I relay also to the public that whatever funding you can donate like in the walkathon, whatever you can give, the Ministry will make rewards.

Secondly is the taxing of Church Ministers. I want to thank the Hon Minister, Associate Minister and the Ministry for reconsidering the additional monetary gifts and donations upon the Church Ministers. This was based on the fact that inadequate clarification and review were submitted in Parliament. As well noted, the Bill focused mainly on the income received by the Church Ministers on a fortnightly basis. Given the approved Regulation, it comes with the addition of all income amounts received by pastors. However, I am thankful to the Lord for the correct reconsideration upon this mistake. If this matter was implemented in the beginning, there would not have been much criticism from the country. I am grateful that we have cleared this matter and now other monetary donations have been excluded so that the focus is directed towards paying taxes. In conclusion I support the new Amendment implemented especially on the taxing of our church Ministers, there will be no more tax credit but tax from total earnings. I support this Bill with respect thank you.

MR SPEAKER: I call on the Member for Salega East.

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Income Tax Amendment Bill 2018
– second reading

Tofa OLO FITI AFOA VAAI (Salega East): Thank you Mr Speaker, this constituency will be brief on the tabling Amendments to the legislation.

Mr Speaker, respectfully I move on to voice a few submissions on this Bill. If the House may recall during the discussion of the Principal Act where these Amendments were taken, there were two requests we put forward. Our first request was to impose taxes on churches leaving aside the Church Ministers. Instead, taxes have now been imposed on the Church Ministers.

Secondly we pleaded to exclude the taxing of monetary donations. Fortunately, thank you to your Ministry and the Government for accepting that request.

Mr Speaker the second Amendment was that the 200% credit tax by the member for Vaimauga East was too high, instead he suggested 150% whilst the constituency recommended 120%.

The reason we have a limited time frame to enact this Bill is for the South Pacific Games next year. Time is limited but the tax credit is 200%. Therefore, if big companies like Bluesky and Digicel were to make millions in donation, a claim they seek in return would come to 2 million from this 200% credit tax. We only have limited time available to achieve all this.

Another query is reason for seeking funds when the event is two more years away? I am anxious as time is critical at this stage for preparations to get through.

In conclusion, I wish to quote a verse from the Bible to motivate the Minister and their Ministry in regards to the teachings by Jesus in Romans 13 verse 7. I will read it from the English translation which is clear enough. *“When the tax collectors went to collect taxes from the people Jesus was listening in and the people did not want to pay tax. The response Jesus gave was, “Render therefore to all their due; taxes to whom taxes are due, customs to whom customs, fear to whom fear, honor to whom honor”*. If it is revenue then revenue based on the wheat farmers companies. If it is respect then pay respect, the meaning behind Jesus’ teaching is, honor the Church. Following Jesus’ statement, if honor then honor, this is referred to the leaders of the country.

Jesus categorized people under four different kinds and in respect to their identities. Not all people are taxed. Honor and respect does not apply to everyone. Those are the teachings from Jesus. This is also the reason why Paul replied in Acts 5 verse 29, when the Executive of the Ministry of Revenue, Member for Vaimauga West No.1 and the Minister of Revenue went and recollected taxes. This was Paul’s response, “We ought to obey God rather than men.” The ‘men’ stated here signifies authority or Government.

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That is the explanation from this Ministry. Well done on your efforts. It is good to cough once but when you cough three times then you will have to plead God instead of going to the hospital. With respect thank you.

MR SPEAKER: I call on the Minister for Revenue.

Afioga TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker perhaps some Members who did not speak on this proposed amendment should take a break.

I want to thank the recent Member for quoting a message from the Bible. When I first thought of implementing the Bill my objective was for everyone to take part in the development of the country, I never used the Bible.

The 200% stated in case someone raises this again was also used in 2007 during the South Pacific Games, to attract companies to effectively gain the... because if this amount was not obtained in full from these companies, who will the South Pacific Games rely on? It will rely on the Government to fund it. Collectively, this is the chance for these companies to provide assistance and make donations so that the Government will be able to host the Games. Otherwise, they will fall back on the Government for funding support through this Ministry. This will make work easier for the Organizing Committees. As known, a budget allocation of \$11 million is allotted to commence sports development for the South Pacific Games. This is reason for this 200% credit tax in order to attract business and commercial funds. This is why the tax collectors are very cautious considering the assistance upon our Ministry who will otherwise end up seeking funds itself for the South Pacific Games. We do not have much time fortunately we still have a year to collect funds for the Sports Committee as the allotted amount for the SPG in the budget is \$40 million. We only have \$11million thus we hope the companies will be able to assist the Committee in securing more donations. Thank you.

MR SPEAKER: Thank you, perhaps the matter... I call on the Member for Urban West.

Afioga FAUMUINA ASI PAULI WAYNE FONG (Urban West): Thank you Mr Speaker, first I humbly greet the Chair this morning especially the Hon Prime Minister and Cabinet. My submissions will be brief. Specifically, I acknowledge the Hon Minister for Revenue for the 200% credit tax imposed on companies in assistance to the South Pacific Games.

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Sometimes, the State seeks public assistance and support in response to its developmental growth never mind, at least this is well taken. This is also the purpose for this Regulation, to clear out the debts of these companies to the Government.

In thought it would be supportive to have a similar Regulation for the Manu Samoa who is always seeking donations from the public. The same should also apply to all public servants.

Moving on to monetary donations for church ministers, thankfully further clarification has been given to this matter. I take it that this element was not covered during the first consultation yet it is now aware and agreeable that something small is now in exchange for something greater.

The important aspect to consider is that we are thankful to the Minister. I thank you for the respect shown towards our Church elders.

This is an opinion on the Bill Mr Speaker I know that this 200% will be useful between both parties. With utmost respect thank you.

MR SPEAKER: I call on the Member for Falealili East.

Afioga FUIMAONO TEO SAMUELU TEO (Falealili East): Thank you Mr Speaker for the opportunity I will not take much of your time as majority of the concerns have already been raised by the other members and the first thing I wish to address is tax return so that we can operate the tax as per usual procedure. As mentioned by Members including the member of Faleata, it would be good to have this Bill to assist our rugby team since you now know and seen that the Manu Samoa Union are also seeking funds to fund other things.

First of all I want to thank the Hon Minister and the Ministry for the Bill. I recall the 2007 Games whereby similar Bill was implemented, the truth is although the target was not reached due to few companies that made donations meaning that there needs to be improvement for this Bill. Because in truth, funding is insufficient for the South Pacific Games and neither is half of it which means this is the only way to gain additional assistance for the Games. It is true that time is limited but for your information, it was not that long since we hosted the SPG and conducted awareness to gain benefit from these sports since we were not supposed to host anyway, nonetheless, it's been passed down to us from Tonga and so this is a good chance to utilize our sports facilities. This will benefit us by means of revenue earning from both the athletes and visitors during the games.

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In support of this Bill personally I think 200% is not enough rather 250% credit tax should be imposed upon the companies. If a Member is worried about company debts well this is a good time to pay up, it is good to make some form of payment to the Ministry instead of the Ministry singing the song of trying to catch up with them and their payments. This is the fastest way of generating income for companies who are seeking funds to assist our Pacific Games. I hope we will have extra funds because I believe there will be several preparations on the way given the insufficient budget allocated in our Main Budget for the preparation of these games.

Secondly, thank you Hon Minister for your consideration in support of this. We had a funeral at Salani district in the weekend and words from Rev Kolio and other respective councils affirmed that your Ministry has not yet turned up to give them consultations on this matter. Could you please send your staff to give a well versed clarification of this issue to our Church Ministers in Salani. Lest you forget our support of these things to our pastors.

This is the submission on the Bill but if this was covered in our briefing, we would not have plentiful discussion on this matter. I see that this Bill is brought before us in a state of urgency and seems to bring us concern rather if this was submitted during our briefing, the Members would not have any further questions. Bless our Sitting, thank you.

MR SPEAKER: Very well. I will give the opportunity back to the Hon Minister to clarify any queries that have not yet been discussed; rather the clarification is well given.

Pardon the Member...

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker I take the floor to correct the many false statements made in the House. Most of the businesses achieving this should also make a contribution. Why? Most of the incoming visitors should make a contribution as they too will share the benefits. We have just passed our Budget and most of the funds are allocated towards our Games. We do not have to put on any further preparations for the Games as that is the main reason why Tonga pulled out. We already have the facilities that were used for the Commonwealth Games and our bid was not put forward unwisely. What you say about lacking of funds is wrong, we have enough. Rather they must make a contribution as they are the ones who are benefiting from this. It does not mean that visitors will only come and sit, they will stay in hotels and bear benefit to their businesses and buy their products.

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– second reading

The only area we are looking into for renovation and improvement is the facilities. China is also offering assistance on this event. As for the kind of thoughts shown on the lack of preparations, well we are well prepared.

Mr Speaker these were the submitted views of the Member for Salega thankfully this is now clear, it has long been set out. Monetary gifts were also not taken. When did the Ministry for Revenue collect taxes from chiefs during council meetings? None of that happened. Why would we do such thing to the Church Ministers? These are the words from those who oppose the Bill when no such thing should occur. The only matter the Hon Minister spoke about was further clarification on the objectives of the Bill, because the existing wordings are too general as it can go to the extent and thus can affect the talks that we are having now. So up until now, none of the traditional gifts are being affected by the Bill. This is the exact reason why I have countlessly talked about what the State should implement so that these things are achieved. The Hon Minister's clarification is well given. As for the statement made by the Member for Salega, thank you for doing what I asked for. I mean, do not deceive the country...

Tofa Olo Fiti Afoa Vaai: Mr Speaker a point of clarification.

MR SPEAKER: Pardon the Member for Salega.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Wait until I conclude my clarification, even your statement made on the Book of Roman was wrong, you are making too many mistakes, talk of something that you understand about.

Mr Speaker, I was just about to reach another occasion when suddenly, I had to instantly reverse back to Parliament to remove these false statements from our Parliamentary records.

Mr Speaker do not. You can trick one or two people but not the entire country. Mr Speaker, that is the reason for taking the floor, with respect.

As for [Government's clarification on the Ministry's consultations](#), that has long been carried out however the Church Ministers and Church members do not turn up to listen. If they were present during consultations, the Bill would have been well understood. The Ministry has been putting up notices for consultations but no one turned up.

Mr Speaker this is the concern with some of the comments made specifically for our official Parliament records. This is very important, do not make statements that are baseless.

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– second reading

MR SPEAKER: Thank you. I apologize to the Member...

Tofa Olo Fiti Afoa Vaai: Mr Speaker since this Member has been mentioned.

MR SPEAKER: Pardon the Member for Salega East, allow me to assist, I must clarify this matter as scheduled in our Sitting agenda, I too am keeping a note of them and so as the Clerk of the Legislative Assembly who is taking note of our debate, for the simplicity of our work. And it is not light to the Leader of the Government the clarifications of this matter. Note the amendment of this legislation, the Hon Minister's statement is well given in regards to the taxing of Church Ministers which is normal revenue earned. The intention behind this amendment is the impact upon tax collectors to collect monetary gifts from pastors for a funeral on a quarterly basis or a traditional event like *saofai* happening once a year in a future time. This is not normal earning. All of us are aware of the first legislation and its purpose and the amendment of the current Bill at hand. I have been trying to pinpoint your concerns in relation to this Bill lest you think I am not neutral in clarifying this legislation. Rather, the Speaker has one task only and that is clarifying our orders as the usual practice in the past.

In saying this, I ask the Members not to twist our work.

Another aspect stated by the Hon Prime Minister is public notices being put up for consultations for this Bill for Upolu and Savaii and no one was interested. Majority of the church Ministers did not show up and therefore no support, where were you? We do not have to go and give the message to each household, no we are a country that work together. This is why I want to say to the Member if your constituency wants clarification, then that is your duty as a Member; relay the message to your constituency. As I said, we were elected to voice their concerns and to relay them the message from our sitting for their clarification. Therefore, there will be no deliberation on this matter. Pardon the Member for Salega East...

Tofa Olo Fiti Afoa Vaai: Mr Speaker I appease as I did not say anything about the lack of understanding of Pastors. I greatly support the Bill and no intention of tricking the Bill. I have two papers before the Hon Prime Minister, give him the Bible and the Hansard on talks about the Principal Act, my request to the Hon Minister is well given without anything about monetary gifts.

MR SPEAKER: Pardon the Member your request has been granted.

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**Income Tax Amendment Bill 2018
– consideration in detail**

Tofa Olo Fiti Afoa Vaai: This is true Hon Mr Speaker.

MR SPEAKER: Note, the clarifications of prideful and figure of speech statements makes it sound that you are correct whilst the State is wrong meaning that if it were not for what you said, the Government would not have reached this decision.

This is why I want to appease the Member of such statement, we have the observers and the speakers. I beg indulgence to this Parliament, we cannot satisfy your views, we must stand by what the Government has given and this matter is now final. I beg the pardon of all Members.

I call on the Hon Minister to speak upon any other matter that has yet to be clarified hence the Hon Prime Minister has already made his remarks. I give further chance to the Hon Minister for Revenue.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Thank you Mr Speaker, I believe the Government's clarification have already been voiced by the Hon Prime Minister and the Speaker, thank you.

Motion approved and the Income Tax Amendment Bill 2018 was read a second time.

**INCOME TAX AMENDMENT BILL 2018
– consideration in detail**

MR SPEAKER: Pursuant to Standing Orders, the consideration in detail starts with Clause 2.

CLAUSE 2: Section 27 amended.

Approved.

CLAUSE 3: Section 61 amended.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Income Tax Amendment Bill 2018.

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Income Tax Amendment Bill 2018
– third reading

Approved.

The Income Tax Amendment Bill 2018 progressed without Amendments.

INCOME TAX AMENDMENT BILL 2018
– third reading

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker I move a motion that *the Income Tax Amendment Bill 2018 be read a third time.*

Seconded by the Minister of Agriculture and Fisheries, Minister of Works, Transport and Infrastructure and the Minister of Women, Community and Social Development.

Motion approved and the Bill was read a third time and had passed the Legislative Assembly.

MR SPEAKER: Thank you for the hard work, no task can be accomplished without going through difficulties first, nevertheless, we have reached the end of our work, as such, I wish to extend great appreciation to everyone here. It is the objective of this Parliament to give opportunities for the development of the country through the requests of each constituency in order to implement their roads and so forth using the approved Budget for this year.

We have come to the conclusion of our work for the day; there will come a time when a Minister will move a motion to adjourn our orders. I want to take this opportunity to thank Members for your time and patience in our work. I further wish to thank our Heavenly Father for bearing the spirit of forgiveness upon us. Such is the normal saying that goes, ‘*a sala tai, ia tonu uta*’ if one side commits a mistake, the other should forgive. This is the most important aspect. A member may trust its own instincts except when relying upon the Holy Spirit to gain insight of what we lack for our sake. I also ask for your forgiveness, the main objective is to achieve our work for the Cabinet to proceed with their works together with their respective Ministries all for the benefit of country. That is the explanation.

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Motion for Adjournment

I appease Samoa for your support. If we have said anything offensive, Samoa, I beg for your forgiveness, this Parliament is yours, and we prosper because of your support.

I call on the Hon Minister of Public Enterprises for the motion.

MOTION FOR ADJOURNMENT

Afioga Hon LAUTAFI FIO SELAFI PURCELL (Minister of Public Enterprises): Thank you Mr Speaker. Since the Hon Prime Minister is absent due to attending other Government matters, on behalf of this Parliament I wish to extend our sincere thanks to you honorable Speaker and the notable Legislative Assembly for managing our Sittings in the past weeks. Our Budget Sitting is now well achieved. For this final Sitting, I appreciate all Members for your good thoughts that were raised in relation to the Bill considered this morning.

I stand before you today Hon Mr Speaker to move a motion *that Proceedings of the Legislative Assembly adjourned until the 2nd of October 2018 pursuant to our approved Parliament Sitting Schedule.*

Seconded by the Minister of Health and the Minister of Tourism.

Motion approved.

MR SPEAKER: I will conclude our Sitting with a prayer.

Proceedings of the Legislative Assembly adjourned at 10:34am until the 2nd October 2018 at 9.00am.

