

*MONDAY, 29 JANUARY 2018*

*The Speaker took the Chair at 9.00am.*

Prayer.

**OPENING REMARKS BY THE SPEAKER**

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

It is with great respect that I greet everyone in all your honorary addresses from the Hon Prime Minister, Deputy Prime Minister, Cabinet and Associate Ministers, Chairpersons of Parliamentary Committees more specifically the respectable members of Parliament this new morning. We begin our work with God and end with God so that all things end well by His blessings. May God's blessings be also upon Samoa and its support.

**NATIONAL HEALTH SERVICES AMENDMENT BILL 2018  
– debate on second reading resumed**

**MR SPEAKER:** When Proceedings adjourned last night, the member for Vaimauga East was beginning to give his speech.

Respectfully I ask the respectable member to proceed.

**Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA (Vaimauga East):** Thank you for the chance Mr Speaker. With greatest respect this morning I heedfully speak say that this Meeting House is filled with dignity as here in our presence is the Hon Prime Minister, the Hon Deputy Prime Minister, Cabinet and Associate Ministers. Similarly, with this Side of the House and the chosen representatives by God through the vote of their constituencies.

This morning we give God praise for answering our prayers and the strength restored upon everyone this morning, may exaltation be unto Him.

I wish to make a submission regarding the matter before this House. First of all I greet all the church Ministers who are fasting and praying for the wellbeing of Samoa and its people. I also greet my constituency of Vaimauga East, thank you for your prayerful support and reason why I am very well.

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**National Health Services Amendment Bill 2018**  
– debate on second reading resumed

I wish to render appreciation to the Hon Minister of Health and his Associate Minister for the Act to merge the Ministry of Health. I am not in favor of the merge as I believe that the Ministry's role is to monitor the National Health Service's services. Now that we have this matter before the House again, it is with appreciation that this Party does not back down on its leadership.

I thank God for electing me at the right time to enter the Parliament of Samoa given its many amendments, for what? For the benefit of its people because if I had not been here, I would not have known that the Constitution was out of its cover, but thankfully it is now incorporated including the member for Vaimauga East. I also acknowledge the work of the Attorney General and its amendments which they are not afraid to make. What for? For a healthy nation through this Ministry.

I wish to raise concern over the existing NHS employees post merger. In terms of general health issues, there is a need to emphasize the importance of illness prevention. The Ministry of Health should be the first priority as it concerns the health of the country. It is in this regard that the salary of doctors, nurses and employees working for the Ministry must be prioritized. If the National Kidney Foundations is placed under the Ministry of Health then why should it become independent? That is the contradiction here as there is no particular umbrella for all these health entities to come under. It is important that doctors' professionalism is maintained so that they are not intoxicated while on duty.

In terms of the proposed transitional Board, the process for the nomination of Board members should be just. There are many suitable qualified public servants who could sit on the Board as opposed to Ministers, given that conflicts of interest may arise as Cabinet must endorse referred candidates. We also have part of this amendment which states the appointment of the secretary, under section 3, amendment to clause 8 that the Chairperson of the Taskforce Committee can appoint a secretary or co-secretaries in order for us increase funds. Why is this appointment necessary? Part of this amendment below states 'but have no right to vote'. Those are some of the new changes. We have qualified persons such as the Chief Executive Officers for Ministries who can be appointed as secretary for this service. I also acknowledge the work of the Minister of Women in terms of village cleaning projects such that clean environment aids disease prevention. I also appreciate the Chief Executive Officer and the Minister of Women for spearheading this initiative with the collaborating efforts of the Ministry of Health.

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**National Health Services Amendment Bill 2018**  
– debate on second reading resumed

Mr Speaker and the dignity of the House, on the overall perspective, the only thing stated here is re-merger whereas the implementation process and the incorporation of another Act moving forward is a huge process. The Deputy Chief Executive should also be included in the existing Ministry organization chart. In regards to health issues, there is lack of medical practitioners in Savaii, with existing doctors having to commute between Savaii and Upolu owing to the shortage. The rate for on-call medical officers is relatively low compared to private practitioners. It would be helpful to have doctors who work after hours to work for the main hospital at Motoootua. Perhaps the major concern for these doctors is the low pay they get compared to private doctors. I don't intend to disregard the service of the private practitioners but it would be considerate to look into this concern.

It is great to have two Ministers who are both doctors and as such I thank the Hon Prime Minister for appointing you both. Having a qualified doctor on board with experience and know how knowledge around the Pacific region like the Associate Minister of Health is a great pleasure according to the Ministry.

It is enduring to see the Speaker in our presence today taking over his calling from the Deputy Speaker who took over last week and for this kind of responsibility however, it is impossible for the Associate Ministers to take over the place of the Ministers when they are away.

Thank you also Mr Speaker for leading our sitting, the same appreciation to the country for your support. I beg indulgence if we had offended you with anything said. The intention is to increase our sitting days to aware the public of what we are discussing, have a blessed meeting together with our recommendations, soifua.

**MR SPEAKER:** Well done thank you, perhaps all members have had a turn given the discussed Amendments which was also discussed in our seminar during the discussion of the main objectives that was reincorporated and the main reason for this reintroduced Amendment for this legislation.

I call the member for Gagaifomauga No.3.

**Susuga Hon LAAULI LEUATEA POLATAIVAO FOSSIE SCHMIDT (Gagaifomauga No.3):** Thank you Mr Speaker for the opportunity.

By the honorific salutations of Samoa we are blessed to be here this morning with the Speaker of the House, may God be praised.

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**National Health Services Amendment Bill 2018  
– debate on second reading resumed**

Before I greet everyone this new week, I greet the dignity of the House, Government Leader, Cabinet and the respectable members of Samoa.

May I take this chance to extend sympathy to the victims affected in the event of last Saturday? We cannot predict the events of the future; nevertheless, we praise God for getting us through it.

Such is the reminder to the public; always stay vigilant when driving on the road. On behalf of this constituency, may I express sincerest thanks to the Hon Prime Minister. It is with great appreciation that I heed the support of our constituency for your respects upon myself thus I pray God to refill you with all that you have given because of me. Mr Speaker I wish to comment on the Bill beforehand, the Amendment to this Bill is very important given the lifestyle we have today yet we can never predict the happenings of tomorrow.

We are all aware of the incident that took place last Saturday and for that we send sympathy to the family and everyone else that was involved. This is something we can never forecast the next thing to happen in life as the saying, '*moe i manu ae sau mala e atia'e*' meaning, we sleep at night and are unaware of what will happen next. We hope that problems of this sort will not happen again in the future. We pray for God's comfort and may the diseased find a place in heaven. A word of cautious for the public when on the road, drive safely to avoid accidents which is the last thing we need.

We gratefully wish to acknowledge you as the saying goes, '*ua atoa tupe i fala ma le tino o le tama na moe i le ana*' and the normal tradition in nurturing and keeping respect. We pray for good health as you lead our constituency in all its traditional set up.

I also wish to extend gratitude to the constituency and all your support and prayers, thank you to the Clergy for your assistance and may God replenish you.

We have witnessed what happened last Saturday and the Ministry of Health is the first place to resort to for events like this. As such, it is vital that the Ministry is playing a very critical part in taking care of people's lives since the start from non-communicable diseases, various diagnosis and emergency cases happening over time in varied seasons.

For that I express gratitude to the Hon Minister (of Health) for the initiative set upon the Ministry and the Bill drafted as a result of the multiple stakeholder consultations that was undertaken.



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**National Health Services Amendment Bill 2018**  
**– debate on second reading resumed**

The only advice Hon Minister is your deep consideration upon the new merging process that will be in place as we are now back to square one and we cannot predict what the future holds. Since you are the reigning Hon Minister of Health we advise that you consider in detail things like seconds, hours, benefits, time of employees spent away from their families thus appropriate overtime packages must be offered to pay for these employees. All submissions by other members regarding this similar issue is significant because no matter how much we amend and review this legislation it cannot be executed, well that is the plea to you.

Personally, the National hospital was in an impeccable state because sometimes when you enter the hospital you think you are not in Samoa as it is of the highest quality. Anyway, I shall leave it to you and your Associate Minister as you are both Registered Official Doctors who aim to seek security upon the economy of the country and the employees of the Ministry.

The objective for national health improvement by this district based on this Budget is through the collective effort of the Government, Ministry of Health and the authority of Alii ma Faipule and Ecclesias. The assistance and support by the Alii and Faipule is critical towards health programmes.

**MR SPEAKER:** The member has two more minutes remaining.

**Susuga Hon LAAULI LEUATEA POLATAIVAO FOSSIE SCHMIDT:** That is the concern, we have the contribution and support of the Alii and Faipule upon health related issues. I also heed the former Minister of Health Gatoloaifaana during the time when we submitted a request for health improvement as we needed additional rooms for our health service at Safotu, however she heeded patience as government lacked finance at the time. Toailoa who was one of the representatives at the time suggested that we had to look for other avenues, whereby our district resorted to raise funds in assistance to the State to build additional rooms. We then managed to build 20 rooms facilitated by the district of Gagaifomauga No.1, Gagaifogamuga No.2 and Gagaifomauga No.3, by way of assistance by the members of the constituency in support of the Ministry. That is the spirit through collective effort by the Alii and Faipule and the women in the district to build a health care for the district.

**MR SPEAKER:** Well done. Your time is up.

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**National Health Services Amendment Bill 2018**  
 – debate on second reading resumed

**Susuga Hon LAAULI LEUATEA POLATAIVAO FOSSIE SCHMIDT:** That is the intention by means of working together. May you find good health Mr Speaker specially the sitting this morning and the support of Samoa. Have a blessed meeting.

**MR SPEAKER:** Well done thank you. Since members have concluded their speeches

And since you have already made your submissions to this Bill during our seminar, such is the reminder with respect. I recognize the two members left; keep it short as you are aware that this Bill is under a notice of urgency for the Minister of Health to execute their works accordingly and swiftly.

I call the member for Aiga i le Tai, be brief.

**Susuga MULIPOLA LEIATAUA LAKI (Aiga i le Tai):** Thank you for the opportunity Mr Speaker. I also give praise to the Divine for renewed strength upon your goodself.

Before I move on, I express condolences to the families of the victims from the Puipaa accident. In reality, we can never predict the future happenings. But as far as the distance is from East to West, that is the difference between the Will of the Most High and the people's thoughts. Never mind, let us plead God for his comfort and hope upon our souls.

I also acknowledge the Minister, Associate Minister and the Ministry of Health for their efforts and assistance due to the carelessness of bus drivers which is not new in Samoa.

The matter laid beforehand is very critical as it involves the lives of people. For our district we now have two Women's groups (Komiti Tumama) for the long haul and it is important that we revive the women groups to carry out first aid services in villages. Because in the past, we hardly used neither go to the hospital for medical supplies because our people relied heavily on traditional medicinal leaves for healing, in comparison to today, we hardly have anymore traditional leaves as natural medicinal to remedy the sick such as in the old days. Thus unnecessary overcrowding in the hospitals can be avoided if these committees are reinstated. There have been historical issues with public access to the hospitals in hope that the merger will alleviate some of these issues so that 3000 residents' needs are adequately met.

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

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**National Health Services Amendment Bill 2018  
– debate on second reading resumed**

**Susuga MULIPOLA LEIATAUA LAKI:** Thank you I will now conclude. I heed appreciation to my constituency for the support and assistance. I trust that the work that I do is blessed because of your prayerful support. I am always working and have never rested. Although funding assistance comes from abroad, however the partnerships of the State and their relationship with foreign countries is the reason.

I plead for God's love guidance upon our nation and into the future. God bless you Mr Speaker, Hon Prime Minister, Cabinet and your administration, Government Heads and the Private Sector. Have a blessed meeting. Soifua.

**MR SPEAKER:** Well done thank you. Before I give the chance to the final member, I urge you to make good use of our time as we are on tight schedule. This Bill is under a state of urgency in order to carry out immediate projects. Please be mindful, direct your statement to the Bill. I have the power to end your statement thus I remind that we take heed of our time.

I call the member for Faasaleleaga No.4. See if your opinion is the same as other Members before I take back your turn.

**Afioga PESETA VAIFOU TEVAGAENA (Faasaleleaga No.4):** Thank you Mr Speaker. It is a grateful feeling to see you in replenished health again this morning.

I also acknowledge the presence of the government officials in good health and spirit, the Hon Prime Minister, Deputy Prime Minister, Cabinet and respectable members, Government Heads, the Clerk and the staff of the Legislative Assembly most particularly the support of the public.

I lay aside the honorifics of this Parliament as I heed your orders Mr Speaker. This constituency highly supports the tabling amendment in regards to its objective although I thought this change (merge) would not exist which is not the objective here according to members, I was very grateful when both appointments were made for the two doctor Ministers as those are God given gifts you both hold. Similar to the Chief Executive Officer for the Ministry of Health for the National Health Services who is one of the qualified doctors and the General Manager, a RN or Registered Nurse with adequate experience. I personally am in awe with this merging. For what reason? Well for one good thing we currently have good existing appointments and the proposed merge will however not go well with the Ministry's objective.

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**National Health Services Amendment Bill 2018**  
– debate on second reading resumed

I can never forget when I was called by the Hon Prime Minister to go and give a thank you note to the Nursing Association on behalf of the Government back in 2016 at their final Annual General Meeting. Noting well, one of the senior nurses was the President of the Nursing Association named Faamanatu. She asked if I could relay a request to the Prime Minister and the government for their efforts, secondly, the Nurse Association Hall needs assistance, thirdly the existing structure of the Ministry of Health should be reconsidered, and nurses' salaries needs to be revised and increased. I then asked her the reason for this request? She replied the role of nurses is dual namely that of nurse and also of doctor in the rural areas particularly for Savaii. Why is this? Shortage of doctors. This is the criticality of my role and appointment by the Hon Prime Minister for this message to be conveyed considering this amendment.....

**MR SPEAKER:** I call the member of Vaimauga East.

**Afioga Sulamanaia Fetaiai Tauilili Tuivasa:** Mr Speaker, I wish not to interrupt the wonderful speech of the member. I only wish to understand what appointment the Hon Prime Minister had bestowed upon you because by observation, you are his Associate Minister. Did you go as Associate Minister of Deputy Prime Minister in replacement of the Prime Minister? It is accountable to note as these matters concerns issues relating to the Prime Minister and the Ministerial level as you speak. What honorific did you take?

**MR SPEAKER:** I have never heard such wonderful speech by the Deputy Minister. You may resume, do not bother to reply if you do not have the answer, go ahead.

**Afioga PESETA VAIFOU TEVAGAENA:** Mr Speaker, for the sake of the member, I am not an Associate Minister, I am the Deputy Prime Minister, if the Prime Minister is absent from his duties, I take over. No one can reach this post because after Tuilaepa then it is I who takes over, I believe that is the response you were after, I shall proceed with my speech please.

**MR SPEAKER:** Well done. The only request is the withdrawal of these words from our sitting, but continue with your statement you are fine, your time is almost up.

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**National Health Services Amendment Bill 2018**  
– consideration in detail

**Afioga PESETA VAIFOU TEVAGAENA:** As I listened to the message by this mother, I then visited the clinic in Tuasivi in Savaii and received confirmation of this doing; most of the nurses assigned to the rural areas take instructions over the phone from the Motootua hospital. But if this is reason for this nurse's request to raise the salaries of nurses due to the workload they are taking, then that is it Hon Minister and Associate Minister.

Even with emergency cases and shortage of doctors as reiterated by other members, as a suggestion, why not relocate your office Hon Minister to the hospital for the sake of convenience. In concluding, I express thanks for the work of the Minister of Works, Transport and Infrastructure and its developments implemented for this constituency and given the accident last Saturday, just a suggestion to install a 3 lane road on the main road servicing Vaitele to Mulifanua to avoid these kinds of accidents from happening. Another issue is to avoid funeral vehicles from blocking the road as they go slow on the road especially in areas towards the airport and Mulifanua wharf. We can use the American tar called the asphalt as by the end of this Parliament, this will be of great benefit.

Heeding the support of the district, if I get another chance in the next Parliamentary term, so be it. I convey thanks to Puapua, Asaga and Lano. Bear with us for any other improvements needed for our constituency. Thank you Mr Speaker for the chance, Parliament support, soifua and blessings.

**MR SPEAKER:** Thank you to the final speaker of the day, great job on your speech. Since this is the concluding member, let us put forward the question.

*Motion was approved on the second reading of the National Health Service Amendment Bill 2018.*

**MR SPEAKER:** In receipt of the Certificate of Urgency for this Bill, the Legislative Assembly will now progress with the consideration in detail.

**CLAUSE 2: Clause 6 amended.**

*Approved.*

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**National Health Services Amendment Bill 2018**  
– third reading

**CLAUSE 3:** Clause 8 amended.

*Approved.*

**CLAUSE 1 THE TITLE:**

**CLAUSE 1:** Short title and commencement.

**TITLE:** National Health Services Amendment Bill 2018.

*Approved.*

*The National Health Service Amendment Act 2018 progressed without Amendments.*

**NATIONAL HEALTH SERVICES AMENDMENT BILL 2018**  
– third reading

**Afioga Hon TUITAMA TALALELEI TUITAMA (Minister of Health):** Mr Speaker I move, *That the National Health Service Amendment Bill 2018 be read a third time.*

*Seconded by the Minister of Commerce, Industry and Labour, Minister of Tourism.*

*Motion approved and the National Health Service Amendment Bill 2018 was read a third time and had passed the Legislative Assembly.*

**CONSTITUTION AMENDMENT BILL 2018**  
– second reading

**Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI (Prime Minister):** Mr Speaker I move, *That the Constitution Amendment Bill 2018 be now read a second time and I wish to elaborate it.*



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**Constitution Amendment Bill 2018**  
**– second reading**

*Seconded by the Minister of Commerce, Industry and Labour, Minister of Tourism.*

**MR SPEAKER:** I call the Hon Prime Minister for his clarification.

**Susuga Hon TUILAEP AUELUA FATIALOFA LOLOFIETELE NEI OTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI:** Mr Speaker, this Constitution Amendment Bill is a decision by the Cabinet and its administration that it is appropriate to make necessary amendments in relation to the General Elections.

The short term patches have been made to the electoral law from time to time since Samoa adopted western styled elections in its democracy since independence in 1962. And this is the first time the contents outlined in the Bill have been put before the House for discussion in regards to amending the Constitution. Despite the many issues arising over the years regarding changes to, and the development of, electoral constituencies - these issues have never before affected the Constitution.

This is due to the existence of the Commission of Inquiry post general elections - to delve into these types of issues. The Bill sought to address an increase in the number of existing districts. Changes were made in this regard in the previous term, there needs to be balance in regards to the appointment of leaders for each constituency. Such system also exists in America, the US electoral system elaborates the need for us to take into consideration the division or appointment of members per constituency for instance, if there were 200,000 constituents there would be 2 members and for 300,000 there would be 3 members. Such is the main objective for all nations of the worlds in terms of electoral system for transparency and accountability purposes for members to be included in the decision making of their countries.

This answers the question to balance up the majority of members for some constituencies as opposed to the less number of members in other constituencies. Another thought came up, what if the majority dominates the minority. This is how the suggestion for bi-cameral (two houses) came about for the initial drafter of the Constitution, i.e. two members for one state. This is applicable to the US 50 States as one House makes the law holding two members each for both minority and majority. Thus transparency is sought from the total number of votes in the House.

Therefore, when the majority is used to pass a Law, the House of Senate will not have it. It will all be the same for constituencies holding two members.



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**Constitution Amendment Bill 2018**  
– second reading

That was the intention of the government in 1991 for transparency and accountability purposes. Then we had the Plebiscite asking two questions. Whether it is appropriate for the 21 years old to vote? This means that this will involve the young men, pastors and women. At first only the *matais* were allowed to vote and a subsequent referendum in the mid 1980s overwhelmingly supported universal suffrage, and if I can recall properly Faleata East had only 30 registered matai then which means that if you had 20 votes you can succeed to become a member (of Parliament).

This is how the Referendum or the Plebiscite came about and whether the system of bi-cameral was practiced comprising of the Upper House and the Lower House. Secondly, to have open vote for all. In the end, the voting was approved with majority opposing the two House. We now have one House but still transparency and accountability continues to exist inappropriately.

Although the amendment was made to increase the number of members in the House from 47 to 49, we then had another amendment to establish 10% or 5 reserved seats for women in the House in an effort to address the increasing need to raise women's participation in the Parliament to make up 54 members in the House.

Therefore, the Constitution should again be amended from 49 to 54. And if the result has it that 5 women are included in this 49, then the number retains at 49. That is reason for this amendment to raise the need of women's participation in Parliament to be in line with the rest of the world and to include the minimum amount of women to be in Parliament at 5.

This necessarily calls for a review in the Constituion to set out a permanent mark for this amendment which should not be delayed. This is the perfect time for us to make our contribution by setting out this number to allow the voting for women candidates as we move forward to maintain a balance.

In the normal system for international democratic societies, the lasting period is 10 to 15 years. New Zealand most frequently makes amendments to their electoral constituencies due to people's migration for employment. Therefore, we cannot ignore the population for each Constituency.

The reforms are part of the wholesale approach by Government to completely overhaul the local electoral processes to eliminate corruption and illegal practices. It is a cardinal sin to turn blind to what we as elected leaders are obligated by sworn oaths.

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**Constitution Amendment Bill 2018**  
– second reading

There is nothing to fear but fear itself. Elections are for everyone and providing every opportunity for every voter to register and vote is paramount. It is crucial to have a robust electoral system and for everyone to cast their votes freely in order to get the best candidates to run the government. Understanding how the electoral system works and the importance of voting are fundamental in a democracy. If the process of elections is corrupt, then we elect those in Parliament who make decisions that will have an impact on our country's development. We were chosen by God to make the decisions in this Parliament and so we should not be afraid of making changes. In the words of the Holy Bible, *'Do what is right and what is just in the eyes of the beholder'*. That is the status for this Amendment. The Constitution cannot be amended until the Amendment is made to the Constitution and therefore, the purpose for this new legislation by March is to replace the Principal 1963 Act such as what they do with the road patches whereby they are dugged up again and resealed. Such is given in your statements here, we say road patches here and there and when we have the rain, the roads goes back to the same old bad conditions. Such is our main contribution for this Parliamentary term, to amend the entire Electoral Act to be called the Electoral Act 2018 thus replacing the Principal 1963 Act. We are now heading towards reality and in the words of the initiators of the laws, these changes must become lawful when passed for the works of the Electoral Office. For the amendment of the Ballot Roll, this is reason for the incorporation of the transitional in Part 4 of the Act. In regards to enacting 51 electoral constituencies in Parliament, this can come into effect on the day the Legislative declares the dissolution of Parliament by the Le Ao o le Malo subject to Section 63 of the Constitution. This legislation must be passed first before the Electoral Act 2018 and the Electoral Constituencies Act 2018 submitted to Cabinet by the Electoral Office. It is time for a complete overhaul and it will be called the Electoral Act 2018. Although the overall objective is to replace the Principal 1963 Act with 2018 Electoral Act. It is with hope that the next sitting in March, the complete Act will be tabled once the second reading is passed for this Bill.

There was also plan to increase the number of electoral constituencies to 51 noting the necessary arrangements to enact this would have to be made via legislative change. In terms of the traditional divisions of Samoa as per Samoan custom and tradition, this would not be affected by the proposed electoral changes. New Zealand had recently just had its election with a total of 100 members of Parliament as opposed to millions of its total population.

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**Constitution Amendment Bill 2018**  
– second reading

Whereas for us, we now have 50 members to a population of only 190,000 and therefore, if this number doubles to make up 100 like New Zealand then this brings us a population of 380,000. In saying that, we have a far greater number of parliamentarians in comparison to our population. Given the ratio in New Zealand and even Australia, the ratio we should have should be 20 to 30 for our Parliament House and this is one reason why so much unnecessary expenditure shows up in a country. This is why we must take heed of these things and the increasing number for our Parliament. The ratio for these figures should have a relationship.

The total population is very difficult your honor. One of these problems is urbanization to seek education and employment which we cannot avoid. This issue is found everywhere not just here in Samoa. That is the nature of people even in New Zealand, Australia, Russia and America, and if we go to America, it is country of milk and honey however; people sleep under the bridge and are homeless. I for one even witnessed this in real life; people would use material packs, sacks or blankets to carry their belongings. And during the winter season, they would find a tree in a park to sleep under as America is her family, the land where honey and milk is greatly available. This is not found in Samoa.

Mr Speaker, the country is relying on the decisions that we make. One thing the State does not want to change is the Constitution, we fear to modify the Constitution, they say, ‘anybody who fears to amend the Constitution will face calamity. How many times have we amended the Constitution for the betterment of our country in the future? How many ten years have we died when future generations remember this day? Today sets a new start for our election system taking into account integrity and consistency for the chosen representatives of electoral constituencies to be in this House to take part in the decision-making of the country.

Mr Speaker another huge amendment here is the wording of territorial constituencies to electoral constituencies which is simpler, easier, direct and understandable. Why? Because these changes are directly about the voter and does not involve cultural boundaries and so if heard in the statement of Tupua Laauli and his honorifics that were bestowed last Saturday, well this will not change anything whether it be our customs and tradition, all the other districts turned up including the faleupolu of Saleaumua, Lotofaga and the entire world turned up as our traditions cannot be avoided. Safata went viral about it due to these changes and now what? Our culture is not even affected.

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**Constitution Amendment Bill 2018**  
– second reading

The only thing that this legislation talks about is electoral constituencies and when the election is over, then that is it. The numbers of other districts are on the rise totaling to thousands for their population bases/district census however, under the electoral registrations rolls, these number do not even reach thousands. Where is it? These registrations are all scattered in other rolls. Who is to blame? It is us the electoral candidates. We must uphold integrity instead; it is us who breaks these laws especially on the intention to win the elections by picking up these voters. This is the difficulty that the State is trying to avoid through these Amendments. These are the challenges and reason why we were chosen by the Most High to do better things for the country that is supporting us.

Mr Speaker, that is the statement on this Bill to ensure that we are upholding integrity for our members in contribution to our electoral constituencies for sound decision making for Samoa. That is the clarification.

**MR SPEAKER:** Well done thank you in accordance to the tabling Bill before the House. Very well you will have your turn when we return from our normal break.

Proceedings of the Legislative Assembly set aside for normal recess.

*Proceedings of the Legislative Assembly suspended for normal recess at 10:55am and resumed at 11:33am.*

*Deliberations for the second reading of the Constitution Amendment Bill 2018 resumed.*

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

I trust all have restored health and strength from our break to resume our work. As heard in the clarification of the Leader of the House in regards to this Bill, I trust you are all clear. Since the senior members of this side are opposing the State, I trust the chance to two of these members before we embark with our proceedings.

I call the member of Falealupo.

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**Constitution Amendment Bill 2018**  
– second reading

**Afioga Hon AEAU PENIAMINA LEAVAISEETA:** Mr Speaker respectfully before the House and the Parliament of Samoa this morning, I trust the prayer of offering has been heard by the Almighty Father for His merciful love and peaceful guidance upon our country, in comparison other parts of the world, thankfully we are safe.

This morning honorable Speaker, I am much honored to hear the status of your administration, well done. All your achievements in not easy thankfully we are at peace. In the belief of such, why? Things are well managed and set out from the time of our descendants for the decisionmaking of the State and the Opposition side until today. This is the feeling of gratitude. Because Samoa is doing very well and unique and this is rarely found in other countries. As such, we must exalt and praise God for his power and Holy Spirit which is the guiding star upon our Leaders, this Parliament and our works to be achieved as well as the support of our people, this is the word of thanks from Falealupo.

Secondly, thank you Hon Prime Minister and the State for the plans and requests upon all constituencies including ours and those seeking help, in all reality, the districts are tuning in and are receiving this and how well managed and readily available your service delivery is for them and the general public abroad for the health sector, education sector. Well done.

Mr Speaker, the Budget Statement beforehand is the strategic plans by the State for deep consideration, for what? In regards to the laid out programs especially grants overall, this is taken into heart with great thanks. In regards to our funding distribution and us in the rural area, we wait patiently and observe and I beg forgiveness, I announce with gratitude that purposely for us, we are being grateful, why? For the sake of consistency and in thought of our neighbors. The State is not mistaken, pardon me, and that's the one good point about the administration. It is considering all parts of the country and not geographically specific to the Apia township area. Everyone should be equal and that is the intention from the start of this administration, hence no complaints. This is our submission before the House in preparation of our developments for the set plans of the Government to comply by and in plea, uphold it.

Mr Speaker, this is the assistance from this constituency with a plea, let peace be founded for the wellbeing of our nation, thanks.

**MR SPEAKER:** Very well and thank you for your speech. I call another member who wishes to speak, member for Palauli le Falefa.

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**Constitution Amendment Bill 2018**  
– second reading

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA (Palauli le Falefa):** Thank you Mr Speaker, it is with gratitude that we are seeing your presence once again in good health.

I appreciate the Hon Prime Minister for this amendment to the Constitution. This is the third amendment and the main objective for this change is to reflect integrity and permanence whilst moving towards the future. Therefore, the Leader's approach is vitally important, and his usual statements that I like to hear 'do not be afraid to do what is right for the benefit of the country as a whole'. For transparency purposes, all decisions will depend on the vote of the majority but that should not be the case as 40 to 50% of people from Savaii are here because these developments are not available in Savaii, which is reason for emphasising the need to develop the wharf at Salelologa as it would solve many developmental issues. The cargo ships could dock at the wharf which could permit taro farmers to easily export their produce. In addition, those ships could have easier access to Savaii resulting to an increase in number of businesses and therefore rise employment opportunities.

**MR SPEAKER:** Pardon the member I permit the Hon Prime Minister.

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker, I wish to make a statement in regards to the Salelologa wharf and the current speaker or Minister and I which we both have been working on. The wharf has been extended according to international standards. If the wharf was shallow we would need to make it deep which is also the plan of the Ministry.

A request has already been put forward to the Chinese Government for financial assistance to develop the Salelologa wharf. The Government has also instructed the Hon Minister (Lautafi) to prioritise the development of Salelologa (wharf). I speak of efficient advertisements for business operators in Savaii because the more businesses, this would justify the docking of more ships and containers in Savaii wharf. That is the main objective for Salelologa wharf. The port at Asau is problematic as it is not a natural harbour. The issue is the rock flow according to the engineer that came and swam in it back in 1970 and made a statement that this rock flow would be impossible to bomb it down. Today we have special machines that could cater for that job.

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**Constitution Amendment Bill 2018**  
– second reading

Hence the major developments must meet international standards that would not only require fund allocation but we need more business operators from here and abroad to justify the building for this development. That is the assistance.

**MR SPEAKER:** Thank you. I see that the member is very appreciative of the Hon Prime Minister's clarification on this matter.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Thank you Hon Prime Minister for the clarification I believe the Hon Minister of Finance and the Minister of Commerce, Industry and Labour are well aware of this. The best person to seek help from for you two is Peseta or the member for Faasaleleaga No.4. He initiated the road development on 100 acres land for 200 meters pipelines together with the installation of electricity, water and telecommunication network underground.

I support the proposed amendment to the constitution; the only thing that has not been read out is the constituencies for these three seats without removing the constituencies of Savaii. With 21 seats in Savaii, it is up to the Cabinet where these 3 seats will go to make up 52 electoral constituencies. Otherwise, continue with the dual seats for bigger constituencies if the population is defined by the majority or size of land. With respect.

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

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker all those matters are presented inside this Parliament. The only thing is that no dual seats are allowed for constituencies, there will be one representative per constituency.

As I said, the arrangement is based upon boundaries. That is the most significant element to maintain integrity moving forward. So therefore, let us get to the bottom of things, one constituency one vote and then the electoral constituency will be arranged accordingly and so the cultural constituency is retained.

**MR SPEAKER:** Very well. I call the member of Palauli le Falefa to conclude his speech.



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**Constitution Amendment Bill 2018**  
– second reading

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Thank you for the clarification. The point I am after Hon Prime Minister is the sustenance of the 21 seats for Savaii despite the boundaries because one of the candidates wanted to run but could not because he did not have a constituency. That is the also what happened to the Individual Voters seats.

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

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker that is exactly what I am saying. The changes have not yet been finalised, however the issues by the member are irrelevant to the proposed amendments for the tabling Bill. The changes cannot be considered until the Bill is passed; further detailed discussions are required once the Bill is passed by the Assembly.

**MR SPEAKER:** That is similar intention I have. The objective of this amendment to the constitution is to make up the number 51. All other changes and discussions will come later after the Bill is referred to the Committee.

Continue with your speech but do not listen to the member for Aleipata Itupa i Lalo.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** At least the Hon Prime Minister has made himself clear, so we will not have two seats but three. If 3 seats will be maintained, then Savaii will be in trouble, because it will....

**MR SPEAKER:** We have not yet received those particular objects to this Bill except for the Constitution where this number arrangements has in accordance to the given numbering.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Honorable Speaker, we do not intend to teach you as the saying goes, *e le aoaia e Laupua Tamafaiga*, the Constitution is the supreme law which guides all other legislations in Parliament. With great respect, thank you for the chance.

**MR SPEAKER:** Well done. This is exactly what we call senior debate. All comments are required for the House to make sound decisions. I call the member for Salega East; I ask that you be brief.

29 JANUARY 2018

**Constitution Amendment Bill 2018**  
– second reading

**Tofa OLO FITI AFOA VAAI (Salega East):** Thank you honorable Speaker, I have very few things in relation to the proposed Amendment to the Constitution. I trust that for any constitution, Amendments or Legislations by the State, as the normal saying, they are meant to further improve the things are either good or bad. That is the intention.

The only thing that makes us unique from the rest of the world as the Hon Prime Minister states is our culture. That is the main difference. I only wish to highlight and remind the backbone of the Constitution that is given in capital in the foreword of the Constitution as you state honorable Speaker, “In the Holy Name of God who Abides all Strength, and His Everlasting Love shows through the Leaders of Samoa and its Independent Government, Samoa is founded on Christian belief, values and custom.” These words in the foreword are very clear in the Constitution. Despite the comparisons drawn by the Hon Prime Minister with the US presidential system and others, Samoa is inherently unique. The Constitution was based on God, and the changes from 'territorial' constituency to electoral constituency would cause Samoa a nation to lose part of its identity, putting emphasis on the connotations and meaning of the Samoan word '*faaalaalafaga*'. Bear consideration of that your honor as it is...

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

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker I wish to point out to the Member that the term 'elections' is not a traditional Samoan practice, it is one which was adopted from the Western system and was incorporated into Samoa's. The existing system is intertwined with the FaaSamoa, and as such these issues are not new as they were thoroughly considered by our forefathers.

**MR SPEAKER:** All those details will be provided when the draft is complete. I call the member to conclude your speech.

**Tofa OLO FITI AFOA VAAI:** Thank you, now that we have it, your clarification is very precise. This is how our custom is laid out, we do not vote, this is the European system. This is reason for my intention with respect, essence to violating the foreword in this Constituion. Otherwise, honorable Speaker...

**MR SPEAKER:** I give another chance to the Hon Prime Minister.

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**Constitution Amendment Bill 2018**  
– second reading

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker I ask the withdrawal of these words from the foreword of the Constitution because the proposed changes did not run contrary to the intentions of our forefathers, this is to honoring our forefathers efforts. The elections are one such process introduced and implemented by our founders of the Constitution, as Elections were implemented and introduced by our forefathers.

**MR SPEAKER:** Pardon the member, do not go against the intention of the Government.

You may conclude.

**Tofa OLO FITI AFOA VAAI:** Pardon me honorable Speaker, no I am only assisting on the new amendments we have before us and the new explanations we give. Nonetheless, never mind on that as the country is tuning in.

Secondly I conclude a thought, I only wish there was an amendment on the type of indigenous people that are entitled or eligible to the electoral candidates. Because at the current, it is no secret that there are several members of other countries with chief titles that are eligible and are now Samoan citizens and they should have submitted a...just a request, as these two are related, please bring a request to specify this, and what type of citizenship is eligible under this Bill?

**MR SPEAKER:** I only wish to remind that those details will be provided when we have the Principal Act which incorporates all that in your statement. As the Leader of the House explains, in the future sitting we will discuss all that in Parliament.

I call the member to conclude his speech.

**Tofa OLO FITI AFOA VAAI:** Mr Speaker with all due respect, the reason I speak of this section is in regards to Clause 45 of the Constitution, because it is precisely given, eligibility for Members in Parliament because we are unaware whether we will get another 2/3 in future Parliaments. That is the case because in query, are those bestowed 'honorary' titles able to constest at general elections given the difference between true and false matai.

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

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**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker that person is ineligible, the kind of matai is clearly stated. It is good that issues are brought to light as the member is still unclear of the laws. That is why as soon as you have your matai title bestowal, you are given an official document so these matais are not affected by the Chiefs Law of the country. It is good to hear this from the member of Salega who has been here for over four, five, six, seven years yet he is still doubtful and in dark of this very matter. If you would have told me outside I would have clarified this to you rather you are mocking around mistakenly.

**Tofa OLO FITI AFOA VAAI:** Mr Speaker, I beg your pardon, I am speaking the truth.

The Prime Minister has also clarified clearly the different kinds of chiefs in regards to the law, so these must be well clarified for true and false matai.

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker, remove these words 'rude' particularly those from overseas whom are regarded as respected members. The person making these statements in the House is too arrogant and rude.

**MR SPEAKER:** Well done. Given that we are...under Standing Orders regarding proverbial expressions that is misguiding the transparency of our statements for the sake of the public, hence it is appropriate that we make positive statements that brings encouragement to our overseas partners because they will further assist us in future times.

I am in shock with this old member, I call the member of Salega East to conclude your speech.

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

**MR SPEAKER:** Do you have anything to say member for Gagaifomauga No.3?

**Susuga Hon Laauli Leuatea Polataivao Fossie Schmidt:** Yes I wish to make clarification as other members have just made comment on a matter that involves the interest of the constituency listening in.

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**Constitution Amendment Bill 2018**  
– second reading

In correction, the honorary title bestowed upon Ban Ki Moon who is the head of the United Nations is not a false matai title rather it is a title agreed to by the Hon Prime Minister and Aiga Sa Tupua. That is reason for upstanding, this is an honorary chief title of the country.

**MR SPEAKER:** Thank you. I call the member for Salega East.

**Tofa OLO FITI AFOA VAAI:** Thank you. That is not important to me, what's more important is seeing foreigners sitting in the Chamber within the next 20 years.

**MR SPEAKER:** Pardone me, I call the Hon Prime Minister.

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** Mr Speaker this is not the first time this matter has come up, because this matter involves the entire country. If we seek the roots of our ancestry in this House, well majority of them are Fijians, Tongans, Tokelauens, German and British origins, they are all in this House.

Mr Speaker this is reason for advising the member about his baseless comments, if we are to take the extent in terms of ancestry, there are majority of mixed races in the House that have already been addressed by the majority.

**MR SPEAKER:** Pardon the member; it is good that you conclude your speech as I do not accept the search of mixed ancestry in Parliament as it would cause chaos.

Pardon the member I ask that you conclude your speech before I end it.

**Tofa OLO FITI AFOA VAAI:** Mr Speaker with deepest respect, that is not the intention of Salega, I speak of accountable events, never mind I will leave it in the good hands of the Government and its leaders, may you consider these things with respect.

**MR SPEAKER:** I believe that is the end to our comments. I meant what I have said...

**Afioga FAUMUINA ASI PAULI WAYNE FONG (Urban Seat West):** Please Mr Speaker, because this constituency is rightfully affected. What is your intention? I ask for your permission with great respect.

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**Constitution Amendment Bill 2018**  
– second reading

**MR SPEAKER:** I appease, I will allow five minutes for the both of you upstanding, lest I am being questioned, the same for...

**Tofa Hon FAASOOTAULOA PATI TAULAPAPA (Gagaemauga No.2)** Mr Speaker, I too want to comment...

**MR SPEAKER:** I only wish to remind that this Bill will be referred to the Committee with regards to this amendment for 90 days before it is referred back to Parliament. You also agreed to my first question I gave in the first place in regards to the Prime Minister's clarification and whether it was clear for the Constitutional Amendment that is very small pointing back to the Principal Act. The Principal is not amended in a...

**Tofa Hon FAASOOTAULOA PATI TAULAPAPA:** Mr Speaker...

**MR SPEAKER:** Sit down I am talking. The Bill has not yet been referred to the Committee yet for deliberations with a Report. The Hon Prime Minister's response is more than enough. I will not allow anymore comments. This Constitution Amendment 2018 will be referred to the Committee for the members to make further comments.

Hence I beg indulgence; opportunities will no longer be allowed as this Bill will go straight to the Committee for members to make submissions on...

**Afioga FAUMUINA ASI PAULI WAYNE FONG:** Mr Speaker, I will take whatever chance you give me, two and half minutes is more than enough...

**MR SPEAKER:** Pardon me notable member, since everyone wants to speak, we must take heed of our time, the Bill will be referred to the Committee before further comments and submissions is made on this bill. Even with the Principal Act and reason for this Constitution amendment as the Prime Minister states, the entire 2000 will be changed so it will no longer will be known as the 1963 Act, it will be changed to 2018 Act.

That is the final decision. I beg tolerance and forgiveness to all members particularly the member for the Urban seat.

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

29 JANUARY 2018

**Casino and Gambling Amendment Bill (No.2) 2017**  
 – second reading

**MR SPEAKER:** Pursuant to Standing Orders, the Bill will be referred to the Standing Order, Electoral, Petition and Constitutional Offices Committee for consideration and report back to the Legislative Assembly after 90 days from today.

There will be numerous chances hence, I appease everyone especially the public.

**CASINO AND GAMBLING AMENDMENT BILL (NO.2) 2017**  
 – second reading

**Afioga Hon LAUTAFI FIO SELAFI PURCELL (Minister for Public Enterprises):** Well done honorable Speaker for your perseverance and management of our meeting.

I move the motion, *That the Casino and Gambling Amendment Bill (No.2) 2017 be read a second time and I wish to briefly elaborate it.*

*Seconded by the Minister of Health, Minister of Agriculture and Fisheries and the Minister of Finance.*

**Afioga Hon LAUTAFI FIO SELAFI PURCELL:** Thank you Mr Speaker and respectable members of the House. This bill and its amendments deal with parts of the Principle Act which have been deemed as 'ambiguous' specifically in regards to casinos.

The Gambling Control Act was passed by the House in 2017 but did not affect casinos as they were provided for under a separate Act. The tabling Bill has similarities with the Gaming Control Act however it provided for gaming inspectors and other monitoring mechanisms. The Bill will ensure that the Authority's services are improved and will afford inspectors the authority to monitor gaming establishments, as was provided to Police Officers. The Bill will enforce the age limit for gamblers and outline that casinos pay commissions from their earnings. It also provides for the creation of Regulations and relevant penalties such as penalties for falsifying financial statements to the Authority. That is the brief clarification for consideration with respect.

**MR SPEAKER:** Thank you, perhaps the clarification is precisely given in regards to strengthening the controlling of casino games. If we have no more speakers, I will put the question forward.

*Motion approved and the Casino and Gambling Control Bill (No.2) 2017 is now read a second time.*



29 JANUARY 2018

**Alienation of Customary Land Bill 2017**  
– second reading

**MR SPEAKER:** Pursuant to Standing Orders the Bill will now be referred to the Finance and Expenditure Committee for review before reporting back to the Legislative Assembly in the next ensuing sitting.

**ALIENATION OF CUSTOMARY LAND BILL 2017**  
– second reading

**Afioga Hon FIAME NAOMI MATAAFA (Minister of Natural Resources and Environment):** Mr Speaker I move the motion, *That the Alienation of Customary Land Bill 2017 be now read a second time and I wish to briefly explain it.*

*Seconded by the Minister of Commerce, Industry and Labour, Minister of Forestry and Fisheries.*

**MR SPEAKER:** With respect I ask the Hon Deputy Prime Minister to upstand and give your clarification.

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker and the dignified Parliament, this Bill outlines the alienation of customary land and its purpose is twofold. It permits the leasing and mortgaging of land. The Bill will protect customary land and interests; the other objective is to increase economic development by providing additional means of income for customary land holders. It has been more than 100 years since the Advisory Land Committee is established, and that Government is determined to utilize existing national resources to increasing the economic standard in village, particularly for individual and collective families. There are more than 81% to Samoan land under customary land. Customary lands cannot be used as security for loans which is a requirement for development projects - despite their existence, families continue to struggle. The land was provided to us for use by God; hence they should be utilized to assist families for their economic benefit. There is still concern by Members of the House and the public that these changes are a result of the loss of customary land ownership over time; however, there are relevant provisions in place to ensure that customary land continues to be secured and owned by Samoans. In closing, there are already families who have opted to lease their customary land yet we have seen the increase in their standard of living as a result of these ventures. The Bill therefore permits for customary land to be used as security for a mortgage for economic purposes.

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**Alienation of Customary Land Bill 2017**  
– second reading

We have had other villages who were the initiators of this such as Laulii because the advantage of these leases is for the benefit of the constituency. That is the assistance once the lease contract expires, it is up, the land goes back to the owner.

Mr Speaker, that is the explanation in regards to the tabling Amendment Bill in Parliament. I pray for blessings.

**MR SPEAKER:** Very well thank you Hon Minister who is also the Deputy Prime Minister.  
I call the Hon Prime Minister.

**Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI:** Mr Speaker I wish to add upon the wonderful speech by the Deputy Prime Minister. I take it that the concept of land lease has historically been a difficult concept for our people to understand. Customary land cannot be sold as per the provisions in the Constitution. When land is leased - it is temporary and once the lease ends the land reverts back to the owners, stressing that ownership must therefore remain with the landowners at all times. If however the lease is not paid - the lease, of say 10 years is withdrawn by the money lender and the remainder of the lease term is advertised. Once the lease term is complete the lease cannot be renewed. Leasing customary land for economic development purposes is a good source of revenue for families.

In terms of huge land lease, the village of Laulii became the first village to have engaged in this undertaking for the benefit of the district. That is the addition to this matter, as most people become confused and say that mortgage is similar to lease. Once lease term is expired, it is finished and the land goes back to the owner.

**MR SPEAKER:** Well done thank you. The member for Gagaifomauga No.3 is joyfully speaking up, I call the member.

**Susuga Hon LAAULI LEUATEA POLATAIVAO FOSSIE SCHMIDT:** Thank you Mr Speaker I wish to make a contribution on behalf of this constituency in regards to the statement and clarification by the Hon Prime Minister and the Minister and the Bill we have beforehand. The content of this Bill deals with sensitive issues which is the integral part of every Samoans lives. When land becomes the subject of discussion, the heart will not sit still. You will not be calm because this is important, it is our inheritance.

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**Alienation of Customary Land Bill 2017**  
– second reading

This is also reason why the Lands and Titles Court in Mulinuu is filled because this is the main issue of concern for the people. The inheritance is the Lands and Titles of the country. Hence, I extend great thanks to the Hon Minister for bringing forth these amendments and perhaps this will bring answers to some members of the public as some interpretations of the law are difficult to entrust in comparison to the objectives and intentions of the State's.

In terms of land mass, this constituency is one of the largest in Samoa and perhaps the biggest land owner in the country. We have over sixty to seventy thousand land acres and the last forest in the country. In 1960, 1970 we had the Potlatch Company from America who came and cut down trees in support of Samoa's developments today. Our constituents have begun to plant trees in a 10,000 acres plot in efforts to support the environment. In 2008, investors proposed the building of a hotel development using 60 acres of land hence consultations were carried out between the investors and relevant matai - with the biggest consideration that the effects of such a project will bring benefit to future generations. Most of the forestry was cut down and so what else do we do next? We have thoroughly thought about it on what we can do to make good use of this land. In 2008, we had commercial investors who explained to us their proposals and what they wanted to achieve. They wanted to use 600 acres to build/develop a hotel project and the exchanges we had was not easy as this was the first of its kind in the country. Instead, our village was very prepared lest the net was casted towards our current generation. Since the village was very easy, there is only one authority for Sa Tupua and Sa Malietoa. We collectively agreed to press through with development for the sake of earning a living. The State officially approved it too and therefore began a lease of 600 acres.

Distinguished and notable Members, this lease is now going on to ten years. It was not easy for the investor who came because the conditions and criteria by the village were also not easy. The same criteria are now given in this Constitutional Amendment through this Legislation. The timeframe for that lease was about to end given the examples of several criteria that were put in place such as the restriction of work on Sundays, dress codes for tourists, lease payment criteria and the requirement that locals would be hired as employees to run and operate the development. The lease was US\$120,000 per 600 acres per annum. If converted into Samoan currency, it will amount to \$300,000 income per year for the constituency. This will share great benefit for our constituency as well as the Government, as 5% fee will be received by the State for this land lease. The entire amount goes to the constituency for them to share.

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**Alienation of Customary Land Bill 2017**  
– second reading

More than \$350,000 had been collected, to date, for the lease. In closing, I note 500 acres had been leased for a Nonu farm which had produced profits which amounts to approximately USD\$100,000. I submit my support on this bill particularly for the clauses which states that a lease cannot be renewed.

**MR SPEAKER:** Thank you. The member's speech is 120% clear as you are the first to have your customary land developed. Well there you have it members of the public, that is the clarification for the land of this constituency, well done. I believe that is all the comments we have hence we shall now put the question.

**Afioga PAU SEFO TAUMATA PAU:** Mr Speaker...

**MR SPEAKER:** Very well, the member for Faasaleleaga No.2 must speak as well as the member for Vaimauga East.

But since adjournment time has arrived, you will have your turn tomorrow pardon the speaking member.

Before we adjourn, I call the member for Vaimauga East to conclude our sitting with a prayer.

*Proceedings of the Legislative Assembly adjourned at 12:57pm until Tuesday, 20 March 2018 at 9.00am.*

