

*MONDAY, 26 MARCH 2018*

*Mr Speaker took the Chair at 9:00am.*

Prayer.

### OPENING REMARKS BY THE SPEAKER

**MR SPEAKER:** I announce that Proceedings of the Legislative Assembly resumed. I humbly greet the Members of Parliament, the Hon Prime Minister and Deputy Prime Minister, Cabinet, Associate Ministers and Chairpersons of Parliamentary Committees this morning. I also greet the Clerk of the Office of the Legislative Assembly.

Next in our agenda is the Ministerial speech by the Leader of Government, I call upon the Hon Prime Minister for your Statement.

### MINISTERIAL STATEMENT BY THE HON PRIME MINISTER

**Susuga Hon TUILAEPA AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI (Prime Minister):** Mr Speaker and distinguished members of the House as well as Samoa listening in today in all your traditional setups *Aiga ma o latou Tama, o Tama ma Aiga le Usoga a Tumua ma Puleono i Salafai*. I take the opportunity to acknowledge the O Le Ao o Le Malo and the Member of the Council of Deputies. We have reconvened this Sitting day by the Grace and Guidance of our Father above. This responsibility is our calling which should be not be taken lightly for the sake of the country. It has taken a week since we had our deliberations as such is the normal practice of the House and words cannot be minced when discussions are in depth when *it comes to matters concerning the country. Therefore, before we discuss* the tabling Bills, I wish to make a brief statement in regards to these Bills.

There are two Bills, the Electoral Commission Bill and Electoral Constituencies Bill 2018. It is an important Bill not only does it deal with electoral matters such as petitions made after elections, but it also considers fundamental rights of Government decisions, to have a uniform standard of fairness and equal representation for all constituencies of Samoa.

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### Ministerial Statement by the Hon Prime Minister

It is alleged that this Government has not been just with its decisions. Nevertheless, the opinions conveyed by members in the House are quite clear. Let us set guidelines to prevent charges made which is shameful not only for those charged but also for those who are chosen thus impacting the entire constituency. If we want to implement the matters addressed within the House, the Cabinet and the majority of the Party in the House should look at a bigger picture; let us look into the future. This is better than only focusing on the narrowness and what will benefit only one person causing one to become blur from envisioning ahead and finding remedy to fix the problem. Let us not be afraid to exercise it. As it is stated in the Bible "*If anyone, then, knows the good they ought to do and doesn't do it, it is sin for them*".

Such is the concern honorable members of the House; the issue noted with the requests made by the members in the House is that majority are asking for more seats since there is an increase in population within their constituencies. Ever since I came into Parliament such requests are always being voiced in the House. It is a matter that will always be mentioned especially for larger constituencies with high population and the growing movement of people to areas like Vaimauga and Faleata due to employment. This is also happening in Salelologa as the central point of entry and exit for Salafai. In addition to this there have been disputes over voters moving around and voting for different constituencies, this is based on candidates' crooked ways. This is one matter that is still being addressed within Amendments to eliminate this problem because there are constituencies that have become less populated and others overpopulated due to the change in voters' place of residence to vote. Also there is the matter of a candidate getting the support of the *Alii and Faipule* in a constituency which is the nature of life that is based on weak motives.

Mr Speaker, these were simple methods used by Parliament in the past to resolve serious issues like this, the increasing population within a constituency, add another member like the change that was implemented in 1991. There were two new members one for Safata and one for Salega. This resulted in the rising number of members in the House from 47 to 49. Another change was made later for women representation in Parliament and the current total number of members at 50. The truth is changes made for additional members are only temporary. I compare this to a road being patched up, once it rains the patches will be seen again. Why? We avoid doing what is right, what should be done properly. The road should be dug up altogether and reconstructed to avoid further problems.

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### Ministerial Statement by the Hon Prime Minister

This is the main purpose for these two Bills that will be reviewed and assessed by the House this morning by implementing a permanent policy that is complete. This way, future amendments can be amended easily in the future which can be done every five or ten years unlike the usual process that we went through since Independence. A Committee has now been selected to overlook Electoral boundary matters and a system that can be implemented continuously.

The provisions set from the beginning as envisioned by our forefathers in the Constitution was drafted based on the start of a new Government as for problems that will be encountered later on by future generations, they should be able to assess and to make suitable changes in accordance to their time.

Mr Speaker the main objective for any electoral system is doing justice based on the votes of candidates into Parliament for each electoral constituency according to the two fundamental Bills that should be met. The first Act is one man, one vote and this one system is used by all the Countries of the World in regards to democratic principles.

Secondly, the population/census and electoral rolls for constituencies in order to find some sort of comparison and consistency for members in the Parliament House, there has been some mixed up resolution since our Independence, having two members for larger constituencies that was implemented in the previous Parliamentary term with the division of Safata and other constituencies. There were two members and two votes but now it has been amended back to one man or one woman, one vote.

Mr Speaker, this Bill will implement equality for electoral constituencies in providing equal opportunities and say in Parliament's decisionmaking. We can never control the increasing number of voters within the constituencies and voting rolls and thus the intention for equal representation of members in Parliament to be in line with the population of electoral constituencies as this is rightfully where the power lies in the decisionmaking of the Government. Who should we carry and who should be walking? This is the heart of any democratic electoral system.

Mr Speaker and respectable members, a solution to equality by America, the most powerful country in the world is having two Legislative Houses comprising of the House of Senate and the House of Representatives. For the 50 states of the big State of America, there are two members per state making up 100 members/senators, regardless of how many millions in a state, only two senators from each state are represented in comparison to millions and millions of people and even in smaller states comprising of hundreds and thousands in number, the total number of senators has remained for over 200 years since the establishment of the American Government.

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To make up the balance, the House of Representatives was set up based on the majority, for instance, one member represents two thousand people per state. When the Bills are being considered by the American Government, a nation that is most powerful today, the House of Representatives can easily approve these legislations made up of the majority from larger states but when it comes to the House of Senate, senators for smaller states can abolish the Bills when a consensus is not reached by the majority. This is how they make up the balance between the bigger states and smaller states.

There was thought by the Human Rights Protection Party to have two Houses of Parliament for Samoa, the Upper House for the elite and a Lower House for the lower or the uneducated. Then this question was given to the people in the 1990 Referendum or the Plebiscite that was carried out, two questions were given;

- (i) Do you accept those 21 years and over including untitled men, pastors and their wives which is called in English Universal Suffrage?
- (ii) Or do you accept that the Samoan Parliament House should have two Houses?

The plebiscite rejected the idea of having two Houses of Parliament Houses which is reason for this one House we have. Only the 21 years and over had the majority of vote for Samoa. Such is the process from then on until today. Therefore, the House of Parliament for Samoa will have one until the end which will help us save money from going to a waste.

The objective of this Bill is to outline a solid foundation for electoral constituencies' situated in boundary lines which may change in the future. This is the reason for the change from the old one, "territorial constituencies" to "electoral constituencies" which will involve the customs under the address of electoral constituencies. Therefore, only the electoral constituencies through their electoral members will deliver a submission to the Parliament. So only electoral matters that is significant to the elected representative and not those involving cultural values.

An example, if the number does not make up the balance for a constituency, then a subvillage can be allowed to make their vote within an electoral constituency situated on boundary lines if such a method is highly required to provide consistency for elections alone and if a high chief of Lepa dies, it is our tradition that high chiefs and young men attend to pay their respects as it is part of our customs.

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### Ministerial Statement by the Hon Prime Minister

In regards to the total number of members within Parliament, currently we have 50 members at a total population of 190,000 and in comparison to New Zealand; the population is about 5 million with only 120 members in Parliament. Hence in terms of rating, that is 1 member to 42,000 people.

Henceforth, in comparison to New Zealand, we only have a population of 190,000 and therefore we should have only four and a half members in Parliament to save up more funds. This means there should only be four members and a fagot in New Zealand. However, right now we have 50 members in the Parliament of Samoa with a small population of 190,000. We have far too many members in Parliament. I mentioned one fagot. As one of them said; the reason why we were created like this is because the power went off too soon and Lucifer intervened and turned off the key. Then God said, that is enough creation for you to mock around in this world and become silly people. Nevertheless, some of us here are still praying for more constituencies and extra members.

Mr Speaker this is the overall summary of the tabling Bills in the House in attempt by the Minister and Ministry to offset the population numbers. This does not mean it should be 100%, at the start of anything new it is not 100%. These are only initial changes. As for the foreseeable future I strongly trust that the aim for these Amendments will no doubt become useful in the long term run for the Human Rights Protection Party Government.

The tabling Amendments were not considered in one sitting day by the Cabinet. There were several meetings due to the seriousness of this matter and these meetings did not easily come through with the concensus of the majority. All Ministers of Cabinet are affected nevertheless it is a significant matter. We are in a very critical time period right now and never know whether we will get another chance like this to make these changes for the Constitution in the future. We are being observed by other countries in the Pacific like New Zealand and Australia who are watching whether we are able to make major changes due to our unanimous consent. Whereas majority of Governments in the Pacific, they cannot make these changes due to various and different opinions; therefore they can not amend their own Constitutions to reflect appropriate changes that should be made according to their time.

We never know maybe in future parliamentary terms, the quorum will not be met for the Government to make necessary Amendments for the Constitution. We now have the opportunity. Therefore, let us make good use of this opportunity. We cannot wait another time to make necessary changes that ought to be done. As servants of this country, God has granted us this chance to make these significant changes that ought to be done during our Parliamentary term.

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Mr Speaker the proposed changes will ensure the balance in numbers, it may not be hundred percent accurate rather we aim to use far-sighted wisdom and wise decisions. For example, if this balance were directly made with regards to the recommendation, Savaii will only have 11 electoral constituencies as majority of Samoa's population resides in Upolu. This recommendation was not easily recognized by the Cabinet. Such is reason for the rearrangement of electoral constituencies of Savaii to twenty by reducing one constituency since the start. However, other changes for Salamumu and Leauvaa will be made officialy known based on its geographical surroundings today. It will be part of the electoral constituencies for Upolu. The inclusion of these villages as part of Saleaula and Leauvaa was mainly because they came from Savaii, directly speaking when they sought refuge from the volcanic eruption. What else is there when majority are now married to girls in Upolu, they are no longer different from the rest. These stories will always surface when we have the 100 years' commemoration of the volcanic eruption. In truth, these rocky areas are now becoming permanents parts of Upolu that you must prioritize and beautify continuously. Similar to the residents of Saleaula and Lealatele, they must prioritize the main parts for Savaii. This is no matter to argue about.

*Faleapuna o le Tooolofua o Vaatau o le Tupu o Fonoti, Falefa o le Aai o le Tupu o Fonoti, o Fagaloa o le Vaa o le Tupu o Fonoti.* Perhaps it would be more suitable to separate these three salutations as it used to in tradition. Such measures taken by the Hon Minister and the Ministry together with Cabinet was quite complex especially if we consider our customs and traditions.

I did mention the change of territorial constituencies to electoral constituencies. Importantly, this change will encourage our children to register under their own electoral constituencies and vote. The encouragement of our children to register and vote will reflect the rightful people and number of population for each constituency and village leaders to take heed of their responsibilities as high chiefs of the village and make good use of their individual rights in delivering the voice of the village to the decision making process of Samoa. In truth, some are not taking their votes seriously as they are only considering the benefits for themselves rather than striving for success.

Mr Speaker the changing of the Principal Act 1963 to the current year 2018 must greatfully verify to us the criticality of this 1963 Act; it is like the mending of a torn material, why? It must now be called the 2018 Act to reflect the various provisions that have been removed far too long since 1963.

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The name should therefore be amended taking new significant changes as recommended in accordance with the time and lifestyle today and in recognition of the current Parliamentary made up of you female and male chiefs of the House. Why mention 1963 when major changes have been made during your time, changes that you have persevered to review and assess for success. As a small example, this is the first time this Parliament has become Samoan oriented by members being matai title holders as there is no longer untitled men since our Independence that have caused confusions during the past decisionmaking of the country. You are the chosen representatives of Samoa that represents the significant addresses of the constituencies and proudly enough, this Parliament has regulated the Electoral Amendments to earning no top points any further. Hence you deserve these respects. You must make contribution and not be fearful of making major changes that are significant and beneficial for generations to come.

Mr Speaker and distinguished members of the House, we are able to make these significant changes for the existing 5 year period. It would never have been possible if Parliamentary terms were still three years. This is the nature of shorter terms as it was in the past until 1991 when the Human Rights Protection Party HRPP made a decision that major developments cannot be achieved in a short time period when Government was first established. Such was the result to the changing term to five years when General Elections and five year terms per Parliamentary had all began. The perception of short term span was not to carry out major developments that will be succeeded after 6, 7, 8 or 9 years, only smaller projects are needed to attract voters. This is the reason why HRPP supports major projects because this House has the tenacity to implement together with the assistance of our Lord Almighty in guiding us through the right path. This is the belief of Samoa as a Christian nation founded on the scriptures of the Bible.

Mr Speaker and members of the House, Parliamentary procedures and practices are now set out in this legislation. After your thoughts and comments are made known, the Bill will then be referred to the Committee for extra chance for members to have their say to improve these amendments where necessary. Therefore, more opportunity will be granted by the Committee to call upon the members and the public to make further improvement for these proposed Amendments in assistance to the Minister and his Ministry.

May the Lord bless the consideration of this Electoral Commission Bill and the Electoral Constituencies Amendment Bill and may His blessings be upon this House, thank you.

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**Electoral Constituencies Bill 2018**  
– second reading

**MR SPEAKER:** Thank you. I believe Parliament has heard the clarification given by the Hon Prime Minister and Samoa listening in to the reasons and intentions of the State in regards to the proposed Bill.

We will now proceed with the orders of the day commencing with the second reading of the Bill.

**ELECTORAL CONSTITUENCIES BILL 2018**  
– second reading

**Afioga Hon FAAOLESA KATOPAU T. AINUU (Minister of Justice Courts Administration and Electoral Commission):** Mr Speaker I move a motion, *That the Electoral Constituencies Bill 2018 be read a second time and I wish to speak upon it.*

*Seconded by the Minister of Education, Sports and Culture, Minister of Finance and the Minister for Communications Information Technology.*

**MR SPEAKER:** This will be an opportunity for further additions to this Bill.

I call upon the Hon Minister to speak on the Bill.

**Afioga Hon FAAOLESA KATOPAU T. AINUU:** Mr Speaker and respectable Members of the House. I believe everyone has heard the clarification given by the Hon Prime Minister through his Ministerial Statement. Such is the summary of the two Bills tabled in the House. Therefore, my statement will not take long, perhaps just five minutes.

Mr Speaker and respectable Members of the House, the Bill seeks to repeal the Constituencies Act 1963, an old Bill that has not been amended. This Bill is the conclusion of the work carried out by an Executive Committee appointed by Cabinet to investigate and consider the division of electoral constituencies together with the work undertaken by the Electoral Commission of Enquiry 2016. This report was submitted with recommendations to amend provisions stated in the Constituencies Act 1963.

For your information, the Report by the Commission for Division of Electoral District Boundaries in New Zealand had a review and submitted their view to us that in comparison, the population and the number of seats in their Parliament should be 3,800 people per district.



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This method is consistent with the modern democratic system of equally dividing the number of each district in accordance to the country's population. This method achieves one of the objectives for democracy which is equal and fair representation of the population within Parliament's decision-making. Therefore, the current practices will remain inappropriate and inconsistent.

For example, the population for one of the Members for Faleata West is 18,000 and the Member for Gagaemauga No.2 has a population of only 864. For Vaimauga West the population is 24,000 whilst Falealupo has 1,000. If the recommendation by the Commission for Division of Electoral District Boundaries in New Zealand, hence, the Members from Savaii will drop to eleven. The recorded census from the Statistics Office states that 75% of the population resides within Upolu. Nonetheless, the Office recommended that this recommendation be set aside and focus on the correction of division for electoral constituency boundaries and remove what we call the Urban Seats.

Six other recommendations were evaluated by Cabinet and thereby the tabling of this Bill. Since the establishment of electoral constituencies divisions, it appears that the divisions for some constituencies are being unfair. A simple example is a constituency made up of one half here in Upolu and the other in Savaii. This confirmation indicates that it is a must to review this arrangement and layout for electoral constituencies to reflect equal rights in voicing the requests of people in the Parliament of Samoa.

Another important factor is a review of the reorganization and consolidation of electoral districts due to the movement of people. According to the Statistics Office Report, there is an increase movement of people from Savaii and the rural areas to the urban area to seek employment and education. This has given rise to the number of residents in the urban area and therefore the need to sort out these electoral constituencies to ensure equal opportunity and rights to express their demands to Parliament especially equal opportunity in gaining the benefit within each constituency. The Electoral Constituencies Bill clearly outlines the list of electoral constituencies based on the population numbers. So, four of these fundamental changes and summary for this Bill;

First, the number of constituencies is now amended from 49 to 51. As stated within the Bill pursuant to Article 44 of the Constitution there will be 51 constituencies that will have the allocation of votes for each Parliamentary member.

Secondly, villages under one electoral constituency have been set apart because of the location.

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 – second reading

Thirdly, Schedule has been rewritten to clearly specify a list of villages and sub villages under Electoral Constituencies.

Fourthly, there will be no more Urban seats, removal of Urban Constituencies to become an Electoral Constituency according to the Schedule.

Further considerations to these changes proposed under this Bill are, one, add another seat for Vaimauga West, two seats for Faleata West and one for Sagaga.

Two, remove Leauvaa from Gagaemauga No.1 and be placed under the Electoral Constituency Sagaga No.3.

Three, transfer of Satuimalufilufi under the Electoral Constituency of Aiga I le Tai.

Four, transfer of Salamumu under Safata West and Nuusuatia and Vaiee under Safata East.

Five, transfer of Faleapuna to the Electoral Constituency of Anoamaa East.

Six, for Savaii, Tafua will be removed from Palauli le Falefa and be transferred to Faasaleleaga No.1 East.

Seven, incorporate Saleaula into the Gagaemauga No. 1 constituency.

Eight, remove Gagaemauga No.3 and be renamed as Gagaemauga No.2.

Nine, allocate Tulaele-tai and Vailoa under Faleata West.

Ten, amend the establishment of constituencies under East and West to be listed numerically given the new name herein:

First, Vaimauga 1, Vaimauga 2, Vaimauga 3, Vaimauga 4.

Two, Faleata 1, Faleata 2, Faleata 3, Faleata 4.

Three, Sagaga 1, Sagaga 2, Sagaga 3, Sagaga 4.

Four, Aana Alofi 1, Aana Alofi 2, Aana Alofi 3, Aana Alofi 4.

Five, Safata 1, Safata 2.

Six, Falealili 1, Falealili 2.

Seven, Anoamaa 1, Anoamaa 2.

Eight, Faasaleleaga 1, Faasaleleaga 2, Faasaleleaga 3, Faasaleleaga 4, Faasaleleaga 5.

Nine, Salega 1, Salega 2.

Ten, Palauli 1, Palauli 2, Palauli 3.

These are the amendments under the Electoral Constituencies Amendment Bill 2018.

Mr Speaker this is clarification of this Bill. With utmost respect.

**MR SPEAKER:** Thank you. I believe the clarification made by the Hon Minister has been well given. The floor is now open to members of Parliament.

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**Electoral Constituencies Bill 2018**  
– second reading

I call on the Member for Gagaifomauga No.3, Afioga Laaulilemalietoa.

**Susuga Hon LAAULI LEUATAUA POLATAIVAO FOSSIE SCHMIDT (Gagaifomauga No.3):** Let exaltation be unto God for His merciful love and kindness upon us this new day. I believe we are gathered here again to resume our orders in accordance to our callings for Samoa.

I respectfully greet the Hon Mr Speaker, the Hon Prime Minister and Cabinet, Associate Ministers and respectable members of the House this morning. I humbly greet you all in good health. I move with respect this morning to voice the concerns of this constituency.

With respect I upstand to voice a few submissions on behalf of this constituency and a thought in relation to the Ministerial Statement by the Hon Prime Minister this morning especially the clarification given by the Hon Minister. I thank you both for the clarification. Your statement is nothing like a clear sunshine which has made it easier for me to speak about.

I would describe this Bill as a large ship that has anchored after long battle in the sea, since the beginning when we first became self-governed, this legislation was initiated to commence the Fono Faavae in Samoa which was the first of its kind where the paramount chiefs and orators of Samoa had gathered to make the decisions for her people and how this Fono Faavae was to be managed. For improvement purposes, such is the spirit of thanks after a reflection of past events for this year 2018 through reviews and assessments in essence to making better improvements. What have become the hiccups, let us recreate and make better for the State.

I thank the Hon Prime Minister for your statement that was very well versed. In reflection of the past and in relation to this legislation and to set in place the intentions of our forefathers and how the United Nations queried us whether possible we were Independent or not. Samoa's response is that we must become Independent and let our customs and traditions be maintained. The United Nations responded that we should conduct an election system. In the Samoan perspective, elections and voting systems were the system of the Europeans and not ours. However, the perseverance and persistence of our forefathers which said that if our way to gaining self-government is through election then so be it. If the elections is over then we shall proceed with our normal way of life. What is the normal way? It is upholding our Samoan Culture and Tradition and our normal Samoan way of life.

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Mr Speaker this is the heart of our country. Our tradition and the authority of *Alii* and *Faipule*, choose a Leader and maintain the peace for Samoa and the future. However, in regards to the various changes, let us go in line with overseas countries which we cannot stop and reason why we use the Democratic System, I do not intend to clarify any further, it is not a full rational. There are disadvantages for this Democratic System nevertheless, it is the main system that we abide by today.

I applaud the Amendments and the total removal of Individual Seats. We no longer have half castes in Parliament such as what we had; dual blood and those that had our dual perception and consideration, those who had their own votes that was different from the election of Samoa. Hence, no more Individual Seats neither Urban Seats rather, these seats will now come under the constituencies for these particular locations.

Secondly, I wish to thank the additional seats in Parliament, who would not want additional Members? We all want it as time and tide comes with events, when the chance is here, use it. Although we have not yet received our Constitution, it is confirmed that additions has been made from 49 to 51. Thank you for the intention to this change for this 1963 Act to 2018.

As the Leader of the House suggests, this is not the final chance, it is only the beginning for us to voice our views whilst another one will be given by the Committee for further submissions for the better before a decision is reached.

There are four issues Hon Prime Minister that I wish to voice, as I mentioned earlier this Bill is compared to a large ship that has returned to land for reconstruction. We should all work together to ensure that this Bill indicates the correct pathway that will benefit us in future.

First, the issue of changing the titles for constituencies, the purpose is to maintain the significance of members and territorial customary constituencies which is our calling and duty. I believe you are the customary members and not just an electoral member, the election will not end your honorary salutation, it is up until your calling ends.

That is my perspective in assistance to the Hon Minister, as the plea by our forefathers say, let us seek this pathway. A member is a member within the authority of the *Alii* and *Faipule*. I will give an example, pardon me Sala, if this legislation is approved, you will no longer be under *Gagaemauga*, you will come under *Sagaga 4*. Similar to *Salamumu*, it will no longer be *Gagaemauga No.2* but *Safata*. That is my opinion for your consideration in regards to the divisions of boundary lines.

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Secondly honorable Speaker, family rights of where to cast their votes in regards to their connection with the electoral candidates. Relatives such as cousins, children, and siblings from Savaii will no longer have the right to come and vote for you. If your surname for example is Polataivao, then it is the same surname used by your brothers and sisters and family members. It is stated in the Bill that even if your surname is Polataivao, you will have to vote within the constituency that you reside in. It seems that the bond of our children and children's children will now be ceased including our lands. I trust that people grow up with those wanting to live in the urban area; there will be people who would want to go back to where they came from.

**Afioga Hon Faumuina Tiatia Faaolatane Liuga (Palauli le Falefa):** Mr Speaker...

**MR SPEAKER:** Pardon the member; I call on the Member for Palauli le Falefa.

**Afioga Hon Faumuina Tiatia Faaolatane Liuga:** Mr Speaker I want to understand, since we are deliberating two Bills, in case we make our submissions and exclude the following Bill then that will be troublesome, but a query, are we are discussing the two legislations? With all due respect.

**MR SPEAKER:** Thank you for the question, that is exactly my intention, nonetheless, it is good to have one of the Senior Members pardon me, well it is... I trust the two Bills have outlined the boundaries for electoral constituencies whilst the member's statement is directed towards the Principal Act. Nevertheless, the member was using the Minister of Tourism as an example with all due respect.

As for the interruption, there is a distinction between the two Bills hence the Electoral Constituencies boundaries Bill derives from the Principal Act. We are discussing electoral boundaries please stately members who are speaking.

**Susuga Hon LAAULI LEUATAUA POLATAIVAO FOSSIE SCHMIDT:** I believe...

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker...

**MR SPEAKER:** I call on the Hon Prime Minister.

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**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Lest the membrs are guided by the members' statements in regards to what I said, I am referring to a different matter and reason for my chance to give my Ministerial statement.

Therefore, I have covered these two Bills, meanwhile, our discussion have now been on this Bill in accordance to normal procedures that after one Bill then we shall proceed on to the next one.

That is the clarification lest a member is mistaken as I have covered in one statement the clarification in regards to both bills to save time.

Mr Speaker that is the clarification.

**MR SPEAKER:** Very well, I believe that is the schedule of how our orders will be carried out. On the other side of the coin, the Chair will consider if a Member speaks on both Bills during a speech then it is the only opportunity given from the two opportunities offered. Nonetheless it would be proper for the Member to take the floor and elaborate on the matters since you seem to be talking of both Bills.

**Susuga Hon LAAULI LEUATAUA POLATAIVAO FOSSIE SCHMIDT:** Thank you Mr Speaker, the matter of one Savaii interrupting another Savaii is just intolerable. It portrays that we ourselves are despising one another.

Nonetheless, Mr Speaker I hope you reconsider since both Bills are important, I only mentioned the other based on my example given. I cannot clarify the matter clearly if I do not speak about something that has happened, however I am grateful.

The matter stated earlier on the issue concerning family members voting for their representative who is a relative and it is about our roots and heritage. I will leave the matter with the Hon Ministers to look into it.

Another issue noted was, there will be no more voting booths for Savaii. Just a word of advice Hon Minister it is not a cheap exercise. If I were to go to Savaii now Mr Speaker, it takes an hour to go to Mulifanua and an hour to go to Savaii then another hour to travel there then when I return it takes another four hours. Overall it will take nine hours. The money spent during that time is not less than \$150 or \$200. Furthermore, you go visit families and you always have to take gifts.

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If you are a Member of Parliament, expenses will not be lower than \$500- \$1000 and you have to pay for your car and other things. If we were to implement this Hon Minister and our voting booths are not allowed in Apia, then we all have to go to Savaii, I have 500 voters living and working here just to send money to Savaii.

If we were to calculate the cost it will not be less than \$100,000 spent for the voters to go to Savaii during election day. Also worth considering is the time of ferries, travel arrangements notwithstanding unforeseen accidents which might occur. If I have 500 voters, the other 21 Members from Savaii might have 200 to 300 people so the estimated costs might be \$3 million. This is an accurate calculation; I am not joking because this is the conservative number. What is the reason for doing this to Salafai? The people have been voting here for 55 years and now it has suddenly been changed for them to cast their votes in Savaii.

Mr Speaker with all due respect I humbly request that this matter be reconsidered, it is not easy considering the time and the costs it will take to adhere to this change. I humbly ask the Hon Minister for his consideration on the matter, if we look at Australia and New Zealand, it does not matter which state you reside in. The person can vote from beside their beds. What are we going to do? Are we expected to jump on a boat and go to Savaii?

**MR SPEAKER:** Very well you have two more minutes.

**Susuga Hon LAAULI POLATAIVAO FOSSIE SCHMIDT:** Lastly Mr Speaker after the 2016 elections, the Puleono in Salafai came to offer their blessings to the Parliament of Samoa. The Puleono from Salafai included Tumua, Lufilufi, Saleaula and Leulumoega. Unfortunately, it is now being stated that one of the chairs of Saleaula authority will now be removed.

How would Gagae and Gagaifo feel as they are family? Gagaemauga and Gagaifomauga are one family; therefore, I am quite concerned due to this bond and close relations. We at Gagaifomauga cannot just ignore this fact because Gagaemauga is taken care of by Saleaula, Lavea takes care of Gagaifomauga. I beseech the Hon Minister with respect I request that you review this matter, reevaluate this issue since it will greatly affect our culture. This will result in Salafai asking us to return saying job well done. And when they ask, have you all returned? Unfortunately, the rest of the boys are not present. Where is the other boy? This is compared to the story of Jacob and his sons when he asked one of his sons where the other boy was.

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Mr Speaker I voice this issue for us to think about, think of our past leaders who served in the Mau a Pule. Where is our fight for sovereignty? Why has one of these seats been removed? Why has the seat for Salafai been removed? I humbly ask that this matter be reconsidered as we are crying out for help. Those who reside here are lucky, you just wake up get in your car and it takes five minutes to get to work. Although for us living in Savaii we have a long way to travel even by sea to serve our country. Nonetheless I will leave the decision to you, Hon Minister I am certain the Hon Prime Minister elected you based on the significance of your standing in respect to birth to the centre of the nation. I also advise not to follow with how matters are carried out in New Zealand because Samoa is very different. Samoa is Samoa. It does not matter whether there are a lot of people or not, it is the contribution of the village that is important. Whether big in number or small, if the contribution of the village is rendered, responsibilities of the faleupolu is given, then that is finished, rather do not compare the numbers, a number is just a number, but the addresses of Saleaula o le Tootouli has all the questions which is the initial Authority of the Aiga for Safotulafai.

Mr Speaker those are a few queries, I cannot just sit and ignore this fact over Salafai. There is a song that goes, "*Puleono i Salafai tulai mai lo ta pale i aveva.*" The six District of Authorities of Savaii stand up lest your crown is taken away. This was a song sung during the time Namulauulu Lauaki Mamoe stood against the Germans, he told them to, 'get out, for it is time for Samoa to be independent.' Where is it now? Iiga Pisa, Namulauulu, Tuilagi, Asiata, they all went to Spain and their bones were brought back. Why Mr Speaker? It was because of the fight to gain sovereignty. The Human Rights Protection Party remember the work done by Vaai Kolone and Tofilau Eti Alesana, this is no different from taking away a hand then ordering a person to go back to where they came from. The Hon Prime Minister I humbly request a reconsideration on the services of Salafai, not to remove this seat. As for the island of Salafai, Puleono, you are not listening in, I take this opportunity to voice your opinions on the matter, come here and have your say on the matter before the seat is removed. I am confident that the Government will consider this request carefully hence this is a concern regarding the Bill.

Mr Speaker this is our say on the matter with respect. Bless our proceedings.

**MR SPEAKER:** Very well. I give the opportunity to the Hon Prime Minister.



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**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker there is a matter that I wish to speak upon regarding the mention of previous Leaders Hon Vaai Kolone and Hon Tofilau Eti. The measure taken after every election by leaders is establishing a Commission of Inquiry. The purpose of this Commission is to get feedback from the people on what they believe should be amended. Therefore, most of the amendments made are from the Commission and most of these recommendations are from Salafai. They highly recommend such incentive. Some of the Members from Savaii have parted over a 200 vote, although by the end of elections the person who gathers all their family members and people who do not reside in their constituency and win by 200-300 votes. This matter has been set before the court.

Mr Speaker as I stated before the Government is trying to implement wise methods that could apply foresight and short time. We do not look at methods that are shallow narrow-mindedness like we used to here. The Government is not taking this matter lightly if we do not take the step forward we will be at the same place we are now or we will go backwards. We need brave leaders now not those who are afraid of new changes. This is the reason for taking the floor, it is not an easy task for the Cabinet, this is the nature of life we try to leave things as they are however, the elections have concluded but Salafai is still requesting the matter. What else are we going to do to resolve such problems? Some of these people are friends and other employees of the candidate whom are all gathered to vote and are registered under the roll in Upolu. The recommendations made are the decisions of the Commission of Inquiry. There have been more than two Commission of Inquiries that have encountered this problem, of being cautious of special voting booths where most of this corrupt activity of bribing is being carried out. If we look at the people who win in these seats they are the ones that are paid to vote. This means that such voting process will continue and there will come a time when the worthiness of a person is not respected but money to buy votes.

Mr Speaker this is an issue that this Government is trying to resolve. As for the Members of Salafai they were well aware of this matter some of members of the constituency. Therefore, it is best if voting booths are set up in Savaii so we can be able to see who these people are, most of them do not look Samoan and do not have Samoan names but they have a lot of money. If we do not address this problem now there will be consequences especially for our rural constituencies as they may be misled by people from overseas.

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Mr Speaker this is the reason for implementing this change in Salafai, they are greatly affected by this problem. Why? It is because of special voting booths. At the moment Government is looking at a general solution to this matter rather than looking at your own backyard. The root of the problem is evident here, furthermore, I advise Members not to over disrespect or disregard the elders of constituencies who have resided there since birth. They are the ones that hold in-depth knowledge of values if an educated individual were to address his methods they will object because of the wisdom they have gained in their serving the village. They are the ones that preserve our culture and traditions. The elders residing in rural villages easily understand matters that are righteous and those which not.

Mr Speaker this is an issue that should not be taken lightly by the Government. The Bill is now tabled furthermore opportunities are given to Members to voice their opinions towards Committee then we can deliberate it further when it is reported back to the House. As for the Cabinet the wise always express what is right we discuss and deliberate, that is what Cabinet does.

Mr Speaker, this is a clarification on the matter in case the Bill might be disputed but these are the concerns voiced by the candidates during investigation of the Commission of Inquires.

Mr Speaker that is reason for the implementation of such amendments as stated in the Bill and why I stood up to voice for your information.

**MR SPEAKER:** Very well thank you.

**Susuga Hon Laauli Leuatea Polataivao Fossie Schmidt:** Mr Speaker I humbly request a few minutes of your time, please.

**MR SPEAKER:** Pardon the Member, since we have reached our recess time the Chair would first want to say a few words of recommendation in relation to the matter. Since this is a usual occurrence in the work we do, opinions of Members are not ignored nevertheless it is the duty of the Chair to administer deliberations so that it is based on the matter considered. We do not differentiate the opinions of Members therefore I want to clarify with respect to Members and to the country to adhere to my explanation. The Bill being considered is the Electoral Constituencies Bill 2018, there is a difference in the opinions shown, the Government itself has clarified the difference in the Bills and it is the territorial constituencies and electoral constituencies. It seems the opinion of the previous Member emphasizes territorial constituencies from the past.

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Although the Bill stated clarifies the boundaries of electoral constituencies. This means that it only involves voting but it does not have an effect on our cultural values. I recommend Members to voice opinions directly to the Bill and not discuss other matters which will mislead the opinions of the public and Samoa who are listening in.

Another point I would like to remind is that we are discussing electoral constituencies and this does not affect our other Bill that will be discussed regarding the Electoral Act and the content of that Act. I can see that if a member goes there, I will know that your chance to speak regarding the other matter has finished, because you cannot speak again on this matter.

**Susuga Hon Laauli Leautea Polataivao Fossie Schmidt:** Mr Speaker....

**MR SPEAKER:** Pardon the Member. I beg indulgence to the member, this is the nature of our work, we cannot discuss the next matter making way for you to earn two opportunities, in saying that, you will have the chance when we return from our break.

Since we have arrived at our usual recess time, proceedings will now be set aside for our recess, thank you.

*Proceedings of the Legislative Assembly set aside for normal recess at 10:51 and resumed at 11:29am.*

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

Before recess the Member for Safata East was taking the floor. I call on the Member.

Pardon I will give the opportunity to the Member for Gagaifomauga No.3. I call on the Member.

**Susuga Hon Laauli Leautea Polataivao Fossie Schmidt:** Thank you Mr Speaker for another opportunity. It is not my intention to disregard the clarification made by the Government. Our opinions given are pure in relation to what is deliberated. The Hon Prime Minister I apologize with respect that the request made was based on the constituency's concerns. The intention is...

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**MR SPEAKER:** Pardon the Member, the Hon Prime Minister has already clarified the matter in regards to comments made by the members, this is the order of our works given that you are familiar in this Chair as former Speaker, opportunity is given to the Government to clarify and respond to a matter raised by members. The Chair is cautious of such matter when Members speak on irrelevant issues regarding the Bill, hence the Government is allowed to respond and clarify for the sake of Samoa. Therefore, if we were to go back and rediscuss your view, then the Government will have to clarify again.

**Susuga Hon Laauli Leuatea Polataivao Fossie Schmidt:** Mr Speaker I am trying to clarify my apology. It will just be brief...

**MR SPEAKER:** The country is tuning in and that is your own view that is...

**Susuga Hon Laauli Leuatea Polataivao Fossie Schmidt:** Hon Prime Minister, concerning your statement with regards to corruption activities from special voting booths, there is no such thing. I succeeded from my constituency in Savaii hence, I disagree and with regards to procedures by the State...

**MR SPEAKER:** I call on the Hon Prime Minister.

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker this is the exact reason why I took the floor. The matter clarified is not specifically directed to the current speaker but in relation to electoral procedures in the past which is reason for establishing a Commission of Inquiry during the time Hon Vaai Kolone was in office. As aware, Vaai was also accused through disagreements by some constituencies. Therefore, this is no light issue for us at that time with the aim to find ways to resolve matters of this sort with regards to charges filed against electoral Members. The most serious issue encountered at the time was when we had the deadline and already, 11 charges were filed against us, this was when we had 47 Members, 24 were HRPP and 23 were Opposition. This means that with one less vote, the Government would fail to win.

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This was one of the worst cases and the first of its kind that we had when 11 Members of our Political Party were charged after we had a genuine agreement that no one will sue the Opposition Side. Since the issuance of sue was laid out and the closing time was due, this is reason for our insults and complains at the time. This took us until 2 to 3 in the morning to reach a decision. At the conclusion, we checked with the Electoral Office directly about the exact days for these deadlines and during this check, we found out that the Electoral Officer in charge of these votes started counting the days from the time he took the public notice was broadcasted on 2AP. When they got there, the 2AP was already closed and so, the Election results was broadcasted a day later which then started the official count of days for a deadline to these charges. This means the Government had overlooked one day. This one day gave us extra chance to precede the charges laid against us which provided a balance between us the Opposition Side because of the mistake made at that time. Therefore, a decision was made for a Commission of Inquiry to look into these matters and make full amendments to reflect the reason why our Leader was charged. The introduction of identification cards or IDs was initiated and we sang hallelujah as this was the only initiative to make peace. What happened before? We thought that this initiative would go well with us, however, it did not. This new system commenced from then on until today as regulated by the State.

This is the reason for establishing a Commission of Inquiry. The reason for emphasizing this is due to the statement of the member which seems to be directed at me, saying that I have deviated from the principles which I should know well. Why? Because I am the only one left from the previous Parliamentary terms from that time, I am well aware of the principles of this Party since the start. Therefore, if I speak of something, I do not lie.

Mr Speaker that is the statement and this does not mean that I have ignored the principles rather the accusations laid against me are too much. The member I appointed to this Cabinet had my full trust and I never thought that his statements were this fast paced inside this House. He should have gone easy.

**MR SPEAKER:** Very well thank you. I apologize Hon Prime Minister...

**Susuga Hon Laauli Leuatea Polataivao Fossie Schmidt:** Mr Speaker, this constituency has concluded its opinion.

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**MR SPEAKER:** Pardon the Member, I appease...

**Susuga Hon Laauli Leuatea Polataivao Fossie Schmidt:** I want to convey sincere apologies, if there has been any rudely behaviour I pray for forgiveness. Whatever our statement Toleafoa, only God knows well. The intention and service of this constituency remains, with respect.

**MR SPEAKER:** Thank you. This is the nature of our work which is not light duty to the Government. The preparations of Bills and orders within Parliament are not deliberated once and not one person has to review this work it is a collective effort for the benefit of the country going forward. Anything that has to change has to come from the State for the benefit of our future.

Henceforth, I apologize to Members for your concerns, do not make decisions that will affect others *ae seu le manu ae tagai i le galu* as this saying states, because the work of the State is not easy. I call on the Hon Prime Minister for a motion.

**MOTION TO EXTEND SITTING HOURS**

**Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI:** Mr Speaker with respect I move a motion, *That Sitting hours resume until all Bills in the Order Paper are considered before we adjourn for the day.*

*Seconded by the Minister of Commerce Industry and Labour and Minister of Health.*

*Motion approved.*

**MR SPEAKER:** We shall work accordingly; I call on the Member for Safata East.

**Tofa NONU LOSE NIUMATA (Safata East):** Hon Mr Speaker and respectable Members of Parliament, the people of Samoa I respectfully acknowledge Safata and its honorary salutations. I would further like to greet my constituency of Safata East and acknowledge your honorary salutations too from Niualama to Fatipule.

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 – second reading

I thank the Hon Minister for the Bill tabled. The main objective of the Bill is the allocation of Electoral Constituencies. Secondly, increase the number of constituencies from 49 to 51. Three, amend names of constituencies. The effect of this Bill will be some constituencies will be removed as for Safata it will increase the number for Safata East. This means Nuusuatia and Vaiee will be part of Safata East and Salamumu will be part of Safata West. Safata East will then be named Constituency 21 or Safata 2. The villages allocated under Safata 2 are Mulivai, Tafitoala, Fausaga, Fusi, Vaiee and Nuusuatia. Safata West will be named constituency 20 or Safata 1. The villages under Safata 1 are, Lotofaga, Sataoa, Saanapu and Salamumu. The Bill seeks to ensure that Electoral constituencies are equal. In the 2016 elections the difference between Safata East and West was 1,050 voters. The difference seen was the result of adding another village for Safata East. Salamumu is not a village of Safata or Lefaga. It is connected to the lands of Safata and Salamumu. This is a seat from Savaii which I thought was going to be merged with Leauvaa.

Mr Speaker I had a talk with the Member for Safata West, Afioga Leaana Ronnie Posini. I thought Salamumu was going to be under another constituency but he replied that it is his neighbor. This means some villages of Safata will be removed and Salamumu will be added. Therefore, I support the increased number of villages for Safata East, I also support Salamumu being added and the 51 number of Electoral Constituencies.

Hon Minister I fully support this Bill. Nonetheless I have two questions in relation to the Bill. First is for each Electoral Constituency to have the same number of votes. It seems that there are constituencies that have less than 1,000 and some 1,000 to 2,000 also some have 2,000 to 3,000 or more than 3,000 voters. Hon Minister, is there a system to determine the equal number of voters for each constituency.

Secondly, has permission been granted for constituencies to have more than one Member? Moreover, is there a requirement to add more villages for constituencies like Safata. Mr Speaker this is a brief opinion in relation to the Bill thank you.

**MR SPEAKER:** Very well. I call on the Member for Alataua West to be followed by the rest...

**Afioga ALIIMALEMANU ALOFA TUUAU (Alataua West):** Thank you for the opportunity, Alataua West takes this opportunity to voice a concern in case I might be allowed only a minute.

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This Member supports the amendments given in the Bill on the division of Electoral Constituencies based on the number of voters. Despit these, there are few queries I want to voice that might enhance the Bill. The division of Electoral Constituencies based on the number of people is not a new idea, as stated by the Hon Prime Minister. It is an idea that was long thought of by our predecessors and former leaders who prepared the Constitution for our country. There is a book I read on the drafting of the Constitution where Afioga Malietoa Tanumafili II was Chairman. It stated that the division of people within constituency should not be based on the population. It is the respect between people that is most important because if we were to change constituency boundaries problems will sure arise. There will come a time when the person will know the unequal number of people in the constituency then a change will be implemented. I believe now is the time for that change based on the increasing number of people, an idea long predicted by former leaders which we are now addressing. There were also some Members that opposed the work of Committee and leaders of Government in achieving Independence for Samoa.

Nevertheless, it was the commitment of Tumua and Pule to maintain peace and respect that resulted to our country's development also in keeping the options open for changes that might occur in future. There was another opinion that said, not to analyze Tumua and Pule since it is held in great in our cultural traditions. An opinion on the matter, I hope that our culture coincides with modern changes, I also pray that such changes made not be forced upon the people and be accepted freely.

This concludes the opening remarks of my speech Mr Speaker, the reason why I have mentioned past events is to shorten my thought on the Bill which is supported by Alataua West regarding the division of Electoral constituencies' base on population. I humbly recommend that such amendments on Electoral Constituencies be considered thoroughly. Alataua West does not expect a change in the number of Members but to still maintain the 49 Members. The reason being, if we were to add more seats in the next Parliamentary terms, it will result to 60 Members, more money will be spent on new seats hence there will be a limited number of voters on an average basis in relation to other Pacific countries. I recommend this matter be considered based on population within constituencies before it can be an Electoral constituency. The services given by Members are based on the number of people in the constituency not voters. There should be determining factors on how high or low the total number of people is in Electoral constituencies. If the lowest is 1,000 then maybe the highest should be 4,500.



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If Savaii has 21 Members then it should be divided based on the number of people, nevertheless it must ensure that it reaches the first hold to qualify for the next elections. If by the end of this division and 20 Members stand then that will be the final decision. Also we should look into people who have relations with those living in rural areas. I support the Bill in relation to the changes which now should be implemented. I believe when the wharf at Asau and Salelologa are re-developed most of the people will return to Savaii, it important to review this change every ten years. As for Upolu who has 28 Members, division of constituencies should be based on the number of people, changes should be made accordingly perhaps by the time the Bill is enacted such changes will be set for the next term.

Those are a few recommendations to assist the Bill. I pray that opinions voiced in relation to the Bill are blessed. May the Lord bring peace and wisdom to opinions given, bless our proceedings. Thank you for the opportunity.

**MR SPEAKER:** Very well thank you. I call on the Member for Urban West followed by the Member for Salega and then by the Deputy Speaker.

**Afioga FAUMUINA ASI PAULI WAYNE FONG (Urban West):** Thank you Mr Speaker I also want to thank the Hon Prime Minister, Deputy Prime Minister and Cabinet especially the respective Hon Minister for this Bill. First I want to thank the Hon Minister for his bravery in implementing this Bill, we need Ministers like Afioga Loau Keneti Sio, you should go together to Wales to support our sons boxing after our sitting.

Today Mr Speaker I take the floor to say a few words which all Members of the House are aware of that I do not have a constituency anymore. The Urban West constituency is now being removed and I am grateful to the Hon Prime Minister that constituencies will be represented by those residing in the area. I want to take this opportunity to thank the constituency Lautinalaulelei and all of the people residing in Faleata West. I also want to thank the new constituency implemented.

This is one constituency that is constantly questioned from the time the Bill was passed at seven months before the Elections. It was not prepared for questions such as, what is the reason for implementing an Urban West and East constituency. These constituencies can be compared to the story of the King and his daughter. When the King was looking for a husband for his daughter, he told the village that whoever crosses the waterfall full of crocodiles they shall marry his daughter.

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The children of Vaigaga standing beside the waterfall pushed one into the water without being prepared. What happened? He swam safely across the water. Then the King said Faumuina you can marry my daughter. Then Faumuina responded I do not want to marry your daughter only to find the person who pushed me into the water. This is the same as the Act which enabled me to contest the previous Elections, who implemented the Act? It does not matter now, it is all in the past now, I am now in Parliament and I have swam in waters filled with crocodiles. It is now being changed again and I thank the Hon Minister that now it will be specifically based on Electoral Constituencies. It will no longer be territorial constituencies, it has already been clarified by the Hon Prime Minister yet there are Members who still do not understand. Nevertheless, such future changes will be beneficial. My constituency of Urban West we are now being renamed Faleata West No.2 or Faleata Central, we are in the middle of Faleata which is also where the Hon Prime Minister resides and therefore it is not a weak constituency but a strong one indeed. The Hon Prime Minister will still represent his constituency of Lepa but his relations will vote in our constituency.

I am grateful to the Hon Minister for the Bill, I hope we do not change it again and let the candidate take care of his own constituency. There was an incident that was responded to in a newspaper, a publication that regularly features people voicing their concerns and complaints where a woman complained about the bad road conditions. I noted the name of the woman and could not find it in our electoral roll, I went looking for her at Siusega then I found her and asked, who did you vote for? She responded, she voted in Savaii. I told her to go to Savaii and find the Member she voted for to fix the road. It is not right if I was the one fixing the road but I did not get her vote.

The Hon Minister of Works, Transport and Infrastructure our constituency is now laid out appropriately. I would be grateful if our roads can all be fixed, this includes the roads of Falelauniu, Siusega and Ululoloa. Whether I get re-elected or not in the next term, I am grateful that my request has been made to improve our roads.

Mr Speaker those are the only matters raised. Bless our proceedings, Soifua.

**MR SPEAKER:** Thank you. I call on the Member for Salega West.

**Afioga TOOMATA AKI TUIPEA (Salega West):** Thank you Mr Speaker for the opportunity. I acknowledge respects of the House and Samoa listening, I will not reiterate further on honorific salutations for they are always respectd until forever.

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I wish to voice a few opinions in relation to the Bill being considered in Parliament today. The establishment of Electoral Constituencies will repeal the 1963 Electoral Act. This Member supports the allocation of villages under Electoral Constituencies detailed in the Bill. The only issue though is for the villages trying to get used to constituencies they are allocated to for they are not new villages within the history of a constituency affecting cultural heritage and traditions. Fortunately, the clarification given by the Hon Prime Minister stated that such traditions will not be affected. Nevertheless, we are not certain about what might happen in the future especially for our future generations. For example, Hon Leader of Government - I will use Leauvaa and Aleisa. I believe in the future when the younger generations of Leauvaa are born they will forget about going to Savaii altogether. Although when asked, they would say their home is Aleisa, we grew up in Aleisa and will not vote in Savaii. This is based on the fact that they have forgotten their place of origin, their family roots, lands and elders. Even though it may not happen but nothing man does under the sun is perfect only the Lord is perfect. We are reliant on the guidance of the Lord to lead us to ensure that our traditions and heritage are maintained within the villages from the time they were born or since the development of their lives by their parents and their grandparents...

**MR SPEAKER:** Pardon the Member taking the floor as it is my duty to assist on such matters otherwise, the Hon Minister or Government will respond. I want to assist the Member in case the constituency might be misleading, but you should know Electoral Constituencies is one for every five years. Although taking care of a family is done day after day meaning it is a duty we care for everyday. This is a correction in relation to the matter, as there is a difference between East and West. I apologize to the Hon Minister on this matter but if you wish to respond, I give you the opportunity since it is an important matter. Also the constituencies of Satuala, Tevaga and Vaifale, Salemuliaga are mentioned, we should know that elections are done every five years but taking care of the family is a duty we do every day unless called upon by the Lord. I call on the Member.

**Afioga TOOMATA AKI TUIPEA:** Thank you Mr Speaker, I apologize Hon Minister it was only an example in case it might happen. I have already stated that I understand the clarification given on the Bill but this is just a precaution in case it might occur.

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Second I support the amendment of having 51 Members in comparison to the 49 Members. However, the only concern of the Member for Salega, it will now have four candidates, Hon Leader and Cabinet, Mr Speaker one seat for Salafai is going to be removed and I believe we ought to reconsider this matter. I hope the seat for the constituency of Saleaula will not be removed. I believe Mr Speaker that the Spirit of the Lord is present in implementing this Bill for future development and to maintain peace. This is what our country is safeguarding especially the Leader of Government in regards to relations between constituencies. The Bill clarified is clearly understood by the people of Samoa as deliberated in Parliament.

I take this opportunity to acknowledge the hard work by the Chair in administering orders, I thank you for your patience. I strongly believe that good administration of proceedings has led to a peaceful and righteous Parliament. I also take this opportunity to acknowledge my constituency of Salega West which will now be replaced as Salega 1, thank you for your support. I believe your prayers have given me strength and courage to carry out my duties as a Member that I was chosen to do, thank you.

**MR SPEAKER:** Thank you, with respect I now call on the Deputy Speaker the Member for Gagaemauga No.3.

**Tofa NAFOITOA TALAIMANU KETI (Gagaemauga No.3):** There has been a mix of opinions voiced in the House this morning. Such opinions made have been noted by Gagaemauga, this Member seeks assistance from the mountains. My guidance is from the Lord he is the Supreme Leader for all.

Mr Speaker I praise you for your hard work in administering our proceedings. I am confident that the progress of our work will flow well considering you are one of the most experienced Members in House. The Chair has already voiced our praises to the Lord above for his blessing in carrying out our work today. I want to thank the Chair for his patience in keeping peace within the House over the past week of sittings, well done indeed sir.

I take this opportunity to acknowledge that side of Parliament, the Leader of the House Hon Prime Minister, Deputy Prime Minister, Cabinet and the Associate Ministers. Your engagement and duties are not easy especially in ensuring the development of our country, well done indeed. I also want to acknowledge Members on this side of the House, the Chairpersons of Parliamentary Committees and Members of Parliament.

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I thank you all for your duty and perseverance. I also want to take this time to thank the assistance of Heads of Government Ministries and Corporations. I thank you all for your work and assistance in aiding the work for this Parliament, may God bless you.

I thank the Clerk, Deputy Clerk and the Office of the Legislative Assembly for the services provided in serving our Parliament.

It is with utmost respect that I acknowledge the respects of the country, Le Ao o le Malo and his Good lady, Members of Council of Deputies and their Good Ladies, Members of the Clergy, thank you for your respective services and responsibilities that is well appreciated. The support rendered is important in performing the work for this Parliament. Therefore, I thank my constituency in all its honorary salutations, thank you for your wonderful support. I will now move to voice an opinion on behalf of our constituency.

Mr Speaker in case I wish for the fishes in the deep sea and ignore the shells of the reef, for shells provide nourishment and sustains us daily and since we have been given an opportunity, I am certain everyone is aware that this Member used to work for the Ministry of Police. I want to say a few words on what I have heard from the Ministry. I am grateful to the Commissioner Leulumoega Tuaena and the Ministry thank you for your patience; it seems Members have not yet mentioned the Ministry but only their constituencies' needs. I heard that some officers were injured, I was also injured while on the job but you have not been discouraged regardless, you have been very courageous. Your Minister has already addressed this matter to behold likened to our mountain in Salafai, so therefore be strong, Fuaivailiili, you are a brave chief. Those are scratches and bruises, sacrifices while you are serving and protecting the public in maintaining peace in our country. Therefore, I salute and acknowledge your perseverance, Tumua has asked, who are you? Do continue on your bravery and do not step back, 'law must prevail.'

Afioga Tuaena, thank you for the hard work, I also thank the Infrastructure Sector Committee I have seen the report that will be tabled before the House that there will be a pay rise. The Member for Gagaemauga No.3 supports this decision. I am grateful to the Hon Minister that this Bill will now be put forth for the improvement of the Government. The hard work carried out will now be rewarded with a pay rise. Nevertheless...

**MR SPEAKER:** I humbly ask that the Member conclude his speech on the matter because...

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**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker this is the exact reason for taking the floor, what exact Bill is the Member discussing?

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker with respect, we are progressing accordingly with regards to the Leader of the House.

I now come to the Bill discussed thoroughly in the House regarding the objectives of this Bill, I appreciate it Hon Minister. It is not easy as I am certain that a lot of preparations were undertaken; I also heard that two major Committees were tasked with reviewing this Bill. Hence, I applaud your efforts contributed into this legislation which was not easy. The purpose of this Constituency is to advise and assist you whilst the wisdom is with you to implement and lead the State.

There are three major issues that this Bill is discussing. The amending and repealing of the 1963 Constituency Act; secondly, electoral will no longer be called territorial constituencies, which now has the number 51 as stated earlier. And thirdly, the allocation of villages listing carried out by your honor and the Committee of Inquiry has the support of this constituency, well done to you. I strongly support good changes for the benefit of the country however; there are also changes that must be reviewed.

Hon Minister, I do not support the exclusion of the Saleaula seat, I plead that with regards to the new village listing in this legislation, there seems to be an honorific denunciation for Pule Faavae at Puleono in Savaii pardon me and Saleaula. This is the concern although my constituency of Matautu is not affected; rather, this new change could affect our relationship with our neighboring constituency within Gagaemauga whereby Vaituutuu relies on Falefagamalo and in turn Satoalepau relies on Falefagamalo and in turn Malaeola and Nofoaga relies on Satoalepai thus making up the constituency of Gagaemauga that is our communal relationship.

Unfortunately, it seems that this Bill will affect the honorifics of Matua and Matautu. Respectfully, I humbly request the Hon Minister for your reconsideration with regards to the Seat of Saleaula as I see that the Member representing this seat is absent today given other obligations overseas.

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**MR SPEAKER:** I wish to assist the Member; your statement is well given in support of the constituency tuning in and I admire the Member for speaking on behalf of this constituency with regards to relations and honorific addresses targeting the importance of our culture and good relationships.

Although since the State does not take light of your statements, we must give our assistance with regards to the processes of our works, and in relation to the absence of one of the senior members for Saleaula, well we still have another chance for this legislation when this bill is referred to the Committee for consideration. This will be another opportunity for Members and the members of the public to voice further views on this Bill. The Bill will be then reported back into Parliament for consideration for Members to be given 2 chances per 15 minutes to voice their concerns. Therefore, this process has many chances and just reminding all again, the Electoral Constituencies is conducted after every five year term. Although the change has been amended from Territorial Constituencies, our cultural practices and relations will still be maintained every day, whereas elections will be carried out after every 5 year period, otherwise, let us have the assistance of the Member.

**Tofa NAFOITOA TALAIMANU KETI:** Thank you Mr Speaker for your clarification on this matter which will have no further explanations, I wish to resume. Overall Hon Minister, 51 Members of Parliament has been set out and statements presented this morning, let us be courageous. As one of the notable Members stated, you and the Hon Minister of Education should go and support the son of Samoa Lupesoliai at his boxing match.

The essence of this constituency, if it is something that benefits us, this is our main request; this Parliament makes changes, why not make it two? Is there a problem with that? I am now clear with the reason for this 51 due to additional seats for women. A new Parliament House has been built and our pleading request, if this is the review, then so be it. Why not have 52 Members of Parliament?

In the saying, *o le tele o sulu e maua ai figota* meaning more thoughts expressed better results and better decisions. If the purpose is to vote according to Electoral Constituencies, then that is the essence, maintain the Members as the view from Savaii, this is one Founding Seat of Authority or Pule Faavae for Saleaula. There are also neighboring villages being confined under Aiga Satuala.

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If we look at the villages noted the last ones are Saleaula, Samalaeulu, Patamea and Mauga Saleaula. Such is the recommendation, have a look into this, because no matter what Electoral Constituency you go to, the voter has a provision that must be complied with. So in advice, if this is the new practice, then start with Saleaula followed by Samalaeulu and other villages as stated herein.

**MR SPEAKER:** Thank you, the time for the Member is nearly over.

**Afioga Peseta Vaifou Tevagaena (Faasaleleaga No.4):** Mr Speaker...

**MR SPEAKER:** The Member is yet to conclude he still has two more minutes.

**Afioga Peseta Vaifou Tevagaena:** A point of order...

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker that is the intention but the Member is interrupting while I am trying to conclude.

**Afioga Peseta Vaifou Tevagaena:** Mr Speaker just a point of order...

**MR SPEAKER:** What do you want to amend when the speech of the member is well taken, anyway, well state your point of order.

**Afioga Peseta Vaifou Tevagaena:** In relation to Satuala and Saleaula as this is clearly stated under the Constitution. We first reach Samalaeulu before you come to Saleaula, with respect.

**MR SPEAKER:** I call on the Member.

**Tofa NAFOITOA TALAIMANU KETI:** Thank you, I thought this was in depth.... at least that is understandable, thank you.

**MR SPEAKER:** Very well...

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker...

**MR SPEAKER:** I call on the Leader of the State.



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**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** This is the exact reason why we are not discussing cultural related matters, we are currently deliberating election issues. Once we discuss culture within elections then something simple will be more difficult. This is the reason the names of these things we are discussing, only if one Member has finished and another Member is chosen to do the work. Even if it is work that gets them dirty then they still have to do it for the benefit of the people in the constituency.

I recall what the former Prime Minister Afioa Tofilau once said, if you put a monetary value on the services of a Member with money how much will it be? He said, ‘the honorific salutation given to the Member by the constituency states that he is the King and the one person the constituency listens to and the father of the constituency. Therefore, the value of this honorary salutation is a million tala. We are only discussing those matters and not discussing matters relating to our cultural heritage which remains forever. No one can change our traditions and customs. I hereby urge Members to be cautious when discussing cultural matters here. This is the reason why we changed the term to electoral constituencies to employment title. The employment title of the person will be employed as a youth member without being prestigious. This is also the reason why the Government changed the term Pulenuu to Government representative as the term pulenuu has made some think that they have authority over the vilage. With regards to honorific salutations and name titles, because the member’s view is so far-fetched roping in our cultural aspects other than what the Bill is focusing on in regards to electoral matters and it is those workers in the constituency who voted us in. So if we discuss salutations and avoid the significant aspects, then it seems that we are above authority forgetting that we are only mere servants.

Mr Speaker, this is the reason. Candidates are only electoral representatives and servants of the constituency. Similarly, this is what Jesus did to the sacred servants. Then Jesus brought the basin of water and the Lord of Lords then washed the feet of His disciples. This shows us that the spiritual leaders should do the same and wash the feet of the people. What if something like this would happen, after a hard day at work and getting to your pastor and say that your feet are all dirty requesting him to bring a basin of water and towel for him to wash your feet? What happens next, the Pastor will hit you with his right hand.

We are just servants that carry out the work for those who elected us other than the cultural values; this is not hindering us as it will remain intact forever.

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**MR SPEAKER:** Thank you. I recommend the standing Member or the Deputy Speaker to take heed of the Hon Prime Minister's advice other than the advice of the Member for Faasaleleaga No.4 that will lead you in to conflict. I call on the Member to conclude.

**Tofa NAFOITOA TALAIMANU KETI:** I now clearly understand the matter clarified. In case I might have offended the Hon Prime Minister, I merely stated earlier that whatever good changes are implemented I will duly support. I was only making good intention with some suggestion. Hon Minister *Alosina ma le Vainalepa ma le Fuaifale o Salevalasi*, those are your blessings. The Bill tabled is not an easy one nevertheless those are the issues from Gagaemauga No.3, I humbly request you look into this matter while time permits.

Mr Speaker I will now conclude, Gagaemauga will return with a contented heart, together we have heard with the Hon Minister especially our constituency and the Elder of Saleaula. Thank you.

**MR SPEAKER:** Thank you. I call on the Members so I can see how many more are left to speak. Well there are not many more to go, we now have four more Members to take the floor.

**Afioga Alaiasa Muagututia Moefaauo Malagaitutogia Sepulona Moananu (Anoamaa East):** Mr Speaker with respect you have yet to look over at the House. I do not know why Members whose constituencies are not affected by the Bill are taking the floor. With all due respect.

**MR SPEAKER:** We are nearly done, we only have five more Members left. I give the opportunity to the Member for Salega East.

**Tofa OLO FITI AFOA VAAI (Salega East):** I thank you Mr Speaker for the opportunity given to this constituency to voice a concern on this important Bill.

I will not take long since the constituency of Salega remain very much intact with its honorary salutations even with its cultural heritage and identity. Nevertheless, these are just merely humble suggestions and to provide a good catch in the Hon Minister's fishing net. Even though he may not agree with the suggestion from the Member of Salega at this time of the day, you might get a pearl in its shell.

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I believe the objective of the Bill is now clear which has also changed parts of our Constitution and the seating arrangements of the respective Members of Parliament inside this Lawmaking House. Some of the villages have been grouped together under one constituency based on the population given this new doing and the European concept. I am surprised at how brave the Hon Minister is in considering that he is implementing to these changes.

Mr Speaker the changes stated are great but all good plans have shortcomings. First we cannot be compared to New Zealand and election practices in other countries because Samoa has a unique system that includes our culture. Secondly, the Members of Parliament already has its own unique way to address the Parliament in this House which remains intact and no wisdom or intelligence can ever change it. It is true that the vote from Electoral Constituencies gets us elected into this House but the Members are so much more dignified in their respective traditional constituencies. Therefore, regardless of what we do outside of Parliament, when we enter this House, we come with the specific honorific salutations of our constituencies.

Mr Speaker, I also believe that there should never be any substitute member in constituencies. I believe that culture is important in this Parliament, which is the reason why our Parliament differs from others who quarrel and fight in their respective Houses. This is based on the mutual respect as matais sitting in the House and the sacred space shared in our relationship with one another. Mr Speaker as I earlier stated during the time our Constitution was reviewed, the removal of the term territorial constituencies have made the cultural significance of constituencies utterly meaningless. The use of specific respectful language used in our village settings is very important. It reflects the importance of respect in our culture as mentioned before.

**MR SPEAKER:** I pardon the Member in relation to the statement; I will apply our Standing Orders so that the member can be more objective in his comments. There are times during deliberations that there may be some heated exchanges and there are governing principles which guide such comments and enables us to remedy any differences in regards to opinions made. Therefore, I will not turn a blind eye on the matter which I have noticed has been mentioned by several other Members relating to territorial constituencies, and now I am correcting that. It is now being amended to Electoral Constituency and the Government will also be given a chance to have a say on the matter. I recommend the Member to withdraw from this matter please.

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**Tofa OLO FITI AFOA VAAI:** Mr Speaker I will not do anything to disrespect the Chair. These are just a few observations and it saddens me. Nevertheless, I will continue with my speech. The constituency of Salega East wants to ask, why have the seats for urban constituencies being withdrawn? It is stated here that the reason for withdrawing the seats is based on emphasizing our Samoan culture within the House, although it seems like we are reversing backwards. Nevertheless, that is part of our explanation.

Mr Speaker, the changes made are more relevant for other constituencies, but the Authority or Pule mentioned by some Members, I want to recommend that it will create a dispute between Leaula and Letufuga because it is not relevant. It does not matter for some villages but for the Authority or Pule in Salafai, I request that the matter be reconsidered. I say this on behalf of the Members from Salafai because the Puleono (6 districts of authority) should be highly respected. The truth is Mr Speaker, if the Member of Tumua or Puleono is not present in the House, we cannot carry on with proceedings in the Parliament of Samoa.

**MR SPEAKER:** I think we should consider the other changes like Aana, Aiga and Leulumoega are now being merged. This has not affected the importance of the respects shown for the four Aiga who are under the care of Leulumoega, as well as the fifth family in Aiga i le Tai. No, we will go to the sea, still embracing our culture, I just want to advise the Members that the opinions voiced are being heard by the people which might lead to a misunderstanding that we are trying to destroy our culture. Our election as per the Law is done every five years but our service and the development of our villages in constituencies is something that we do everyday. Our Government is based on Christian beliefs, culture and the law.

I thank the Member for accepting the advice from the Chair. You are the Senior Members that the Chair can rely upon for assistance. Who else can I go to seek refuge? I am safe with you. I thank the Member for Salega, your time has now finished. I call on the Member if he has anything further to say.

**Tofa OLO FITI AFOA VAAI:** Thank you. I will take up another two minutes of your time to make up four minutes to finish my speech. Another issue Mr Speaker, if we look at the constituency of Aiga I le Tai and the constituency of Safata 1, it is included there. It is not relevant to the honorific salutations of these two constituencies.

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First, the constituency of Saleaula here in Tumua and Salamumu will no longer have a Member. Why? There are more than 2,000 voters from Safata but only 400 from Salamumu. This is the same for Saleaula in Salafai. There are about 2,000 people in Lealatele but only 600 to 700 voted. These are the reasons for such concern as I feel sorry for the constituency, especially as it is part of Pule or the 6 districts of Authority of Salafai.

**MR SPEAKER:** It seems you have made a decision and such a decision is made only by the Lord God. The Member is concerned about a matter but it is God's will to elect the Member and let them remain until he calls them before they fall. Your call will come and you have not fallen. But when you are elected by a person, you can easily be replaced in the next election. Do not be hasty with your decision in relation to the matter you have raised that is in God's hands, it is His business.

I ask that you conclude your speech; since I have spoken on the matter, since it will bring forth opinions not only for the Member of Safata but also Saleaula. I appease the Member from trying to create something that will only hurt the Members feelings but I ask that you now conclude your speech.

**Tofa OLO FITI AFOA VAAI:** Thank you. This is a sample question; if a candidate for Salamumu takes the seat for Safata in this House what honorary salutation will they use? Do you think it would be fitting for Safata and Saleaula to hear if they are addressed as, *Afio mai oe le Matua po o le Pule o le Aiga Sa Tunumafono ma le Alataua*. I do not think they will be happy about it. All Members represented in the House bring with them the importance of their salutations which signifies their heritage.

This is a recommendation on the matter, so that this issue can be reviewed, respectable Members and Hon Minister....

**MR SPEAKER:** I call on the Hon Prime Minister.

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker I take the floor to clarify that our Standing Orders clearly states that the constituency of the Member is usually the one honored. The Standing Orders is also used to administer the orders that are carried out within the House. How many years have you been in Parliament?

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Also the Member will never receive blessings since he has been moving from one seat to the next and has not been loyal to one Party. The Standing Orders clearly states the matter concerning the honorific salutations of constituencies within the House.

**MR SPEAKER:** Very well thank you. I was trying to understand what the Member was saying about what the honorary salutation for Salamumu would be if it was set aside. Since Salamumu is now included under Safata 1. I call on the respectable Member for Safata 1, that is how the Member is addressed. I call on the Member to conclude and I humbly ask not to debate the matter further as we are both Senior Members.

**Tofa OLO FITI AFOA VAAI:** Lastly the new arrangement of villages under Electoral Constituencies, it seems Members of Cabinet will not lose in the elections anymore. There are a few villages and sub-villages that are not mentioned in the Bill nevertheless, blessed are you for this Bill that will be of great use.

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker such comments misleads the opinions already mentioned. There is no such provision of the Bill that states Ministers should continue coming back every term. Such unruly comments only ruin good intentions. Mr Speaker the advice given by Senior Members to the Member is useless since he is acting childish. Even though he has been a Member of this House for a long time he is still acting like a child.

**MR SPEAKER:** The time for the Member is now over.

**Tofa OLO FITI AFOA VAAI:** I thank you Mr Speaker for the opportunity, the only concern is the roll for the Hon Prime Minister and Deputy Prime Minister is yet to reach a thousand voters.

**MR SPEAKER:** I appease the Member.

**Tofa OLO FITI AFOA VAAI:** I only ask that we implement the work equally, thank you.

**MR SPEAKER:** This is what happens when we are... just what I said before, there are times when you try too hard to hit the mark and you forget that...

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I do not want to mention what the old man said to his son, yes, son, he says, it wasn't his word it was the old man from Asau, the word ainini, they say it is the children who eat nini. Now we shall leave it there.

I call on the Member for Anoamaa East to take the floor.

**Afioga ALAIASA MUAGUTUTIA MOEFAAUO MALAGAITUTOGIAI SEPULONA MOANANU:** I believe Proceedings within the House has settled down for the day, as different opinions have also been voiced on the matter deliberated. But I thank you for your firm leadership. I thank the Lord for the opportunity given for this constituency to speak about the Bill. I will not go into detail on the Bill under discussion in the House.

Our village met for its council meeting on Saturday and this matter was proposed for village council to discuss what their views were about such an issue. This is the action that must be taken for electoral matters especially as it regards the future and I will briefly discuss this matter. Our country is different from others because only those who are matais are able to run as candidates in elections. Perhaps in the near future there will be another change where opportunities are given to everyone to run as candidates like what is happening overseas. Nonetheless, the Parliament of Samoa is in tranquility because of the significance of our matai system.

The Bill affects our constituency and I understand the changes implemented have taken away a small number of people and added a huge number. Well it is alright, as mentioned earlier, these are all callings from the Lord. No matter how keen we are to aspire to such positions, once the Lord calls you to be a Member or a leader of a constituency that is it. I do not expect to keep this position forever because there will come a time when others are elected by our Father to continue with this calling. We gladly accept the inclusion of the village Faleapuna under the Anoamaa constituency, whereas for the village of Falefa, I am not certain of this change and I humbly request the Hon Minister to reconsider this matter. This village includes Sauano and Saletele that has its own honorific salutations and it not part of the Vaa o Fonoti but a village. We humbly request that this matter be reviewed again with respect and so we accept the inclusion of Faleapuna into the constituency. This is the only issue I was asked to voice within the House which I hope you can reconsider. I was looking through the Bill and noted that some sub-villages are mentioned under constituencies but these villages do not have any village representatives, but they are added to increase the number for the constituency.

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Now if I were to divide my constituency, there will be a lot of sub-villages that make up the constituency. These are some of the inconsistencies of such changes which are now being implemented. There are other constituencies like Vaitele were I am currently residing, I have the right to vote there but I cannot run as a candidate unless I am a resident of Vaitele Uta and Vaitele Tai. I am not eligible to run as a candidate that is the only matter mentioned in the two Bills except that I can only vote. I conclude my comments on this issue but beg the pardon of Saleaula. You have clearly mentioned Tumua as well as Tumua at Lufilufi, it has been going together with the families and now Faleapuna will now join us but we have long been...and nothing has happened, no conflicts but Tumua is still Tumua and the first Tumua was the one who delivered the Pule or Authority to Savaii. Bless our Proceedings.

**MR SPEAKER:** Very well but this is exactly what I was worried about, thank you. I am certain that some comments are made to humor the country listening in. Perhaps the Member... nevertheless we have now reached the Member for Faasaleleaga No.4. I call on the dignified Member.

**Afioga PESETA VAIFOU TEVAGAENA:** Mr Speaker, I am grateful for your kindness, I am also thankful for Proceedings which has given me new fresh thoughts. I humbly greet the Hon Prime Minister, Deputy Prime Minister and Members of Cabinet especially the Parliament of Samoa.

I move with respect to make a comment in relation to the Bill under discussion. I was listening intently to my fellow member's comments as well as the wonderful clarification by the Hon Prime Minister, and I noted two very important issues. Do not be afraid to make decisions. He also stated that the Bills that are put before the House by Ministers are done through the Will of God. I strongly believe Mr Speaker that this Bill will benefit not only us but future Members of the House. Our calling to be Members of Parliament is the Lords plan He has set down. This was also stated by the Member for Anoamaa East. We were chosen by the Lord. We did not just come here willingly; it was the Will of the Lord has given us the opportunity to be a Member for one, two three terms. This is seen with the electing of the Hon Prime Minister and Hon Speaker who are some of the longest serving Members. If the Hon Prime Minister was chosen to take the role until his last days then so be it.



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This is the same for the Chair, the Member has been chosen two times now, why? These are the Lords plan as the Prophet Jeremiah said, *'For I know the plans, I have for you, plans to give you hope, bless for you and not to harm you, says Lord.'* I know...

**MR SPEAKER:** 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 want to know what book of the Bible this saying is taken from together with the chapter and verse.

**MR SPEAKER:** I call on the Member.

**Afioga PESETA VAIFOU TEVAGAENA:** Mr Speaker, in the Holy Bible, you have already been chosen by God to be the Prime Minister of the Nation.

It is clearly in the Book of Jeremiah 29 verse 11 which states, *'for I know the plan, I have for you.'* This means when we came into the House the Lord already had plans for each one of us. I thank the Minister who introduced this Bill which greatly benefits us especially those from Savaii including myself because it is quite hard locate and approach voters during elections when they live in Aleipata, Manono and Safata areas. It is not easy trying to get votes and we also do not know where the voting booths will be. However, what is the Bill suggesting? I am grateful to the Minister for the implementation of the Bill which I believe will benefit everyone. As the Samoan translation of the verse I stated earlier says, *'ua ou iloa manatu mo outou, manatu I le manuia, ae le o le malaia, fetalai mai ai le Alii.'* This is why...

**Afioga Sulamanaia Fetaiai Tauilili Tuivasa (Vaimauga East):** Mr Speaker I do not wish to interrupt the speech of the Member, how about taking a break. I have noted the Member is constantly stating the Bible yet he had a court case but he did not appear since he went on a trip with the old man. Is this how people who speak of the Bible behave by taking a plane trip and not appearing in court as this reflects badly of this member or the Associate Minister?

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**MR SPEAKER:** Pardon the Member, comments stating the Bible is used mainly to summarize an opinion. There is no higher command from anyone than the Bible. Therefore, I call on the Member to conclude his speech.

First I call on the Hon Prime Minister.

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker the invitation I was given together with the Associate Minister, was an official invitation from the Prime Minister of Tuvalu as foreign guests in celebrating their Independence. This does not mean that the Associate Minister escaped and I assisted him because this is exactly what people are thinking about nevertheless it was an official invitation for the Independent State of Samoa. This is the reason why it could not be missed considering the significance of the Independent State of Samoa.

**MR SPEAKER:** I call on the Member to conclude his speech.

**Afioga PESETA VAIFOU TEVAGAENA:** Firstly, I want to respond to the query made by the Member for the clarification of my constituency who are listening. When I talk about the Bible, do not interrupt again, because those who oppose the Will of God will be cursed and will not return in the next elections. Mr Speaker, I am sure that most are aware that I am one of the Members who had an ongoing court case during elections as the Lord God knows. Even though I walk through the valley of the shadow of death with so many court cases, the Lord had a plan and gave me another opportunity to represent this Seat. Now there is going to be another seat for Lealatele and we do not know the Lords plan, he might just will me to go to Itu o Tane. I do not understand these criticisms because I am actually doing what he is commanding.

I thank the Hon Minister for the Bill, now all of Savaii can go and support their candidates if they do not want to go to Savaii they have families that will participate. This will make it easier for voters especially financially, sir, it is not easy trying to locate voters, and after elections the results will be according to the Lord's Will. With due respect, there will always be amendments implemented that can stop us from going to court, therefore I support the Bill.

**MR SPEAKER:** Very well, thank you. I believe there are only two more Members from the Opposition and three to the Member from Faleata.

I call on the Member for Safata West.

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**Afioga LEAANA RONNIE POSINI (Safata West):** Mr Speaker I humbly greet the Chair especially our Parliament, the Leader of Government, Ministers of Cabinet and Associate Ministers and all Members of the House.

I believe it is time to make a few remarks on the Bill since most of the Members have made references in relation to my constituency. Nonetheless, this constituency listens on intently to comments regarding the Bill.

First, I want to thank the Hon Minister for the Bill as well as the Hon Prime Minister for clarifying the Bill. I know there is not enough time to discuss such matters with the public. Even though there was a Commission of Inquiry that consulted with the public, the clarification made earlier by the Hon Prime Minister explains the reason for the new Electoral Constituencies of our nation. The matter is now clearly understood and I will not go further into it because all of Samoa and the constituency now understand. Our constituency was recently changed in the previous election which is a result of having Safata East and Safata West.

Personally, the division of the constituency was made based on the number of villages. There are nine villages then it was divided into five and four for the other. Although with the new amendment tabled, it seems that now the constituency will be divided into six and three for the other. This includes the village of Salamumu and so this means that there will be four villages that I will be representing. What is now clear is that if we use the number of votes that has been provided, it is more equal now. If we look at the number of people, the new amendment will now balance out the number of total votes. I have noted that it is now much better organized according to the total number of voters. I believe the constituency is also listening in, there were many challenges in the previous term with respect to voters' number. I will not speak further on honorific salutations as stated by the Hon Prime Minister and Minister, but the voters' number is now equal. This is my understanding with regards to the inclusion of Salamumu. Some mentioned cultural aspects and things of that nature although my brother and Member for Safata East who said that Salamumu is a brother of Saanapu which means that the village of Salamumu are close friends indeed. This is true because these two villages have been close neighbors from the start. So if the Bill is passed, I will have to go to Salamumu to become acquainted with the people there. I believe this is also the reason why it takes longer for Salamumu to be developed, since the Member representing it is actually from Savaii. It will develop quicker now when it comes under my constituency.

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 – second reading

This is a recommendation on the matter at hand Hon Minister and Prime Minister, so I ask that the number of voters for each constituency be sorted. As one of the Members stated earlier, whether it is a thousand or three thousand, that should be one electoral constituency.

So I will leave this matter to the Hon Minister and Prime Minister for further consideration. I want to thank the Hon Minister for his bravery in implementing the Bill especially standing before the House today. We are currently discussing electoral matters which is what our constituency have also been discussing.

With due respect, thank you honorable Speaker.

**MR SPEAKER:** Thank you, I call on the member for Vaimauga East.

**Afioga SULAMANAIA FETAIAI TAUILIILI TUIVASA:** Thank you Mr Speaker for the opportunity given to this constituency to voice an opinion on such important Bill tabled in House.

First, I want to thank the Hon Minister for the Bill. Most of the comments made signify how Members should be prepared on which electoral constituency they will represent in the next elections. Therefore, I also want to thank the Associate Minister and Electoral Commissioner for preparing the Bill. The constituency of Vaimauga will not comment on other constituencies, it seems this constituency will be divided but its villages will still remain. A humble request I hope some of the sub-villages within my constituency be reconsidered as mentioned by the Member for Anoamaa East. Mr Speaker I am certain that many are aware that majority have bought land within my constituency especially in Vailele uta, Fagalii uta, Letogo uta and Laulii. This is my humble request Hon Minister but I support the Bill because I know you are also a resident of this constituency. I ask that some of the villages such as Vailele, Vailele uta and Vailele fou, Letogo which has Letogo Fou and Fagalii that has Fagalii uta. I support the provisions implemented by the Bill and the arrangement of sub-villages under my constituency. The term Electoral Constituency, this Member agrees with that considering the state of my constituency. It is now divided into four and the respect of its honorific salutations will still remain.

It seems from most of the comments made by Members that the main constituency that will benefit more is Vaitele. It seems that the Members for Vaitele are being silent since Vaitele fou, Vaitele Uta and Vaitele tuai are all included under Vaitele. This is what I am trying to convey for Vailele, Fagalii and Letogo since they are all traditional villages but it seems more people are buying lands from the area which has contributed to the increase of voters in our roll.

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– second reading

These villages have more than a thousand voters in each village. If the four villages are put together there will be more than 5000 voters registered under this constituency. I humbly request if possible for another candidate to represent this constituency, not for now, but for the future, maybe a Member of Laulii and Letogo and a Member for Fagalii and Vailele. I have noticed that the majority of the public reside within our constituency which is why I support this Bill. Most of these people tend to go to their rural villages and to Savaii during elections. This is not fair for our constituency and therefore, the new amendments made by the Hon Minister and his Associate Minister are accepted by this constituency.

Mr Speaker, with utmost respect.

**MR SPEAKER:** I call on the member for Faleata West.

**Tofa LEALAILEPULE RIMONI AIAFI (Faleata West):** Thank you Mr Speaker for the opportunity. Perhaps it is now appropriate for this Member to voice an opinion. Most of the references made by Members have mentioned Vaitele. I am not sure if some of these Members plan to run for Vaitele in the next elections. If you want to go then I gladly welcome anyone who wishes to run, and then we will see what happens. This plan implemented by Gvoernment is not something new. The final changes made for Members of Parliament were for Salega and Safata. The only reason why there was such a change was based on the increasing population. Now some of the views by some of my fellow Members that I have heard this morning was about the possible effects this would have on our culture. The constituency of Faleata was divided a long time ago after the founding of Samoa then Faleata West and Faleata East were formed. The question though, whether the culture and traditional authority and its honorific salutations of the constituencies be affected? Well there was no such issue. In the three previous Elections this constituency has had the highest number of voters registered under its roll. This constituency has been patient with this decision hence there will come a time for change. Now I am grateful, Members have requested additional seats time after time. I strongly believe that every Members objective is not to lose in an election. Therefore, if the Bill tabled affects his voters and constituency they will be the first to object and not think of the reasons why these changes in dividing constituencies are implemented.

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There are three major areas the Government of Samoa is focusing on, Culture, Christianity and Democracy. These three factors correlate when we carry our Christian values we solely focus on the word of the Lord. Also if we carry out the work of Government, we focus solely on the democratic process so that it will stand alone as a separate entity or independent. Most of the Members who have requested the maintenance of the constituencies as it is, mainly attend church in Vaitele. Also, their children also attend school in Vaitele including other activities but when it is time for the elections they go to their villages to vote. So what exactly is the right thing to do? They do everything here, go to church here, but when it is time for elections, they go to their constituencies to vote. How would you feel if the elections were tomorrow and the number of voters from Salelologa or Asau with respect will be 60,000? There will be more seats added to the constituency since it is the democratic process. This does not mean they stay there and we will go and bring them here to vote, they have to come here and vote, yet they do everything in Savaii. This is not the reason why this Bill was drafted. It has been a long planned change. It is a fair and appropriate method that should be carried out. If we look at the different Government systems Fiji does not have any constituencies, it only has one which covers the rest of the country. There are only two candidates that vyes for votes and the person that wins will appoint new Members and they will become the Government. This is how their democratic system works.

As for the comments made on the affects these changes will have on our cultural beliefs because of these elections, I do not support this claim. The question though, if the upcoming elections for Faleata West and Vaitele results to 20,000 voters for one Member only, is this fair? Is this democratic? We cannot just change it based on such opinions.

I want to thank the Hon Minister for the division made for this constituency; it is a fair and equal consideration. It is based on the number of population today which is the main objective for the division of constituencies because of the number of voters and not for any other reason.

With utmost respect thank you.

**MR SPEAKER:** Very well thank you. I call on Government to respond to the comments made by the Member.

**Afioga SALAUSA JOHN AH CHING (Faleata East):** Mr Speaker. Can I have a chance?

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**MR SPEAKER:** I advice that you direct your concerns to the matter currently under discussion please respectable Members.

**Afioga SALAUSA JOHN AH CHING:** Thank you for the opportunity, briefly Faleata East supports the Bill beforehand. In consideration of this Bill, the Committee will come to matters pertaining to sub-villages and so forth. Nevertheless, I want to speak on the overall objective of this Bill. Laws are created from this House and therefore, this House should take the lead in maintaining these Laws. Before I came into this House, I have observed and noticed the piled up offences during the General Elections. I appreciate the tabling Bill by the Hon Minister and the Ministry. It is a Bill that is greatly assisting me whereby this is exactly where I am very proud to become a Parliamentarian, this is rightfully where both Democracy and Christian principles/values are founded.

Overall this Bill will remove acts of bribery and the risk of committing offences by Members. For our sake as mentioned by other Members, this will earn the number as in the democratic way. We will come to population another time rather we must have something to begin with. As a start, let us begin with this one before going any further. Anyhow, that is the objective of this constituency, bear justice for this bill in assistance to Members in the future. This is our prayer that we say everyday to our Lord, to lead us not into temptation. This is where it will lead us into temptation by not complying with the legislation. We are surrounded by so many temptations and seeing this Bill, it is needful as it will protect Members and our children in the future.

Thank you Mr Speaker for the opportunity.

**MR SPEAKER:** Thank you. I call on the Member for Vaisigano No.2.

**Afioga TAPULESATELE MAUTENI TAMASONE METULI II ESERA (Vaisigano No.2):** Thank you Mr Speaker, I would like to acknowledge the Leader of Government, the Deputy Prime Minister, Ministers and Associate Ministers. I also greet the Chief Executives of Government Ministries and Corporations, the Clerk and the Office of the Legislative Assembly.

Briefly and firstly, the Bill has my strong support in regards to repealing the Constituencies Act 1963 to Electoral Constituencies Bill 2018.

This constituency is grateful for the proposed Bill. I want to thank the Hon Minister and Ministry on the thorough work prepared for this Bill. There are slight matters I wish to address regarding this Bill.

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**– second reading**

I have noted in relation to the clarification given by the Hon Prime Minister that we have the power to amend the Bills therefore, I support this statement which are matters that are submitted in the House for discussion and for us to make decisions about and make appropriate change whenever necessary.

In relation to these amendments, my constituency is not really affected as consultation process will come by for the senior men in my village to discuss. I am grateful to Government that Vaisigano No.2 will remain as an Electoral Constituency which includes the villages of Papa, Vaivaimuli and Fagasa. I am in big agreement with this change.

The important aspect signified within the Bill is our lands within the villages and constituencies and the importance of people in each constituency. We accept these provisions and believe the decision has been made accordingly with regards to these factors which I will not elaborate further about. As the Leader of the country suggested, whatever the outcome of our deliberations, change can be done.

The matter concerning the total number of Members for Savaii, the view of this constituency is bias due to these reasons; if the change is made from 20 to 21, you have heard the opinion of the Member for Gagaemauga No.3. The request from the Constituency of Gagaemauga No.3, retain the Member for Saleaula, I will state further submissions when we have the consideration to this Bill by the Committee in a future time, and if it aims to target the... I will not speak any further about Salamumu and Leauvaa.

As for the constituency of Faasaleleaga, the one next to Safotulafai, the Electoral Constituency 34, Faasaleleaga No.3, if possible to target this one member to retain this number for Savaii, what say you Parliament, why not consider also given the massive land areas and villages in regards to this population numbers. Another easier method is retaining the number of Members and in accordance to the number of villages situated within. By reading this, I think there is a different interpretation to the wordings herein, nevertheless it can be changed. Hence, what do you say about this Members of Parliament?

Lastly with respect I appease the constituency of Salega and in relation to the Electoral Constituency 46, Salega 1 if this matter is referred to the Parliamentary Committee, there are some sub-villages that are situated exactly between the boundarylines within constituencies like Siuvao.

Those are a few matters on the Bill, bless our Sitting today, from the Hon Prime Minister and that Side of Chamber, the Clerk and staff and the distinguished Members of Parliament. Have a blessed day.

**MR SPEAKER:** Thank you, well done.



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**Tofa AUMUA ISAIA LAMEKO (Falealili West):** Mr Speaker...

**MR SPEAKER:** Perhaps this is the only Member left, how many? One, two, three and four there are four more Members left who are sure to speak. The Member for Aana Alofi No.2, the Member for Palauli le Falefa, the Member for Faasaleleaga No.2 Afioga Pau Sefo and the Member for Falealili West. These are the Members that will have the opportunity that will be timed according to the work and motions moved.

Proceedings of the Legislative will now be set aside for a 15 minute break.

*Proceedings of the Legislative Assembly set aside for normal recess at 1:30pm and recommenced at 2:05pm.*

**MR SPEAKER:** I announce that Proceedings of the Legislative Assembly recommenced. I thank you all for your patience and strong will to continue our orders of the day.

Before recess there were four Members who wanted to speak, a recommendation to Members I advice you to speak directly on the matter beforehand. This will save us time since we still have another Bill that needs to be deliberated othat than this Bill.

I call on the Member for Falealili West.

**Tofa AUMUA ISAIA LAMEKO:** Thank you Mr Speaker for the opportunity, I am also grateful for the refreshments provided which has renewed our strength to carry on with our orders today.

When I look at the Bill Mr Speaker there are three areas of emphasis as clarified by the Leader of Government. Nevertheless, the area I wish to speak upon is the arrangement of Electoral Constituencies including villages and sub-villages.

I voice with respect the dignity of my constituency of Falealili, our constituency was divided in the 2015 Act under the amendment of the Constitution. This decision was made by Government to signify the importance of our Constitution, through the principle, one person one vote. This means this is not something new, it has been an amendment drafted long before to further amend the name of the constituencies to Electoral Constituencies.

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As for my constituency of Falealili West, I humbly request the Hon Minister in the future if another rearrangement is done, there are 8 main villages of our constituency. These villages include, Saleilua, Poutasi, Vaovai, Matautu, Tafatafa, Malaemalu, Satalo and Sapunaoa. It is stated within the explanatory memorandum the inclusion of the sub-village of Piu. This is an error hence I thought only the main villages are the ones that are supposed to be stated. The village of Sapunaoa, *le Paia o le latou Toafa, Susu Patea ma Leusoalii ma le lotoifale o Manusamoa*, has three sub-villages which includes Sapunaoa, Faleulu and Piu. Therefore, I humbly recommend the removal of Piu and only Sapunaoa should be included.

Mr Speaker this is an opinion on the matter in relation to the Bill deliberated, thank you.

**MR SPEAKER:** Very well, I call on the Member for Aana Alofi No.2.

**Tofa ILI SETEFANO TAATEO TAFILI (Aana Alofi No.2):** Leader of the nation and Cabinet and each delegate present in the House, we have just had refreshments to provide strength for the honorable Members.

Therefore, I cannot thank you enough Mr Speaker for your patience also I am grateful for all that you have prepared for Members of the House. Before I move on to voice an opinion I want to greet my constituency of Aana Alofi No.2 for their support. I am aware that I rarely take the floor but since the Electoral Constituencies Bill 2018 is significant and in regards to the ongoing debate in the House, I think it is worthy I voice an opinion as well.

I believe the main objective of the Bill is quite clear night and day as clarified by the Hon Leader of Government. Also the Hon Minister has already clarified and read the new amendments stated within the Bill. I move with respect on behalf of my constituency to support the Bill also I heard that one of those included in drafting of the Bill is a member of our constituency.

The only matter Hon Minister and the Ministry I want to convey through the Chair, the Electoral Constituency No.15 which states Aana Alofi No.2 now it is no.3. Given the list I can see that there are three villages, Leulumoega, Leulumoega Tuai and Nofaalii. A clarification Hon Minister there are only two villages in case some are mistaken, there are only two villages in my constituency, Leulumoega and Nofaalii.

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 – second reading

This is the only concern Mr Speaker in relation to the Bill debated in the House today. Before I conclude I humbly ask the Hon Minister on the issue raised from Salafai, I hope you can reconsider so that the seat for Salafai remain. With respect, bless the proceedings of the Samoan Parliament, thank you.

**MR SPEAKER:** Very well, perhaps this will be our last Member. I call on the Member for Palauli le Falefa. My apologies the Member for Faasaleleaga No.2, I call on the respectable Member.

**Afioga PAU SEFO TAUMATA PAU (Faasaleleaga No.2):** Thank you Mr Speaker for the opportunity given to voice an opinion of this constituency in relation to the Bill.

The Leader of Government and Hon Prime Minister has already clarified the Bill together with the Hon Minister. An opinion this Member wants to convey is not to do with boundaries but towards the seats for Salafai, which I believe are to be withdrawn. I have heard the reason is based on the number of residents which is more than the other electoral roll. Although I have heard over the years the continuous request of this seat for an additional Member, it is known that the constituency of Faasaleleaga holds residence for Sa Malietoa and Safotulafai. Those who drafted the Constitution clearly laid out Faasaleleaga No.2 and it has stayed the same over the previous Parliamentary terms, it is clearly stated that Faasaleleaga No.2 includes the villages of Safotulafai and Sapapalii. Despite the Bill seeks to remove this seat from Safotulafai probably based on the number of voters registered under the roll. If we look at the past four Parliamentary terms, the number of voters is still retained in their electoral roll and so in accordance to this Bill, candidates are still eligible. If possible Hon Minister to look into this concern, because if one seat of the constituency is removed, would it be possible to transfer Faasaleleaga to make up 6 Electoral Constituencies No.1, No.2, No.3, No.4, No.5, No.6 for Faasaleleaga by not removing this seat for Salafai.

This is my advice concerning the Bill under discussion. Also I recommend the matter be reviewed Hon Minister, I have heard some Members have made this request. Also would it be possible to transfer this seat to another constituency, Faasaleleaga No.2, Faasaleleaga No.3 or No.4 so that it will add up to 6 Electoral Constituency. This is a humble request Hon Minister and to the Government to reconsider this matter as my constituency is listening in, to keep this seat for the sake of Salafai. If not maybe add another two seats for Salafai.

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**Electoral Constituencies Bill 2018**  
– second reading

This is my only request to maintain this seat for Salafai nevertheless I support the Bill tabled. With respect, bless our proceedings.

**MR SPEAKER:** Thank you respectable Member. It seems that there is only one Member left but I see the red light is on from the Member for Falealii. I will give the opportunity to Falealii and will conclude with the Member for Palauli le Falefa, one of the Senior Members of this side of the House.

**Afioga FUIMAONO TEO SAMUELU TEO (Falealii East):** Thank you Mr Speaker for the opportunity nonetheless with respect I want to assist the Chair on the matter. Since this Bill will be deliberated by our Committee I will keep my opinions so it can be discussed during our Committee considerations. I just want to voice my support on the Bill and Falealili East will convey an opinion on the matter later during the Committee's review. Bless our proceedings. Thank you.

**MR SPEAKER:** Thank you. I am grateful to the Member for understanding. I now call on the Member for...

**Tofa Hon Laufofo Fonotoe Nuafesili Pierre Laufofo (Anoamaa West):** Mr Speaker, I apologize but I will not take more than a minute.

**MR SPEAKER:** I call on the Member for Anoamaa West.

**Tofa Hon LAUOFO FONOTOE NUAFESILI PIERRE LAUOFO:** Thank you for the opportunity. I just want to voice my sincere gratitude to the Hon Minister hence my constituency might be speculating changes. I want to say to my constituency that there are no changes at all. Bless our proceedings and your support.

**MR SPEAKER:** Very well thank you. I call on the Member for Palauli le Falefa.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Thank you Mr Speaker for the opportunity also I want to thank the Hon Minister for the Bill. This is one area I spoke upon during the Constitutional Amendments that were tabled, to add three more seats...

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 – second reading

Mr Speaker I requested this matter to the Government, Hon Prime Minister and Cabinet especially the Hon Minister in charge of the Bill to maintain the 21 seats for Savaii. It does not matter which constituency the seat will be transferred to so long as the same number of seats in Parliament is retained within Savaii.

Nonetheless I appreciate the Bill which will be referred to the Committee together with the Constitution Amendment Bill so that the Electoral Amendments can be assessed.

The matter regarding the change in constituency boundaries, I am certain the Hon Minister is aware that this is a serious issue. It is known within our country that land boundaries can be referred to as life for some people, it is their identity. There are two things that Samoans die for, breaching boundaries and taking another man's wife. Hon Minister, I want to elaborate on the labeling of constituencies which can be compared to the numbering of Manu Samoa rugby players. I am aware that you like playing rugby, but the former names used were better but you can still change it to Electoral Constituencies.

Also I wanted to ask the Hon Minister that most of the villages and sub-villages stated within the new arrangement are not traditional villages. Is there a criteria or requirement needed by these villages to run for candidacy in elections? If there are no such cultural practices carried out within these villages this means they do not have a *monotaga* or obligatory contributions.

I humbly ask this matter be reviewed Hon Minister for example, the constituency that I represent, only Apia is a traditional village but it has a lot of sub-villages, therefore no one is qualified as a candidate except for Alosina, le Faletolu and Tuisamau. This is a query to the matter because there are other villages that are made up of many sub-villages; also some Members have already stated eligibility of a candidate considering we are talking about democracy. If this is what we mean by democracy, there are many sub-villages that will have ineligible candidates given the electoral eligibility requirements.

Another matter Hon Minister, I humbly convey a concern on the division of villages. It seems there is a village from my constituency that has now been transferred to another but there is a missing village that has not noted the new town in Salelologa. I believe the new town in Salelologa should be put under Salelologa and keep Tafua under the Electoral Constituency of Palauli le Falefa. This is my assistance on the matter but I commend you Hon Minister for your courage in tabling such a Bill. I salute you for being cheery even though a lot of negative opinions have been made towards the Bill and the Government.

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**Electoral Constituencies Bill 2018**  
– second reading

May God bless your Bill and give you strength to implement it according to His Will.

Thank you Mr Speaker for the opportunity.

**MR SPEAKER:** Very well thank you. I believe most of the Members who wanted to speak upon the Bill have concluded. It is now time for the Government to respond to some of the issues that were raised by Members if not I trust most of the queries have been clarified already. I call on the Hon Minister.

**Afioga Hon FAAOLESA KATOPAU T. AINUU:** Thank you Mr Speaker for the opportunity. I will not elaborate further on the matter. The only matter I want to clarify, I should have recommended to the Hon Prime Minister based on the various opinions that we should have drafted 49 Bills for each constituency. Nonetheless, the Bill is now tabled before the House. I am trying to convey to Members of the House if they are trying to ask for favors for their own benefit you will not achieve anything. If the Government were to reconsider the request of a Member then it is something to be considered for every constituency, the Bill will be withdrawn nevertheless we will never move forward. The objective of the Bill is not for the benefit of one, two or three constituencies but to benefit the development of Samoa which is what we are striving for. This is the initiative of the Hon Prime Minister and Cabinet and government tabling the Bill for your perusal and consideration, all your concerns have now been noted and will be perused by the Office before submission to the Committee. The Bill will later be considered by the Committee, with all due respect.

**MR SPEAKER:** Very well thank you. I call on the Hon Prime Minister.

**Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI:** Mr Speaker I want to thank all Members who have spoken on the Bill. It is the goal of Government that by 2019 this Bill will be finalized so that the office is well prepared for the 2021 elections. The Office has now prepared way ahead of schedule. It is appropriate to say that the new amendments implemented required more preparations than the previous amendments made last year.

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– second reading

The matter concerning villages and sub-villages, this is an area that can be scrutinized by the constituency. Unfortunately, there are constituencies that do not count sub-villages but follow constituency borders through census. There are certain issues faced by some villages like Sapunaoa, there have been disputes within the constituency that has been taken before the Land and Titles Court on whether this sub-village should be included. There is the same issue for my constituency since Lealatele is missing from the list. Lealatele is the sub-village of Aloalii but this is where I am a matai and its honorary salutation is Alaalamalae. I did not take into consideration its significance since it is a minor issue but during the time food was given out after the cyclone this sub-village missed out. This issue was resolved within the constituency and I then advised my constituency that such disputes should be resolved through cultural and mutual respect. But this is an issue related to elections but if another cyclone relief effort misses out, those villages are able to resolve those matters within the constituency. It is not the fault of the Government but the bad feeling of all those people who do not want to live in harmony and share with others.

Mr Speaker this is what the Bill is trying to convey it is not an ill will but for the improvement of the country. I have noticed that there are some Members who disagree with the bill. The Government has put forward their decision concerning this matter, we are looking at the bigger picture into the future. Such view portrayed can be known by standing on top of the mountain and look at the view below, but a shorter view will be standing at the foot of the mountain and only seeing trees and creepers.

Mr Speaker I want to thank all Members once again for the opinions shown hence there is still a lot of time to voice other issues later. It will take a year for this Bill to be evaluated then it will be amended again, one, two if there are still errors then it can be amended again for a third time. If Members believe that the Hon Minister is right, then you all have go and beg for forgiveness because this is from God. Then there will be no further amendment needed.

Mr Speaker this is further assistance on the matter, thank you.

**Tofa Aumua Isaia Lameko:** Mr Speaker.

**MR SPEAKER:** Pardon the Member we have now concluded the response from Government, you should have taken the floor earlier. We will now move forward with our orders.

*Motion approved and the Electoral Constituencies Bill 2018 was read a second time.*

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**Electoral Bill 2018**  
– second reading

**MR SPEAKER:** Pursuant to Standing Orders, the Bill will be referred to the Standing Orders, Electoral, Petitions and Offices of Parliament for consideration and report back to the Assembly in the next sitting.

**ELECTORAL BILL 2018**  
– second reading

**Afioga Hon FAAOLESA KATOPAU T. AINUU:** Mr Speaker I move a motion, *That the Electoral Bill 2018 be read a second and I wish to discuss the matter.*

*Seconded by the Minister of Communication, Information Technology and Minister of Education Sports and Culture.*

**MR SPEAKER:** I call on the Hon Minister.

**Afioga Hon FAAOLESA KATOPAU T. AINUU:** Thank you Mr Speaker, respectable Members of the House, this Bill tabled replaces the Electoral Act 1963. This is one of the oldest Acts that has been continually amended over the past years. Unfortunately, there has been no in detail consideration of the whole Act and through the recommendation submitted in the Report of the Commission of Inquiry the issues of the 2016 elections were investigated. This is also the same from the report of the Committee elected by Cabinet whereby the decisions made by Cabinet were reviewed on amendments that needed to be carried out for the 1963 Act as well as the rearrangement of constituencies.

The majority of changes made upon the Act after the 2016 elections resulted in the inconsistency between the old Act and the new amendments. This is the reason why the whole Act has been amended. This review of the Act will analyze each part starting from political parties' registration to voters, candidates, offences and matters put before Court as recommended under the report mentioned earlier. The language used is everyday language so that provisions of the Electoral Bill can be easily understood by the public.

In redrafting of the Bill there are some parts of the 1963 Act that are still in use and there are some new provisions included as follows;



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**Electoral Bill 2018**  
**– second reading**

- 1) Eligibility of voters,
  - (i) Anyone who is 21 years old and is a Samoan citizen is registered under their place of residence or place where their matai title was bestowed and therefore has a chance to decide or register under their place of residence or place where they had their matai title.
  - (ii) Only Candidates their spouses and children can register or transfer their vote to the Electoral Constituency where the Candidate are contesting from if they do not reside in that particular Electoral Constituency or if this place does not hold matai titles for the spouse or children.
  - (iii) If the spouse or children holds a matai title for another Constituency, they are ineligible to register in the Electoral Constituency that they will be contesting.
  - (iv) Other Candidates are eligible to register for the Constituency they will contest in if they reside permanently or a chief of this particular Constituency.
- 2) Transfer registration for the eligibility requirement of ten years.  
 A person may only transfer their registration after (10) ten years since the first registration or transfer upon the passing of this Bill. This deadline will not affect those people will become Candidates, spouse and children of the Candidate.
- 3) Eligibility for transfers.  
 A person may transfer if they hold a matai title at the restriction of (10) ten years unless they are a Candidate, Spouse or children of the Candidate.
- 4) Pre-polling  
 Pre-polling can take place 4 days before the day of election to allow the traveling public, pensioners and people with disabilities and essential services to cast their votes.
- 5) Party registration fees  
 A registration fee of \$3,000 must be paid for a Party to register and a \$1,000 is paid each year after elections. This new amendment included in the Bill will ensure the continuation of Political Parties contribution after elections. This is assistance from the Electoral Office to promote Political Parties based on provisions of the Bill.
- 6) Special Voting Booths and Special Votes  
 Stop special voting booths with the exception of voting officials to cast special votes within the villages that they are working in. Voters will be compulsory for the constituencies during elections.

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- 7) Senior Government officials and contractors will assist with the election process.
- 8) Request registrations through the use of modern technology  
 Submission of requests from Samoan citizens pursuing scholarship overseas and those working in Samoan Ambassadors offices overseas as well as seasonal workers so that their names are registered using modern technology such as email and fax.
- 9) Offence for none voters.  
 It is the duty of eligible Samoa citizens that have registered already to participate in elections during election day to cast their votes. Being absent from casting vote is a criminal offence.
- 10) Census; since an Amendment has been implemented on requirements for registration of voters based on residency, it is appropriate to carry out a census one year before the general election to verify the population of villages within constituencies that people reside on. This arrangement will minimize the reliance of village members on the Candidates within each constituency.
- 11) Bribery and Treating.  
 All forms of bribery and treating through a Candidate or Committee member to drive the voters to carry out their registrations including transportation of voters during the day of election must be compelled.
- 12) Determining place of residence  
 Apart from the Census records, residence of a registered voter can be confirmed by Government Representatives or the *Sui o le Nuu, Sui Tamaitai o le Nuu*, Pastor or a Government official.
- 13) De-registering of a Matai title.  
 In protecting the heritage of the country, the de-registering of matai titles registered under the Land and Titles Act due to elections will not be allowed.
- 14) Electoral Commissioner, Office and Authority.  
 The appointment of the Electoral Commissioner and staff of the Electoral Commission and duties has been removed and now comes under the Electoral Commission Bill 2018.
- 15) Closing of Electoral Roll  
 Temporary closure of the Electoral Roll is now changed from 4 months to 6 months on days administered by the Commissioner on the last day before Elections.

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16) Complaints and Prosecution

Time extension is now permitted to file an official complaint against electoral offenses during Election from 7 days to 30 days, so that sufficient time is granted to carry out investigation and assesment of cases before submission to the Court.

17) Continuous Service.

Amendment is made to time restriction for continuous service except for the service made to the Church Mnisters by a Candidate within 90 days before election.

**MR SPEAKER:** I would like to assist the Hon Minister regarding the general scope of our work once we scrutinize our Standing Orders. I have noted that there is part of the Bill that you have not explained fully and clearly clarified for our Parliament. I ask whether possible to give the notable Members the opportunity to speak about the Bill and other matters that was raised as these issues will be further addressed when we have the detail consideration of this Bill.

**Afioga Hon FAAOLESA KATOPAU T. AINUU:** I have one more matter. 18) Election Campaigns:

Candidate campaign requirements

- (i) Submission of magazine outlining skills and abilities of the Candidate
- (ii) Construct campaign boards indicating goals of candidate
- (iii) Hold public forums and presentations of candidates through radio and television.

Mr Speaker these are some of the things that needs to be included in the Electoral Act 1963 in replace of the several amendments made to this Electoral Bill 2018 as proposed, with respect.

**MR SPEAKER:** Very well thank you. I believe majority of the achieved work was clarified in our seminars and that the next process will be the Committee for consideration of the Bill. I also think that all dignified Members have been given a chance to voice their views regarding this part of the Bill this morning. I don't intend to advise rather to give assistance; I call upon any member who wishes to speak.

I firstly allow the Hon Prime Minister.

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**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker it is not unknown what the Bill had targeted which has been heard before by the majority of the Members. The Bill is not stating anything new hence it is only attempting to identify the reasons about the Members facing court cases before. If we are honest in trying to turn a new leaf for stopping any offence from occurring, I want to say that the Bill will not hide this issue. An example there is a major issue with the children of Candidates. They try to withhold opportunities that can permit family members to apply resulting in cousins and others who are not related. Even though the Hon Minister and the Commission are aware of this situation, it is an issue now discussed widely. If we do this in the spirit of righteousness, this is what the Bill aims to achieve. It is the actions of Members that result in them being brought before the Court as indicated in the Bill especially with such declarations saying that you are from Matautu and will vote for Matautu. The problem with this though when the matter is assessed it is not only the people living in Matautu who vote but outsiders as well especially additional voting booths set up in town. If we look into the electoral rolls in detail we will find that this is a major issue. I do not think one of us has been able to escape from this? The Hon Minister and the Government has therefore implemented a provision to monitor such offences that have been continuously committed. If we were to apply our culture in such circumstance, my children should vote for me. Nevertheless, behind such arrangement is a serious criminal offence taking place.

Mr Speaker even though it is hard to carry out such act it is still done, it is still submitted as a test to verify claims. Let us lay out something new to avoid further offences from happening to us in future.

There is a good person that no one suspects had committed an offence, he had done a lot of good things. Then Tofilau asked, ‘how was the election?’ ‘I won’, ‘Will there be any charges laid against you?’ ‘Oh no.’ Then Tofilau responded, ‘Look brother, I am an old man and lest you think that there is no one, go and think again, even if you come across something minor, it will TKO or knock you out.’ Nevertheless, we still have a chance; we have a few days before the closing time for charges as I hear that your supporters are prepared to testify against you. Then this Member sat and thought, this is true, I will stop this mistake and do otherwise. Before the rooster crows he was kneeling in front of the house which stunned the couple. The matter was resolved instantly at that time through forgiveness from the people.

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Mr Speaker, not all people are the same, in case you kneel another time and end up standing before the Court ruining your reputation. Other than that, it is different today, people want money. Without \$100,000 or \$200,000 the case will not be withdrawn. Look at all this amount of money; it will look as if though... our positions are ridiculed by the people due to our actions.

Mr Speaker this is the reason why this Bill was created. If this is the true spirit, then let us do justice and avoid statements like the people of our village say about this and that. Let us stay informed, the time you... because we are living the life under the earth, subject to the many temptations around, the wheat and the tare grow together.

Mr Speaker this is the assistance on the Bill, it is simple if we follow the right path and if we want complication then we can do otherwise.

Mr Speaker this is my clarification on the Bill.

**MR SPEAKER:** Very well. I believe the matter is now understood and if we make it easy then so it will be but do not try and make it complicated. Who would do what is just for us? Who can do righteousness for us? This is the question and you have the answer to that.

I call on the Member for Anoamaa West.

**Tofa Hon LAUOFO FONOTOE NUAFESILI PIERRE LAUOFO:** Thank you Mr Speaker. I will not take much of your time but this constituency wishes to speak on matters concerning the elections. In regards to eligibility of candidates during the two week submission period, it is noted that within the two weeks period, the eligibility of some candidates is questioned. In the past this decision was made by the Registrar or the Commissioner, if a candidate does not accept it, then they can go to the court. With the previous elections, such matters were taken directly to the Court as raised by one of the Members through this Bill. As a recommendation if possible to set up a pre-qualification period say for this process, say two weeks before the deadline is set for Candidates registrations. This two weeks period will allow the Commissioner to scutinize the Candidates eligibility and requirements. If the Commissioner decides that a candidate is unacceptable, at least there is enough time to refer this case to the court for their decision. The intention for me is enough time given the two weeks timespan for the candidates to submit their candidacy and prepare one month before the Elections taking into account this pre-qualification period.

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I am grateful to the clarification by the Hon Minister on Pre-Poll that will take place on Monday, Tuesday, Wednesday, Thursday and Friday. These days will allow those who will travel overseas, the 65 years and older and those with disabilities to vote. There is a provision in the Bill for Pre-Poll which states permission for this kind of vote before the general elections.

I humbly request reconsideration for this part of the Bill Hon Minister for the consideration of the House Committee whether possible to include the people residing and working in Apia but are voting for constituencies in rural areas and Savaii. This is just a request put forward for your review as opportunity is open, but just these few things including those working for the State under essential services as mentioned by the Minister that can cast special votes when extended time is stipulated because my concern is this, if there are 10,000 to 15,000 voters from Apia, it is compulsory for them to go to Savaii and the rural areas to vote. If it is a Friday and I have noted that the voting booths open at 8am and close at 3pm, a lot of them will be going to the rural areas. The question is this, will there be enough time to carry out the votes given that the voting booths will now be full in the rural areas and Savaii.

This is the real meaning behind this statement, it is good to have pre-polling to allow the chance for everyone who are residing in remote areas in the rural areas and Savaii to vote in Apia whether it will be on a Monday or Tuesday, this is all carried out at the Electoral Office if this is the proposal for this Bill in regards to pre-poll.

Mr Speaker it is stated that the security or judiciary costs for petitions is \$2,000 and I would propose to increase this cost to \$5,000 which I trust is an appropriate value these days. As I stated earlier I do not have much to say because most of the provisions in the Bill are old except for a few new things discussed by the Hon Minister.

Lastly, have a look at the past technology used in the old days like telegrams and so forth to be replaced by modern technology that we use today. Secondly, the Bill also states Electoral Identification cards which we do not use in such a long time. All that should be omitted from this legislation.

In regards to campaigns, the Hon Minister has mentioned things like, well I have not heard internet using, that is one area the Committee should consider together with the Hon Minister.

Mr Speaker, these are a few views on the Bill but we will have further submissions when we get to the consideration in detail in a future time. Thank you for the opportunity.

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**MR SPEAKER:** Very well, thank you. I call on the Member for Palauli le Falefa.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Thank you Mr Speaker for the opportunity. The Bill before the House is the compilation of various amendments from the 1963 Act until today. Additional amendments have also been made to it to be in line with the changes today and in the future. The Hon Minister stated in his Ministerial Statement this morning that the tabling Bill is to minimize the offense of Members during elections.

Another amendment in this Bill and the recent one as well as the Constitutional Amendment before the respective Committee is the discontinued voting for Individual Voters or Urban Seats.

Mr Speaker another aspect I mentioned regarding this Bill is the setting up of an Electoral Office, the power of the Electoral Commissioner to decide for the eligibility of candidates. The eligibility of candidates is determined based on the solitary decision of the Commissioner but it seems candidates will be the ones to assess each other's eligibility. The only outcome of such decision will be conflict between constituencies. This will not only result to disagreement between candidates but also the voters which can lead to more problems. There should be criteria listing the eligibility of a candidate if the Bill and decision of the Electoral Commissioner is not satisfactory.

This is an important matter since it is not affordable also it is not the duty of a candidate to go and find out the eligibility of another candidate. This is the sole responsibility of the Electoral Commissioner. Another eligibility condition is that a Candidate must be a Samoan citizen. If a person from overseas is married to a Samoan and holds a chief title and has achieved the 3 years requirement or 3 years service or monotaga, three years of earning his or her matai title, eligible, it does not say citizen, the person is...otherwise we might have people of other countries sitting in the matai council. That is the exact intention honorable Speaker, this Sitting is the Paramount Meeting of the Country, so it is inappropriate for anyone else who does not understand our traditions and culture to sit inside here.

Another aspect there is a lot of open ended clauses and loop holes whereby the lawyer can grant a favor to his/her candidate causing more trouble. Based on eligibility requirement, it is totally inappropriate. Not only does it involve a lot of translations and in regards to my own interpretation, it is just making it worse. As stipulated here, one candidate argues in court another argues about eligibility or ineligibility of another candidate. Look at the amount of time being wasted?

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The member for Anoamaa West mentioned this, some of the people will be talking about the voters who will have their votes before the elections for the sake of travellers, the disabilities and the Seasonal because as soon as the closing time for these rolls are up, they start to leave in August, September, October and when they return, the elections are over. How are these people categorized? Because they are only going on a temporary basis how are they supposed to vote. Another aspect is the three years requirement because there are several types of services or *monotaga*, one for youth men, one for young women, one for mothers. So it should be specific, because the running matai should fall under the three years requirement and be able to render service or *monotaga* rather than submitting the *monotaga* of the young men to make up the 3 years for this matai, no the matai should comply the 3 years requirement plus the 3 years service or *monotaga*. This also applies to those living overseas who are interested in running for these elections.

Another matter honorable Speaker is the Rolls. The recent electoral Rolls had a lot of recommendations received by the Office from the public saying that majority of these Rolls have a list of voters that are not members of some constituencies and I instructed the villages of my constituency to find out who these voters are that are non-residents of our constituency. 80% of these people are non-constituents and are called by different names in the village and those under the registration list. Because this is a common thing in Samoa, some go by different names in the homes and village other than the registered names in the birth certificates and therefore, 80% was recorded by my Committee from here and that of my constituency in Savaii. What happened was, when looking for these people their families informed us that the name on the birth certificate is different from the one used at home. The other 20% is for people that have moved overseas and majority of them do not come to vote. This is one area that should be scrutinized.

Another issue raised by the Office regards voters, this is fine so long as you cast your vote. Unfortunately this is the problem, these men are entitled with big matai titles however, they lack insight of the Alii and Faipule system. There is a difference between sitting in the village council and meeting with the village council or Alii and Faipule. It has different settings, this is where you will get an insight of the village affairs. There are villages including mine that when it comes to the food distribution, only those that gave their votes are given food, whereas for the rest, they have to find their own food, number one.



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Another issue honorable Speaker, these people do not stay with their families as mentioned by the Commissioner in the pre sitting, the third and fourth generation do not know their families anymore. This is the reason why we are implementing this Bill to encourage people to build their families and stay connected because there is proof that some cousins are married to each other. This is later known when they already have two children.

This is what's happening in the middle east, cousins marry each other and when they have their kids, some are one-legged or disabled, due to what? Because their genes are close and this can most likely happen to Samoa.

Mr Speaker and Hon Minister this is one issue where people are being disconnected from their true identities. There are times when our lands in Savaii are being distributed and for those who do not cast their votes there, they will have to find their own land elsewhere. If you do not support the affairs of the village, you are out. You strive according to the place you render your service to for the development of your own family. Those who travel from Savaii are not refugees because they do not live here permanently except for Leauvaa and Salamumu who have permanent residents here. As for the rest, two and three generations with regards to quarter or half acre lands, the children will start to fight over these pieces of land once the parents die. The purpose for them coming here is for education and work.

Bills should be carefully drafted so that we will not neglect our true connection which is our true identity. This is our identity for yours and my life.

**MR SPEAKER:** Very well, you may conclude your speech now.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Thank you Mr Speaker I am only half way through.

**MR SPEAKER:** You have two more minutes.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Thank you. Another thing, it is now stated that people are not permitted to go to Savaii to cast their vote and only two electoral booths is specified for our Leader. Special voting booths are also disallowed here which helps saves funds. The electoral booth at Malifa is still open close to 10 at night; the location for these ballot booths and constituency will not be made known. The Constituency of Palauli le Falefa will never do such thing.

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Importantly and truthfully, none of us is righteous. Jesus Christ will die this week and all our sins will be cleansed in place of His righteousness for us to make right. Let us not speak about righteousness because no one is perfect. It is baseless to speak it because only God is righteous.

Hon Minister and Mr Speaker, thank you, I commend you for your patience in managing our Sitting, I pray for good health upon you, bless our Sitting, soifua.

**MR SPEAKER:** Thank you. I call on the Member for Faleata West.

**Tofa LEALAILEPULE RIIMONI AIAFI:** Thank you Mr Speaker for the chance. I have been listening intently to this Bill and the submissions of Members which I also wish to talk about.

I thank the Hon Minister for preparing the Bill, we have been arguing over many issues after the previous elections and majority of these issues are now being addressed in the Bill.

The issue concerning the registration of voters now has a response on compulsory voting through this Bill which is something that should have been implemented long ago. Even though the Bill states the rejection of voters' transportation to carry out their registrations and votes, this process should have our assistance in collaboration with the Ministry because there is no guarantee that these voters are being truthful to you or not with regards to their votes. In assistance to this process, this task should have been sorted in this legislation.

Nonetheless, I wish to emphasize the matter that we constantly argue about over the past elections. We have attempted to make several electoral amendments in the past specifically for Part 13 and 14 mainly in regards to electoral petitions and campaigning and so forth. Part 6 of the Bill clearly stipulates campaign and what's permitted during the elections. Campaigns are not allowed neither is the one allowed by the electoral without money being spent as no democratic country under the sun conducts electoral campaigns without money being spent.

Even in the recent election by the big Government of the United States, millions were spent for their campaigns and therefore there is no such thing such as electoral campaigns without money spent. The reason why there are no petitions is because it is allowed under law. This is the same for us, how many times have we submitted petitions and protested the Electoral Commission in relation to solutions for these problems, put in place a budget for offenses like this for anyone who runs for the election. There is a difference between bribery and electoral campaign preparation process.

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The most pivotal concern honor is that we should have given submissions nevertheless, it is very reasonable for the Committee to give penalties that are inappropriate. Why? \$10 is equivalent to \$100,000 and \$5 is similar to \$1,000. Any offence or crime such as murder or robbery, have different forms of penalties. And when it comes to elections, if you are charged \$10 for one bbq, your title will be stripped. This is similar to someone giving out 200 boxes of chicken which is unfair. This is inapplicable because it will reflect these things, it is unbalanced because how does this work for us who are serving for five years. This is because if I come across someone and I give them food or money for their want. This is no campaign, only when the requirement of 3 months or 30 days is applied before the election, then that is called campaign. This is a huge mistake. These incidents should be stopped before the next election. It is a must that I speak as this is the third election, third offence and a third win. I am not saying...

Mr Speaker there is no less charge of \$50,000 to \$60,000 spending for me even if I win, I would spend on lawyers, voters, something that you too are aware of. How can we stop this? In the previous elections eight Members were petitioned. What happened? Seven of these petitions were revoked and only one continued in court which was mine. This is why I ask that this matter be reviewed as it seems that some Members are using this chance to earn more money from electoral winners. Worse off, is the lawyers carrying out these appeals, charge the ones that are mainly accepting money or... when lawyers should also be included in this offense/charge as they too are helping out along the process. We have a witness here; the lawyer would come and get paid in tens of thousands for you to win this case. This practice is unfair and must be omitted. The recent election had me the first time to have been charged with a new offence whereby both the winning candidate is charged together with the one who won second place. This is new. Most of the losing candidates were surprised about this charge because they lost in the election. It says that if a winning candidate loses and the second place loses as well, the other should take the win. This recommendation was given by lawyers. What happened next? When this was brought before the Court, the Judge responded, "Which stupid lawyer submitted this outrageous offence?" I am being truthful. What stupid lawyer put in place such penalty for a candidate who had lost from the election? Why? This is no charge for petition which is ridiculous. Otherwise, why do lawyers do such things? For them to earn huge amounts of money because the total cost for all this work is \$20,000. Regardless of this inappropriate doing and despite my awareness of all this fraudulent process, money must be spent anyway.

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This is why Hon Minister it is time that we put a stop to these activities because all democratic countries can do this too. A budget of say \$10,000 or \$5,000 must be in place for the preparations of electoral candidates and to avoid this kind of electoral corrupt practices. If continued, I beg the Hon Minister to place a penalty against this wrongdoing as there is only one penalty stipulated herein. The offences we are seeing today is petitioned, this is compared to a person charged with murder. Why? The penalties include not running in the next election, removing the Member from the seat as well as the lawyer's fee. Rather, only \$10 or \$20 was allotted? The perspective from outside is that we are corrupt. This is the perception that we are trying to eliminate. There is no such thing.

I am grateful that many of the comments have been addressed hence, Hon Minister in regards to amendment to petitions, this must be considered during our current time in office. With respect thank you.

**MR SPEAKER:** Thank you.

**Tofa Hon Lauofo Fonotoe Nuafesili Pierre Lauofo:** Mr Speaker in regards to the matter by the previous Member, I want to speak briefly on it. The comment made regarding lawyers making money through petitions. As we know petitions have limitation periods, you are only given three days including the day of filing to do a recount. Then you are given seven days to file your petition. This means that all the work the lawyer did will now be arranged so they can work on the candidate's petition. If a petition is set aside perhaps the lawyer will earn up to \$200,000 from the work that is supposed to be done. The duty of the lawyer is to assist with the issue, the person is looking for help on the matter therefore they should assist the client. I move with respect to the Hon Minister who has been nodding to me to clarify the matter. He is a lawyer and is aware of the process since he also did petitions in the previous election.

**MR SPEAKER:** I call on the Member for Faleata West.

**Tofa Lealailepule Rimoni Aiafi:** There are old lawyers within town that do petitions. But they do not do it. Their response when you go there is, "we do not do petitions, it is not good." If all the lawyers were like this, I would be happy. However, what I spoke of is not just the petition alone but the extra charges imposed. Even though the lawyer knows that the person did not win but charges are still imposed which is unfair. When you come with a petition the lawyer would recommend that you go and find another ten reasons.

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If one fails, there is still the nine left to win the argument. This is how it is done. I just want to say to the Member that I have had eight court hearings and I understand completely, the only difference is that I won all eight. I already understand, if you carry out a law course tomorrow which is the reason why I did not attend, because I am already a lawyer.

**Tofa Hon Laufo Fonotoe Nuafesili Pierre Laufo:** Mr Speaker I will not argue this matter. The only recommendation I have for the Member is to set up his own law practice.

**MR SPEAKER:** I call on the Member for Gagaemauga No.3 Deputy Speaker to proceed with our orders. I humbly ask you direct your view on the matter. I also want to advice the Members to save our time by speaking directly on the matter. There are a few more Members that are yet to speak.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker thank you for the opportunity. This is exactly what I was going to do in consideration to the work of the Chair in administering our Parliament. I will now speak upon the Bill tabled in the House this morning. First I want to thank the Hon Minister for the Bill which has amended 155 clauses. It is not an easy task faced by the Hon Minister and the Commissioner and the Office of the Electoral Commission. I move with respect to voice my gratitude to the proposed changes on this Bill. However, I still would like to offer words of advice. I want to speak on the eligibility of voters regarding the place of residence/where to cast their votes. We cannot just sit by and not say anything on the matter; I want to convey a few thoughts for those of us from Salafai.

Hon Minister, have a look into this according to provisions of the Bill on voters eligibility. I will not speak on the candidates but the voters. As argued by some of the Members, it seems this amendment will disregard the lineage of the person. The Hon Prime Minister stated it will benefit us in the future, and is a broader view and I take these words seriously. I feel like the amendments stated within the Bill eradicate the freedom and the rights of the individual under the Article 13 of the Constitution. I humbly ask the Hon Minister to review this matter, give voters from Salafai a chance to decide who they want to vote for whether it be in Savaii or where they are currently living. Everyone is different and opinions of Salafai voters differ. Some came here to find a better future and others just came to buy lands for settlement. I agree with this. I do not object any of this, it is alright with me.

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Hon Minister I humbly ask that this area be looked into because the question that must be asked at this time seems to look as if the voter must consider their place of residence first. This is first but the matai title comes later. I will not speak further on the effects this may have on our culture since we are considering the Electoral Constituencies. That is why I have reason to address this Hon Minister to voice a recommendation on the matter and the opportunity should be given for a person to choose where they will vote rather than putting their residence first. If a person is found to have moved here for employment and for the sake of good education for their children, they cannot live in Savaii but here, stay to push their children. As for choosing the leaders of the country, their heritage and upbringing is Savaii. This is an area that must be considered in regards to the eligibility of voters to make a choice like that.

Hon Minister, I pray that a special condition be imposed on voters for Savaii. Because it is different if a person has to go to Safata or Falelatai, it is not a problem because it is easier for them to be there in the morning to vote and come back so there is a minimal cost incurred. The reason why I mention this matter for the people of Salafai traveling back to Salafai, as you stated we never know what might happen when one is traveling, such is our intention for traveling to Salafai, this is another duty of the State and concern for the safety as everyone who will be going to Savaii. We never know what might happen on that day.

**MR SPEAKER:** The opinion of the Member is renowned and am aware that your concern places emphasis on this side. Well done. I want to remind the Member that this matter will be referred to the Committee for consideration and be tabled again in Chamber. I have also noticed that the Hon Minister is noting down the recommendations voiced, thank you.

**Tofa NAFOITOA TALAIMANU KETI:** Thank you Mr Speaker, this is the reason why I am emphasizing the matter. If I see you noting down then I will... and if I see that you are just sitting, then that is fine as the Chair is aware of this. This is the significance. I will conclude with first voters that they should start voting on Monday and trust that Friday is set apart for those traveling overseas. By the look of it, there may be a few problems if voting takes place the whole week. There is reason for that thought of yours Hon Minister and the... our Constituency does not support this, leave it to the day of election if the person resides in Samoa.

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Although if the person has a valid excuse to leave the country for apple picking, family or Government obligations even for a matai title ceremony then we will support this provision. We support the voter casting a vote the week before elections.

This is an opinion on the Bill nevertheless we will meet again during the consideration by the Committee for further recommendations. Our main objective is consideration for the people of Savaii by offering special treatment in regards to travel conditions and the Thursday before elections as this will be a holiday and I trust, we never know what will happen. And who will be questioned for these things? That is explanation as that is how life goes for us these days. With great respect, thank you for the opportunity.

**MR SPEAKER:** Very well. I will give the opportunity to the Member for Salega East followed by the Member for Safata West and the Member for Falealii West.

**Tofa OLO FITI AFOA VAAI:** Thank you Mr Speaker for the opportunity. Briefly I have already given view on the last two and this is the final legislation. All these Bills are important as you state honorable Speaker; voting systems are all God's. My mind keeps asking, why do keep making changes, as for every Parliamentary terms we have, changes to the Electoral Bill are made. And it all starts with us as this is pertained to us, we end up breaking the law and sue one another in Court whilst some cry and others kneel/plead. This is the same for the Hon Prime Minister, he has been discussing the Bill yet by the next elections, he will be going around several constituencies to remedy and hide other Members of his Party. This is a matter I wanted to clarify Mr Speaker.

Another matter...

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker a Point of Order. A leader of the country means a leader to everyone. What should be done if someone seeks my assistance? This is reason why some seek my help, some have marital problems and they come to seek my help as they refused to see their pastors. Others come to me based on the salutation that I am the father of the country seeking school fees, and money for faalavelave. They always come to me and I no longer wish to be the father of the country. I ask them, "Where are the fathers of your constituencies?" My, we cannot find them." You must seek the fathers of your constituencies as I am not your father, everyone has their own father.

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And that is the situation, if people seek my help, what do you do? Do you chase them out especially when it regards serious concerns such as this? I too intend to given the best assistance. Even with our Lord, although he was dying, he still assisted the prisoner that sought Him. That is the case, seeing a prisoner does not mean that you should disregard them. If someone needs help, lend a hand. I mention this because the Member is also one of those seeking my help, even though I know he has broken the law I still assist him. The Hon Minister should know that the Member sells marijuana at his bar yet I still helped him. If help was offered and the Minister says it's too much, then close it down, otherwise, this Minister is known as a very truthful person. That is the assistance on the matter even though this Member also sought my help.

**MR SPEAKER:** Very well. A loving heart is the most important thing. Move on to the next matter.

**Tofa OLO FITI AFOA VAAI:** Since the Hon Prime Minister mentioned our Savior he should recall what the prisoner asked Jesus. "Remember me when you come into your Kingdom." Then Jesus replied, "I say to you today you will be with me in paradise, but you still have to pay for your sins."

The other matter Mr Speaker, the first and second Bill started off with the Hon Minister's maintaining this new change regarding Electoral Constituency. Now that we are on this new Bill, this too is going elsewhere in regards to eligibility, and when it comes to candidate, their eligibility is traditional based, to represent the place where the matai title was bestowed, however, more options should have been given here, regardless of what and matai that comes in this circle, eligible, because we are now considering the new change and the rise in statistics.

Another matter honorable Speaker, there are a few issues from previous Parliamentary terms regarding Members' matai titles and those candidates who vied in the elections. An example is me, I came into Parliament as Ooloo and after the second half, the right name was Olo. I wanted to ask the Hon Minister if there are any penalties incurred for such matters and whether the Member's service becomes terminated instantly.

Lastly, penalties addressed by some Members in relation to our people from Savaii that are residing here (Upolu) as the Bill states a person is breaching the law if they do not cast their vote. What would happen if the voter does not afford a fare to go to Savaii to vote and instead stay here and could not to vote because of that situation?



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This is an area Hon Minister that ought to be considered together with the Ministry and the Committee reviewing this Bill. With respect thank you.

**MR SPEAKER:** Thank you. I call on the Member for Safata West.

**Afioga LEAANA RONNIE POSINI:** Mr Speaker the constituency of Safata also wishes to say a few words on the Bill. First of all, I want to thank the Hon Minister for the Bill. I have noticed that it is an old Bill rather it now has new amendments.

I wish to support the tabling Bill beforehand. With few recommendations Hon Minister, the matter raised by the Member for Faleata West regarding penalties imposed on candidates before the court is important. I notice that this is the only penalty that sets no boundaries to measure an offense given that all penalties have certain measures depending on the crimes committed. As for a candidate, even offering a cup of drink to the other candidate can result to your title being stripped even if you have served for many years. I humbly ask the Hon Minister that this provision be reviewed. There is a mention of units how many units before your position as a Member is removed.

Second, the time after elections, I humbly request the Hon Minister whether there are any public lawyers to stand for those winning candidates and represent their electoral appeals. I say this from experience because I found a lawyer on the last day. I tried looking for a lawyer to take my case but most of them responded that they do not have enough time to prepare. This is my request to the Hon Minister, is there a lawyer stand for the winning candidates because if they win, they become Government Members and there should be lawyers that should stand for them. It is a must to have lawyers to represent us candidates.

Thirdly, I support the amendment to allow the voter to go and vote within their constituency which I personally believe is a lot easier for everyone. This will save us the hassle of having to find the voters as we too had to go around Savaii to find our voters according to the electoral roll for our constituency. If they were to vote within their own constituencies it is their choice to vote for the candidate. Because if your constituency like others have a lot of outsiders residing in their constituencies' vote in the Members. So if the people voting are those that reside within the constituency then it will be them who will decide if the candidate will return or not. This will be easier for us candidates as well, we will not have to go and find voters. Finding people who will be voting for you will be easier, you just have to go and talk with them and ask for their support so you can come back in the next elections.

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I am grateful for the Bill since it is also considering our seasonal workers. I humbly ask that they get an opportunity to vote before they travel abroad.

I have noticed, thank you Hon Minister, it is stated in the Bill that by the next elections, we will be using modern technology, electronic voting. This is a matter that should be considered carefully as it is manmade technology. Such machines can be hacked therefore results can be altered altogether. I strongly believe a solution for such issue is to have a lot of ballot booths in the constituency. I have noticed during elections by 2pm all voters have finished voting. There is no need for such technology here also I do not see any problems with the voter putting their vote in the ballot box so that votes can be counted together. I see that this is implemented by other countries and is used by millions of voters, so they need a quicker way to count votes. Have a look into this matter Hon Minister.

These are a few thoughts that I have with the utmost respect to the Hon Minister. Bless our Proceedings Samoa.

**MR SPEAKER:** Very well. I call on one of the Members for Falealili West, followed by the Member for Urban West and Member for Vaimauga.

**Tofa AUMUA ISAIA LAMEKO:** Thank you Mr Speaker for the opportunity. This constituency supports the Electoral Bill 2018. The only concern though is regarding the provisions of the Bill as there is no mention of the matter regarding bankruptcy. I respectfully ask that the Hon Minister inserts this into the Bill, those who are bankrupt should not be eligible to run for elections.

Another question to the Hon Minister via the Chair, why has there been a change regarding the amount of days we can lodge the appeal from 7 days to 30 days. Is seven days not enough to put forward an appeal? That is my question....

Sir, another area emphasized in the Bill is the strict registration of matai. One of the requirements for anyone to become a voter is to have a matai title, your father, mother, sister and brother all have to be a matai and lastly, you must vote using your place of residence. The new Bill now states that your place of residence is more important than where you have your matai title. I want to ask the Hon Minister, is there a reason why this part of the old Bill has been amended?

Mr Speaker these are a few concerns in relation to the Bill, I am grateful for the opportunity.

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**MR SPEAKER:** I call on the Member for Urban West.

**Afioga FAUMUINA ASI PAULI WAYNE FONG:** Thank you Mr Speaker, I commend you for your patience today. I know that today has been a long day nevertheless it is important work sir. Just a few thoughts on the Bill tabled, this is a big Bill and it seems the Electoral Office does not seem to trust our Members. It looks as if we cannot be trusted. Is there a reason why such big Bill has been implemented? I am certain that the majority of members have committed such accrual offences. Perhaps the reason why such a law has been implemented is based on the results from previous elections when these candidates contested it. If we think of it another way it is mainly to stop corrupt practices in the elections. We are now following these regulations which should be easy to understand and we can also be seen by setting a good example as the lawmakers of Government. Although it seems with what I have noticed, we should not worry or be threatened at all as elections is a rather complex issue.

I am grateful to the Hon Minister perhaps this will be the last Amendment made together with the changes made to electoral constituencies. I have a request for when the election day should be carried out, it is stated in section 66 clause 66 which states, if elections take place on Friday, voting booths will open at 8am and close at 3pm. If it is a Saturday, it will close at 7pm. Why not just have the elections on Saturday respectfully via the Chair. See if better to conduct the election on Saturday for the people of Savaii to travel to Savaii and cast their votes on Saturday. They can easily get the last ferry at four in the afternoon, and they will get there before the voting booths close.

I now come to the matter concerning registration fees for candidates which is now being increased to 200% from \$300 to \$1000. By the time of the elections, the candidates will not have any more money. It would be lucky to have \$300. Why not make it less than \$300, and therefore implore the Hon Minister especially that side, to bring it down to \$300. So during this day, there will be no more money left to spend.

The matter concerning the developments undertaken for each constituency, I believe it would be best for each constituency to have a budget. So, after a constituency uses their allocated budget to build a new road, they can rest for a year or until the the next Parliament term before their budget is renewed. Since each member will now have their own constituency, this will be better because there are Ministers that only tend to develop their constituencies more, even though others have not been neglected.

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Secondly, I strongly believe there are reasons why new provisions have been tabled in the House, Samoa has been in politics for many years now and we always had elections. Therefore, I am certain that the Amendments tabled were taken from the issues of election processes as seen in the past and believed it will protect the candidates running as well as voters. The Bill will eliminate the element of corruption within elections and that is a good aspect.

Thirdly, I have noticed over the years during elections that most laws implemented are not adhered to as there is no monitoring done to review what has been followed. This is the problem with most elections; as there is a lot of bribery practices in rural areas which results to many cases being brought before the court. It is usually another candidate going against the other candidate. There has never been such case where the Electoral Office has taken a candidate to court because they do not have any evidence. Is there a way for the Electoral office to go into the rural areas and carry out inspections and ascertain as to whether there is bribery going on.

This is an opinion at this time to assist the Bill being considered, I want to thank the Speaker for his patience and all respectable members of the House today. I also acknowledge the support of all Samoa listening in to Proceedings. Thank you.

**MR SPEAKER:** I call upon the Hon Minister to speak upon some of the matters mentioned by members.

**Afioga Hon FAAOLESA KATOPAU T. AINUU:** Thank you Mr Speaker, I believe it has been a tiring day for the House. As for the matters raised by the members, you are aware that I did note them all down. Loau and Afamasaga also did the same. The Commissioner of the Electoral Office and staff are all present and are taking note of all the details you have raised. In saying that, the Office will look into these issues and make recommendations to the Committee for the future of the Bill. With respect thank you Mr Speaker.

**MR SPEAKER:** Thank you.

*Motion approved and the Electoral Bill 2018 was read a second time.*

**MR SPEAKER:** Pursuant to Standing Order, the Bill will be referred to the Standing Orders, Electoral, Petitions and Constitutional Offices for consideration and report back to the next Sitting.

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### Motion for Adjournment

I thank all the members for today, well we have arrived at the end of our sitting schedule, I call upon the Hon Prime Minister.

### MOTION FOR ADJOURNMENT

**Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE:** Mr Speaker I want to thank the respectable Parliament for your far-sighted wisdom. Thank you honorable Speaker for your perseverance in administering the various views for the purpose to set and improve our election processes. The Bill will now be referred to the Committee and I remind that you be mindful of further processes to this Bill to improve and implent the electoral strategic plannings and processes.

Mr Speaker I take the floor to move a motion *that Proceedings of the Legislative Assembly adjourned until Tuesday, 29<sup>th</sup> May 2018.*

*Seconded by the Hon Minister for Health and the Minister for Agriculture and Fisheries.*

*Motion approved.*

**MR SPEAKER:** There is belief that the work we carried out today was not easy but with the spirit of God that abides within us, this has made it possible for us to achieve our works today. You all have other duties waiting for you and the Cabinet especially your responsibility of working 24 hours for the sake of Samoa and our constituencies. To conclude, before we adjourn the proceedings of today's sitting according to the motion, I will end our sitting with a prayer.

*Proceedings of the Legislative Assembly adjourned at 4.08pm until Tuesday, 29<sup>th</sup> May 2018 at 9.00am.*

